

## Division 4 – Signage

### Section 16.5.410. Overview.

- (a) *Intent.* The regulations in this section are intended to coordinate the use, placement, physical dimensions and design of all signs within the Town.

### Section 16.5.415. Sign permit requirements.

To ensure compliance with the regulations of this section, a sign permit shall be required to erect, move, alter, reconstruct or repair any permanent or temporary sign, except signs that are exempt from permits in compliance with this Section of the Code. A sign permit shall be required for those temporary signs specified in Section 16.5.425 of this Code. In multiple-tenant buildings, a separate permit shall be required for each business entity's sign. Separate building and electrical permits may be required for signs and will be determined on a case-by-case basis. Changing or replacing the copy on an existing lawful sign shall not require a permit, provided that the copy change does not change the nature of the sign or render the sign in violation of this section.

- (a) *Sign permit application requirements.* Applications for sign permits shall be made in writing. Fees shall be in accordance with the Town's fee schedule available upon request from Town staff.
- (b) *Application requirements for temporary signs.* Applications for temporary sign permits shall be made in writing. Fees shall be in accordance with the Town's fee schedule available upon request from Town staff.
- (c) *Town Staff review and approval.* When the Town staff has determined the application to be complete, the Town staff shall review the sign permit in accordance with the established review criteria and shall have the authority to approve, approve with conditions or deny the sign permit. Upon the Town staff's approval of the sign permit, the sign permit and any building or electrical permits required for the sign shall be issued to the applicant.
- (d) *Review criteria.* The following considerations shall be made by the Town.
- (1) The sign meets the requirements of this section.
  - (2) The sign conforms to the requirements of the adopted building and electrical Codes.
  - (3) The sign does not interfere with pedestrian or vehicular safety.
  - (4) The sign does not detract from the character of an architecturally significant or historic structure.
  - (5) The sign is not located in a place that has a negative impact on adjacent property.
  - (6) The sign does not detract from the pedestrian quality of the street or area.
  - (7) The sign does not add to an over-proliferation of signs on a particular property or area.

- (e) *Appeal of sign permit denial or approval with conditions.* Any appeal of the Town Staff's denial of a sign permit or approval with conditions shall be made to the BOA as provided in this Code.
- (f) *Waivers.* Any request for an increase in the maximum allowable area for a sign or for signs not expressly permitted in these regulations requires approval by the Town Council as part of a use by special review.
- (g) *Enforcement.*
  - (1) Discontinued establishments; removal of signs. Whenever a business, industry, service or other use is discontinued, the sign pertaining to the use shall be removed or obscured by the person or entity owning or having possession over the property on which the sign is located within 90 days after the discontinuance of such use.
  - (2) Illegal signs.
    - a. Penalties. Illegal signs shall be subject to the enforcement provisions of this article.
    - b. Removal of illegal signs in the public right-of-way. The Town may cause the removal of any sign within the public right-of-way or on property that is otherwise abandoned that is not in compliance with the requirements of this article.
    - c. Storage of removed signs. Signs removed in compliance with this section shall be stored by the Town for 30 days, during which they may be recovered by the owner only upon payment to the Town for costs of removal and storage. If not recovered within the 30-day period, the sign and supporting structure shall be declared abandoned and title shall vest with the Town. The costs of removal and storage (up to 30 days) may be billed to the owner. If not paid, the applicable costs may be imposed as a tax lien against the property.
    - d. If any person or entity erects any temporary sign for which a temporary sign permit is required without receiving a permit, the person or entity shall be ineligible to receive a temporary sign permit for the remainder of the calendar year.

**Section 16.5.420. Exempt signs.**

The following types of signs are exempt from permit requirements of this section and may be placed in any land use district. All such exempt signs, except government signs, shall be located outside a public right-of-way. Exempt signs shall not interfere with traffic signs or the sight distance triangle at intersections. Evidence of the owner's permission to install a sign shall be required upon request by the Town.

- (a) *Nonvisible.* Signs that are not visible beyond the boundaries of the lot or parcel upon which they are located and/or from any public thoroughfare or right-of-way, except that such signs shall be subject to the safety regulations of the building Code and electrical Code adopted by the Town.

- (b) *Address.* Nonilluminated signs, not to exceed two square feet in area, that identify the address and/or occupants of a dwelling unit or of an establishment.
- (c) *Building identification, historical markers.* Non-illuminated signs constructed of metal or masonry that are permanently affixed to buildings or structures for the purpose of identifying the name of a building, date of erection or other historical information as approved by the Town staff.
- (d) *Bulletin Board.* Bulletin Board signs not exceeding 15 square feet in gross surface area, accessory to a church, school or public or nonprofit institution.
- (e) *Construction.* Temporary construction signs, provided that the following requirements are met.
  - (1) Signs in conjunction with any residential use shall not exceed eight square feet each.
  - (2) Signs in conjunction with all other uses shall have a maximum area of 16 square feet each.
  - (3) Only one such sign oriented per street front per premises shall be erected. Any two such signs located on the same premises shall be located at least 100 feet apart as measured by using a straight line.
  - (4) Such signs shall not be illuminated.
  - (5) Such signs shall only appear at the construction site.
  - (6) Such signs shall be removed within the earliest seven days after completion of the project or one year of installation.
- (f) *Courtesy.* Nonilluminated or indirectly illuminated signs that identify, as a courtesy to customers, items such as accepted credit cards, redemption stamps offered, menus or prices are limited to one such sign for each use, not to exceed four square feet per face or eight square feet in total aggregate area for all such signs. Such signs may be attached to the building as projecting or wall signs, affixed to a door or window, suspended from a canopy or included as an integral part of a freestanding sign.
- (g) *Decorations (holiday).* Temporary decorations or displays, when such are clearly incidental to and customarily and commonly associated with any national, state, local or religious holiday or celebration shall be displayed for not more than 60 days in any one year and may be of any type, number, area, height, location, illumination or animation.
- (h) *Directional.* On-premises directional and instructional signs not exceeding six square feet in area a piece.
- (i) *Doors.* Signs affixed to door glass that identify the name and/or address of an establishment.
- (j) *Farm products.* Seasonal farm product signs.

- (k) *Flags.* Flags, crests or banners of nations, organizations of nations, states and cities, or professional, fraternal, religious or civic organizations, except when displayed in connection with commercial promotion.
- (l) *Garage, estate or yard sale or farm auction.* Signs that advertise a private garage or yard sale on the lot where the sign is located shall be displayed no more than twice per year per dwelling unit for a period not to exceed three days.
- (m) *Memorial.* Memorial signs, plaques or grave markers that are noncommercial in nature.
- (n) *Notice Boards.* Notice Boards for public or religious institutions.
- (o) *Oil and gas operation.* Identification signs for any oil and gas operation.
- (p) *Political.* Political signs displayed on private property.
- (q) *Special events.* Temporary special event signs and banners for religious, charitable, civic, fraternal or similar nonprofit or not-for-profit organizations, or private noncommercial special events.
- (r) Text or copy changes on conforming or legal nonconforming signs are specifically designed to permit changes of the text or copy provided that no structural changes are made to the sign and that the name of the business to which the sign belongs is not changed on the sign.

**Section 16.5.425. Temporary signs.**

Such signs shall otherwise be in conformance with all applicable requirements contained in this section. All such temporary signs, except government signs, shall be located outside a public right-of-way. Temporary signs shall not interfere with traffic signs or the sight distance triangle at intersections. Evidence of the owner's permission to install a sign shall be required upon request by the Town. Temporary signs shall be allowed only with a valid permit and upon proof of compliance with this Section. Temporary signs include but are not limited to the following.

- (a) Banners used to decorate or attract attention to a business establishment, H-Frame (freestanding) real estate-type signs and any other signs not of a permanent nature advertising special event, provided that the following criteria are considered.
  - (1) The business is licensed and has received approval for a temporary sign from the Town.
  - (2) The signs are displayed in conjunction with a grand opening celebration for a period not to exceed 30 days and renewable up to an additional maximum period of 30 days.
  - (3) The signs are displayed in conjunction with a special sale for a period not to exceed 30 days.
  - (4) The signs are displayed no more than two times per calendar year per establishment. Each business or property owner shall be limited to one temporary sign of any of the

following types per business or property. In cases involving multiple tenants on a single property, each tenant shall be allowed one temporary sign.

(b) Banner-type signs.

- (1) The banner shall be securely attached to the wall of the establishment, freestanding signs or light poles on private property, except as provided for in in this Code.
- (2) The maximum height of each sign shall not exceed three feet, and the width shall not exceed eight feet.
- (3) The sign shall be made of high-quality material.

(c) Freestanding signs that advertise special events, not including those signs advertising the sale or lease of the property.

- (1) They shall be limited to a maximum of 12 square feet per side and a maximum height of four feet.
- (2) They shall be constructed of high-quality materials.

(d) Development signs.

- (1) A freestanding sign, not exceeding 16 square feet in area and six feet in height, may be permitted on the site of a new housing or commercial project following approval of a development plan. Temporary development signs shall be limited to a maximum of three years' duration, upon acceptance of improvements by the Town or when all building permits have been issued, whichever occurs first.
- (2) Any freestanding directional subdivision sign not located at the site of the new housing development shall be out of the Town right-of-way and on private property. Signs shall be 96 square feet or less and under 12 feet in height. Any freestanding directional subdivision signage exceeding 16 square feet and six feet in height shall only be permitted on properties of five acres or more and spaced at intervals of a minimum of 400 linear feet of road frontage.
- (3) Permits may be granted for one year and may, at the discretion of the Town Manager and/or their designee, be renewable annually for up to three years.
- (4) All such temporary signs shall be removed within seven days after the real estate closing or lease transaction.
- (5) No sign allowed under this subparagraph shall be illuminated.

**Section 16.5.430. Prohibited signs.**

- (a) Flashing, rotating, blinking or moving signs, animated signs, signs with moving, rotating or flashing lights or signs that create the illusion of movement, except for time-and-temperature devices.

- (b) Any sign that is erected in such a location as to cause visual obstruction or interference with motor vehicle traffic or traffic-control devices, including any sign that obstructs clear vision in any direction from any street intersection or driveway.
- (c) Neon, distracting colors, mechanical or electrical appurtenances, such as "revolving beacons," that are designed to compel attention.
- (d) Pole-mounted signs.
- (e) Roof signs.
- (f) Off-premise advertising signs or any other sign not pertinent and incidental to the permitted use on the property where located, except for temporary subdivision directional signs and political signs and except for signs permitted in this Code.
- (g) Any sign located in such a way as to intentionally deny visual access to an existing sign.
- (h) Vehicle-mounted signs, including but not limited to signs painted on or attached to semi-trailers or cargo containers, when exhibited on private property adjacent to the public right-of-way for the purpose of advertising the business or services offered on the property. Vehicle-mounted signs used in connection with a special event are exempted from the requirements of this section during the duration of the special event only. Upon the conclusion of the special event, such signs must be dismantled. For the purposes of this subparagraph, the term *special event* shall mean a parade, circus, fair, carnival, festival, farmers' market or other similar event that is different in character from the customary or usual activities generally associated with the property on which the special event is to occur.
- (i) Portable signs or signs not permanently affixed or attached to the ground or to any structure, except for real estate signs attached to posts driven into the ground, window signs and temporary barriers.
- (j) Rotating signs.
- (k) Searchlights.
- (l) Inflatable freestanding signs or tethered balloons.
- (m) Fabric signs, flags, pennants or banners when used for commercial advertising purposes, except as permitted in Section 16.5.425 of this Code.
- (n) Any sign or sign structure that meets the following.
  - (1) It is structurally unsafe.

- (2) Constitutes a hazard to safety or health by reason of inadequate maintenance or dilapidation.
- (3) It is not kept in good repair.
- (4) It is capable of causing electrical shocks to people likely to come in contact with it.

**Section 16.5.435. Sign calculations.**

Areas calculated shall be measured using standard mathematical formulas. Unless specifically stated, calculations shall be based on sign surface area.

- (a) Sign surface area. The sign surface area consists of the entire area within a continuous perimeter enclosing the extreme limits of a sign display.
  - (1) Sign face. The sign face consists of the area or display surface, including any frame or border used for the message, which includes but is not limited to writing, representation, emblem or any figure of similar character.
  - (2) Double-faced (back-to-back) signs. The area calculation of double-faced signs shall be regarded as a single sign only if mounted on a single structure and if the distance between each sign face does not exceed two feet at any point.
  - (3) Wall signs. If a sign is attached to a wall, only that portion of the wall onto which the sign face or letters are placed shall be calculated in the sign area.
  
- (b) Sign height. The height of a sign shall be measured from the highest point of a sign to the ground surface beneath it. When berms are used in conjunction with signage, the height of the sign shall be measured from the mean elevation of the fronting street.
  
- (c) Proportionate size and scale. The scale of signs shall be appropriate for the building on which they are placed and the area in which they are located. Building signs shall be harmonious in scale and proportion with the building facade to which they are mounted.

**Section 16.5.440. Sign design standards.**

- (a) *Sign location and placement.*
  - (1) Signs shall neither visually overpower nor obscure architectural features.
  - (2) Integrate signs with the building and landscaping. Signs shall be carefully coordinated with the architectural design, overall color scheme and landscaping of the area.
  - (3) Unified sign band. Whenever possible, signs located on buildings with the same block face shall be placed at the same height to create a unified sign band. Wall signs shall be located at the first-floor level only for retail and other commercial uses.
  - (4) Monument signs should be located in a planter setting within a landscaped area at the primary entries to residential, commercial and industrial developments to provide an overall project identity. A maximum of one monument sign per entry is permitted.
  - (5) Pedestrian-oriented signs are encouraged. It is desirable to include a pedestrian-oriented sign as one of the permitted signs for a business.
  - (6) Road right-of-way. No sign shall be erected within the public right-of-way.

(b) *Sign illumination.* Sign illumination shall complement, not overpower, the overall composition of the site.

- (1) Signs must be lighted downward with fully shielded luminaries wherein only the face of the sign is illuminated. Signs shall be lighted only to the minimum level for nighttime readability.
- (2) Outdoor internally illuminated advertising signs must either be constructed with an opaque background and translucent text and symbols or with a colored background and generally lighter text and symbols.
- (3) Neon tubing is an acceptable method of sign illumination for window signs in commercial districts.

(c) *Insurance on signs.* Owners of projecting signs extending over a public right-of-way shall be required to maintain public liability insurance in an amount to be determined appropriate by the Town, in which the Town is named as an additional insured. Satisfactory proof of such insurance must be provided to the Town upon request.

(d) *Maintenance of signs.*

- (1) The owner of a sign and the owner of the premises on which such sign is located shall be jointly and severally liable to maintain such sign, including any illumination sources, in neat and orderly condition and in a good working order at all times and to prevent the development of any rust, corrosion, rotting or other deterioration in the physical appearance or safety of such sign. The sign must also comply with all building and electrical Codes.
- (2) The owner of any sign regulated by this section shall be required to keep signs and supporting hardware, including temporary signs and time-and-temperature signs, structurally safe, clean and free of visible defects and functioning properly at all times. Repairs to signs shall be equal to or better in quality of materials and design than the original sign.
- (3) All signs and all components thereof, including sign structures and sign faces, shall be kept neatly painted, in a good state of repair and in compliance with all building and electrical Codes. The Town may inspect any sign governed by this section and shall have the authority to order the painting, repair, alteration or removal of a sign that constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence.

(e) *Standards for specific sign types.*

- (1) The following four tables include specific sign standards for Residential Uses, Business and Commercial Uses, the Town Core Zone District, and the Industrial Sub-District areas.

**Table 16.5.435.a. Residential Use Sign Standards**

| Type of sign                                    | Number of Signs  | Maximum Surface Area (sq. ft.)  | Maximum Height of Freestanding Signs          | Comments   |
|---|--|---|---|--|
| Identification sign (freestanding or wall sign) | 1 per duplex   | 8 square feet   | 4 feet  | Wall signs may be no higher than the eave line of the principal building.  |
|   | 1 per multi-family or triplex                          | 16 square feet  | 6 feet  | Wall signs may be no higher than the eave line of the principal building.  |
|   | 1 per public or quasi-public use                       | 20 square feet  | 8 feet  | Wall signs may be no higher than the eave line of the principal building.  |
|   | 1 per subdivision entrance (development monument sign) | 150 square feet   | 6 feet (may vary depending on square footage) | Direct illumination only; when placed on subdivision entry features, only the sign face shall be used to calculate the area. |
| Bed and breakfast                               | 1 per street frontage                                  | 4 square feet   | n/a   | May be lighted, name and address of facility only.   |
| Childcare center                                | 1  | 6   | 5 feet  | Unlit.   |
| Commercial uses (legal nonconforming only)      | 1 per tenant space                                     | 1 square feet for each linear foot of building frontage; 24 square feet maximum | 6 feet  | Direct light source only; may not be illuminated between 11 pm and 6 am if within 500 feet of existing residential.          |
| Home-based business                             | 1  | 2 square feet   | 4 feet  | Unlit.   |

**Table 16.5.435.b. Business and Commercial Use Sign Standards**

| Type of Sign   | Number of Signs   | Maximum Surface Area (sq. ft.)  | Maximum Height of Freestanding Signs       | Comments  |
|--|---|---|--|---|
| Identification sign (freestanding, wall, window, awning, canopy, projecting) | Development (project) entry freestanding monument sign: 1 per major street entrance                               | 45 square feet per face of additional surface area subject to Town Council approval | 6 feet                                     | Commercial/industrial campus-type development containing more than 2 lots and more than 5 acres; all others subject to Town Council approval      |
|  | Shopping center development >50,000 sq. ft. gross leasable space identification sign: 1 per major street frontage | 64 square feet per face of additional surface area subject to Town Council approval | 6 feet                                     | Signs are required to accommodate space for a minimum of 3 secondary/minor tenants in addition to primary major tenants.                          |
|  | Major tenant freestanding sign: 1 per building  | 48 square feet  | Lesser of 6 feet or 25% of building height | Includes individual single-use minor tenant buildings and multiple-tenant buildings that are freestanding on their own lot.                       |
|  | Minor tenant (single use & own lot): 1 freestanding sign to accommodate all tenants (see comment)                 | 1 square foot for each linear foot of building frontage; 24 square feet maximum     | Lesser of 5 feet or 25% of building height | Includes individual single-use minor tenant buildings and multiple-tenant buildings that are freestanding on their own lot.                       |
|  | Wall sign: 1 per individual tenant  | n/a   | n/a  | The sum of all wall signs on a given wall shall not exceed 5 percent of the wall area; H = first-floor level only (Subparagraph 16.9.30(e)(12)c). |
|  | Canopy or awning sign: 1 per individual tenant building frontage  | n/a   | Minimum 8 feet above finished grade        | Allowed in place of wall sign.  |

| Type of Sign        | Number of Signs             | Maximum Surface Area (sq. ft.)                             | Maximum Height of Freestanding Signs | Comments  |
|---------------------|-----------------------------|--|--------------------------------------|---|
|                     | Window sign: 1 per business | 25 percent of window or door area upon which it is applied | 6 feet                               | May be placed on the window or door but not both; cannot exceed 25 percent of the total allowable sign area for the premises. |
|                     | Information signs           | 5 square feet  | 6 feet                               | Permitted at rear and loading door entrance.  |
| Temperature         | n/a                         | n/a  | n/a                                  | Part of sign structure must be included in allowable sign area.   |
| Standard brand name | Varies                      | n/a  | 6 feet                               | Not more than 20 percent of the total allowable sign area.  |
| Temporary signs     | Section 16.5.420.           | n/a  | n/a                                  | n/a   |

**Table 16.5.435.c. Town Core District Sign Standards**

| Type of Sign   | Number of Signs  | Maximum Surface Area (sq. ft.)  | Maximum Height of Freestanding Signs | Comments   |
|--|--|---|--------------------------------------|--|
| Identification sign (freestanding, wall, window, awning, canopy, projecting) | Wall sign or projecting wall sign: 1 per individual tenant building frontage | 1 sq. ft. for the first 100 linear feet of building frontage plus 1 sq. ft. for each additional 2 linear feet of building frontage, up to 32 sq. ft. maximum. | n/a                                  | The sum of all wall signs on a given wall shall not exceed 5 percent of the wall area; cannot be 25 feet above grade level or higher than the eave line of the principal building; first-floor level only for retail uses. |
|  | Canopy or awning sign: 1 per individual building tenant                      | 10 square feet if it is a main business sign; 4 square feet if auxiliary business sign  | Minimum 8 feet above finished grade  | May not be in addition to a wall sign; auxiliary on valance only.  |
|  | Window sign: 1 per business  | 25 percent of window or door area upon which it is applied  | n/a                                  | May be placed on the window or door but not both; cannot exceed 25 percent of the total allowable sign area for the premises.  |
|  | Information signs  | 5 square feet   | 6 feet                               | Permitted at rear and loading door entrance.   |
| Time and/or temperature  | 1  | 10 square feet  | 6 feet                               | Identification or advertising that is part of the sign structure must be included in an allowable sign area.   |
| Standard brand name  | Varies   | n/a   | 6 feet                               | Not more than 20 percent of the total allowable sign area.   |
| Temporary signs  | Section 16.5.420.  | n/a   | n/a                                  | n/a  |