

Chapter 4.4: Sign Regulations

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4.401 Purpose and Necessity

- A. **Purpose.** The purpose of the sign regulations is to:
1. Establish comprehensive provisions that will assure proper and efficient expression through visual communications involving signs compatible with the character and environment of the City.
 2. Eliminate confusing, distracting, and unsafe signs.
 3. Enhance the visual environment of the City of Batavia.
 4. To be consistent with the Constitution of the United States of America and its First Amendment, and effective Supreme Court interpretations thereof.
- B. **Necessity.** The regulation of signs in the City of Batavia is necessary and in the public interest for the following reasons:
1. To promote and aid the public and private sectors in the identification, location, and advertisement of goods and services.
 2. To preserve the beauty and the unique character of the City of Batavia and to protect the City against visual blight.
 3. To protect property values in the City of Batavia by assuring the compatibility of surrounding land uses.
 4. To promote general safety and protect the public from damage or injury caused by, or partially attributed to, the distractions, hazards, and obstructions that result from dangerous, improperly designed or located signs.
 5. To promote the general welfare and to provide a pleasing environmental setting and community appearance which are vital to the continued economic development of the City.

6. To make signs compatible with overall City design objectives that are important in attracting new residents and business to the community.
7. To make signs readable in a clear, unambiguous, and concise manner.
8. To ensure signs are compatible with the planned character of the adjacent architecture and neighborhoods, and to provide the essential identity of, and direction to facilities in the community.
9. To emphasize the City's historical character by promoting pedestrian oriented and appropriately scaled signage in the Downtown Mixed Use zoning district.

4.402 General Sign Regulations

- A. **Requirement for Permit.** Except as provided in Section 4.402.D: Signs Not Requiring a Building Permit, it shall be unlawful for any person to construct, install, attach, place, paint, alter, relocate, or otherwise maintain any sign in the City without first obtaining a building permit in accordance with this Chapter.
- B. **Requirement of Conformity.** Signs shall not be installed, placed, or maintained in the City except in conformance with this Chapter. If provisions of this Chapter are in conflict with any other City code, the more restrictive requirement(s) shall apply. Signs maintained contrary to the provisions of this Chapter may be abated as provided by law.
- C. **Requirement for Design Review.** Except as specified below, all new permanent signs requiring a building permit shall receive Design Review approval.
 1. Signs shall be approved concurrent with building and site improvements as part of the Design Review process.
 2. New signs on properties with prior Design Review approval shall receive Administrative Design Review approval.
 3. Any new sign proposed on a property that is not subject to Design Review shall receive Administrative Design Review approval.
 4. Design Review shall not be required for permanent signs in historic districts or on landmark properties.
 5. Design Review shall not be required for replacement sign faces.
- D. **Signs Not Requiring a Building Permit.**
 1. One Building Identification Sign per building entrance, 6 square feet or less in area.
 2. Legal notices, building or site identification signs, directional and traffic control signs erected or required by a governmental entity.

3. Permanent parking signs 6 square feet or less in area and a maximum of 6 feet in height.
 4. Permanent Informational Signs 6 square feet or less in area.
 5. Nameplates, not exceeding two square feet.
 6. Menu Signs 6 square feet or less in area, and a minimum of 4 feet in height, not including Drive-Through Restaurant Signs, displayed within 10 feet of the business entry.
 7. Required Address Signs in conformance with Section 4.402.I.
 8. Suspended Signs 6 square feet or less in area in commercial districts.
 9. Umbrella Signs
 10. Window Signs.
 11. Temporary Signs and Limited Duration Signs in compliance with Section 4.412: Temporary Signs and Limited Duration Signs.
- E. ***Maintenance of Conforming Signs.*** Maintenance of conforming signs shall not require a permit. Sign maintenance is the replacement or repair of a part or portion of a sign required by ordinary wear, tear, or damage with like material, color, and design. Maintenance of conforming signs does not include changing the location, color, size, design, or style of signs.
- F. ***Sign Panel Replacement.*** Any business no longer in operation shall have its sign panel removed and replaced with either a blank, opaque panel having a color similar to another sign panel background, or with another sign as permitted by this Title. Replacement sign panels shall require issuance of a building permit, except for a blank panel as specified herein.
- G. ***Flagpoles***
1. ***Height.*** Flagpoles shall not exceed 1.5 times the height of the tallest building on the lot that it is located, but in no event shall a flagpole exceed a height of 35 feet.
 2. A building permit shall be required for flagpoles.
- H. ***Interim Business Identification Banners***
1. A banner identifying a business is permitted from the date a business occupies the premise until the date of installation of permanent signage, provided the applicant has pending design review and building permit applications for permanent signage and is diligently pursuing the manufacture and installation of such signage.
 2. Interim Business Identification Banners shall be placed upon the building wall of the applicant's, tenants or user space.

3. Interim Business Identification Banners shall not exceed the sign area permitted for permanent wall signs for the use, and shall not be displayed for a period exceeding 90 days.

I. ***Address Signs***

1. Each dwelling unit shall be clearly identified by a street or unit number.
2. Each nonresidential building or group of buildings shall be identified by a street number, visible from adjacent streets, not to exceed 6 square feet in area.
3. Required address signage is not counted as a part of the total sign area permitted for a building or group of buildings.

J. ***Fueling Facility Signs***

1. *Number.* Fueling facilities are permitted 1 Fueling Facility Sign in lieu of monument signage otherwise permitted in Section 4.407.B.2 of this code.
2. *Height.* Signs shall be no greater than 8 feet in height.
3. *Area.* The sign area shall not exceed 60 square feet.
4. *Setback.* Signs shall be set back a minimum of 10 feet from the right-of-way.
5. *Changeable Message Signs.* No more than one-half (1/2) of the sign area may be a Changeable Message Sign subject to Design Review approval.

K. ***Time and Temperature Displays***

1. *Location.* Time and Temperature Displays may be incorporated into allowed sign area in non-residential districts.
2. *Alternating Displays.* Displays shall not alternate between time and temperature more frequently than once every 10 seconds.
3. *Time Displays.* Time displays shall not change more frequently than once every minute.

L. ***Prohibited Signs.*** All signs not expressly permitted by this Chapter shall be prohibited, including but not limited to:

1. Vehicle Signs advertising a business or other commercial activity, when the motor vehicle is not actively being used in the conduct of the business or the activity advertised, and when parked on or adjacent to a public street or other public property and not in immediate proximity to an entrance to the building housing the business advertised.
2. Flashing, blinking, reflective, or animated signs, including signs with an intermittent or varying color or intensity of artificial illumination, whether

deliberate or as a consequence of a defect in the sign or the illumination source. *Changeable Message Signs, Fuel Facility Signs* and *Time and Temperature Displays* are not considered flashing or animated signs.

3. Electronic *Changeable Message Signs* are prohibited for use on Wall Signs and Tower Signs. In historic districts and on landmarked properties, all Electronic *Changeable Message Signs*, other than *Fuel Facility Signs* and *Menu Signs* are prohibited.”
4. Moving signs, including the sign body or any segment thereof. Flags mounted on a permanent flagpole are not moving signs.
5. Signs that, by their shape, color, design, and placement, are likely to be confused with a traffic control sign or device.
6. Signs that advertise activities illegal under Federal, State, or local laws, rules, or regulations, except for signs advertising the sale of medical cannabis that are otherwise in accordance with this Title.
7. Signs installed, attached, or painted on fences, utility facilities, rocks, trees, or natural features.
8. Signs installed, attached, or painted on any object within the right-of-way, except as otherwise permitted by this Chapter.
9. Wall Signs that are painted directly on the wall or surface of a building or structure, except as otherwise permitted by this Chapter.
10. Portable Signs, except as otherwise permitted by this Chapter.
11. Roof Signs, except as otherwise permitted by this Chapter.
12. Billboards.
13. Wall-mounted Cabinet (Can) Signs and logos more than 6 square feet in area, unless:
 - a. Such sign is approved by Design Review, and
 - b. Such sign has a:
 - (1) Cabinet that is shaped to reflect the shape of the image printed on the sign face; or
 - (2) Molded sign face, with embossed copy or sign copy or sign copy in relief; or
 - (3) Nationally registered trademark with colored sign copy on a colored background.
14. Pole Signs, except as otherwise permitted by this Chapter.

15. Freestanding signs on properties having permitted, non-industrial uses in Industrial zoning districts
16. Projecting Signs, except as otherwise permitted by this Chapter.
17. Attention getting devices including, searchlights, pennants, banners, propellers, spinners, streamers, balloons and similar devices, and festoon lights, including any lighting along one or more edge of a window or window pane except when festoon lights are used for an Outdoor Dining area, unless otherwise permitted by this Chapter.
18. Signs advertising a business no longer conducted or a product no longer offered on the premises where the sign is located.
19. Signs that obstruct visibility of any traffic control device or create a hazard to vehicular or pedestrian travel.
20. Awning and Canopy Signs unless otherwise permitted by this Chapter.
21. Off-Site Signage, except as otherwise permitted by this Chapter.
22. Signage on Accessory Structures is prohibited, except as otherwise permitted by this Chapter.
23. Residential Entry Identification Signs, except as otherwise permitted by this Chapter.
24. Temporary Signs or Limited Durations affixed to a Free-standing Sign.
25. Signs displayed in, on or within 6 feet behind a window located above the first floor in the O, SBR, LI and GI districts

M. *Nonconforming Signs*

1. Nonconforming signs may be repaired, subject to this Section.
2. If a nonconforming sign is damaged by any cause, including lack of maintenance, by more than 50 percent of its reproduction value, or is removed by any means, including “an act of God,” then such sign shall be rebuilt, repaired, or replaced only in conformance with the provisions of this Chapter and applicable provisions of the Building Code.
3. If a nonconforming sign that no longer advertises a current use remains, with or without copy, for a period of 90 days or more, it shall be presumed abandoned, and shall be removed after notice to the property owner, unless the property owner establishes facts sufficient to rebut the presumption of abandonment.

4. If a property or development is expanded or modified and such expansion or modification includes new signage, all nonconforming signs shall be removed or rebuilt to comply with the provisions of this Chapter.
 5. Sign faces may be replaced on nonconforming signs.
 6. Any change, other than sign face replacement, to a property that adds to or changes existing signage shall be prohibited until all nonconforming signs are removed or rebuilt in conformance with of this Chapter.
- N. ***Abandoned Signs.*** Sign copy on abandoned signs shall be removed within 30 days of abandonment. The area where copy has been removed shall be restored in a manner approved by the Planning and Zoning Officer.
- O. ***No Discrimination Against Non-Commercial Signs.*** Any permitted sign may contain a non-commercial message.
- P. ***Sign Height and Area:*** Refer to Glossary of General Terms.
- Q. ***Hours of Illumination.*** Unless otherwise allowed by Ordinance or this Code, illuminated signs shall be turned off between the hours of eleven o'clock (11:00) P.M. and seven o'clock (7:00) A.M. The sign may be illuminated during these hours only while the business is open.

4.403 Sign Criteria

- A. ***Design of Permanent Signs.*** All permanent signs shall be compatible with the design of buildings and sites, reflecting the architectural style, building materials, textures, colors, and landscape elements of the project.
- B. ***Placement of Signs***
1. Except as provided in the Downtown Mixed Use zoning district, permanent signs shall not project into or over the public right-of-way.
 2. Signs or support structures shall not be located in such a manner that obstructs any door, fire escape, stairway, or any opening, exit, walkway, utility access or Fire Department connection.
 3. The lowest portion of any sign that extends over an area intended for pedestrian use shall not be less than 7 feet above finished grade. The lowest portion of any sign that extends over an area intended for vehicular use shall not be less than 14 feet above the finished grade.
 4. No sign shall be placed on any property without written consent of the owner or owner's authorized agent.
 5. Notwithstanding other provisions of this Chapter, no sign shall create a hazard to the safe movement of traffic by obstructing the vision of motorists, as determined by the City Engineer.

- C. **Maintenance of Signs.** Any sign or component of a sign that is in a damaged or deteriorated condition and constitutes a danger or hazard to public safety, or a visual blight, shall be promptly repaired or replaced. Surface materials and components shall be kept free of chipping, peeling, fading, cracks, holes, buckles, warps, splinters, or rusting visible from an adjacent property or street. Illuminated signs shall be maintained in good operating condition including prompt removal and replacement of all defective bulbs, light emitting diodes, fluorescent tubes, neon or other inert gas light segments, dead pixels, damaged or deteriorated electrical wiring, and malfunctioning control devices and related circuitry.
- D. **Lighting.** Exposed incandescent, fluorescent, metal halide, high- or low-pressure sodium bulbs, or mercury vapor light sources shall not be used as a source of sign illumination. All exterior light sources shall be shielded to prevent illumination trespass beyond the sign.
- E. **Movement.** Except for permitted flags and pennants, there shall be no movement or appearance of movement of the sign or any component thereof.

4.404 Residential Zoning Districts and Uses

The following regulations shall apply to all single family and multi-family residential zoning districts, as well as Mixed Use District (MU) parcels that do not contain non-residential uses.

- A. **Single and Multi-Family Dwelling Units.** Other than the address sign required pursuant to Section 4.402.I: Address Signs, each dwelling unit may have 1 residential name sign identifying the occupant, not to exceed 3 square feet in area.
- B. **Residential Entry Identification Signs.** Residential Entry Identification Signs are prohibited for single family residential properties or subdivisions. Residential Entry Identification Signs are allowed for multiple family residentially zoned or Mixed Use properties containing one or more buildings with a total of more than 15 units subject to the following:
 - 1. **Number.** One (1) sign is allowed per multifamily residential development.
 - 2. **Height.** The sign shall not exceed 6 feet in height.
 - 3. **Area.** The sign shall not exceed 32 square feet in area.
 - 4. **Setback.** The sign shall be set back a minimum of 10 feet from the property line, right-of-way, and any vehicle use area.
 - 5. **Changeable Message Signs.** Changeable message signs are prohibited.

4.405 Nonresidential Uses in Residential Zoning Districts

- A. **Applicability.** These regulations shall apply to nonresidential uses in residential zoning districts. Nothing herein shall be construed or applied in such a manner as to regulate signs for religious uses more restrictively than signs for non-religious uses in the same zoning district.
- B. **Permanent Signs**
1. **Wall Signs**
 - a. **Applicability.** Wall Signs are permitted on any exterior wall of the tenant or user space.
 - b. **Total Business Sign Area.** Each tenant or user space shall be permitted a minimum Wall Sign area of 32 square feet. The maximum Wall Sign area permitted for a business shall be the greater of:
 - (1) The sign area calculated pursuant to Section 4.407.B.1.d: Sign Area Allowances per building elevation for the longest building elevation of the tenant or user space facing the street; or
 - (2) The sign area calculated pursuant to Section 4.407.B.1.d: Sign Area Allowances per building elevation for the length of the building elevation of the tenant or user space in which the principal entrance to the business is located.
 - c. Wall Signs are permitted at a rate of 1 square foot of sign area for each 1 foot of the building elevation adjacent to the tenant space.
 - d. **Multi-Story Buildings.** Wall Signs shall only be located on one floor of a multi-story building.
 - e. **Design.** Wall Signs shall conform to the Standard Design Review Criteria for Commercial and Industrial Projects.
 - f. **Dimensions.** The length of a Wall Sign shall not exceed 80 percent of the horizontal length of the exterior building elevation of a tenant space. The height of a Wall Sign shall not exceed 80 percent of the vertical dimension of the sign band or wall space on which the sign is placed.
 - g. **Placement and Scale.** Wall Signs shall be placed in an area that is free of architectural details. Wall Signs shall not be located closer to the top of a parapet wall than one-half the vertical dimension of the largest letter or character. The Plan Commission, through Design Review, may approve a sign higher than allowed if it finds unusual circumstances and that the sign placement does not visually crowd the top of the wall.

- h. Wall Signs Abutting Residential Uses. Wall Signs on building elevations that face properties designated for residential use in the Comprehensive Plan shall:
 - (1) not be illuminated;
 - (2) not exceed 16 square feet in area; and
 - (3) be installed no higher than 14 feet above grade.
- 2. *Monument Signs.* Unless otherwise allowed within this code, monument signs shall be permitted as follows:
 - a. Number. One on-site Monument Sign is permitted for any lot or parcel with a minimum of 50 feet of street frontage.
 - b. Size. Signs shall be no greater than 32 square feet in area and 6 feet in height.
 - c. Setback. Signs shall be set back a minimum of 10 feet from the right-of-way.
 - d. Changeable Message Signs. One-half (1/2) a monument sign area may be a Changeable Message Sign, subject to Design Review approval.
- 3. *Directional Signs:*
 - a. Size. Signs shall be no greater than 3 square feet in area and 3 feet in height.
 - b. Setback. Signs shall be set back a minimum of 10 feet from the right-of-way.

4.406 Commercial and Other Use Districts

- A. ***Applicability.*** The following regulations shall apply to the following zoning districts: DMU, PFI, NC, CC, GC districts and MU parcels that contain non-residential uses.
- B. ***Permanent Signs.*** Signs shall comply with the Design Review, or Administrative Design Review, if applicable, subject to the following regulations:
 - 1. *Wall Signs*
 - a. ***Applicability.*** Except as otherwise provided in this code, Wall Signs are permitted for first and second floor tenant spaces only on any exterior wall of the tenant or user space.

- b. **Sign Length.** The length of a Wall Sign shall not exceed 80 percent of the horizontal length of the exterior building elevation of a tenant space.
- c. **Placement and Height.** Wall Signs shall be placed on an area that is free of architectural details. Wall Signs shall not be located closer to the top of a parapet wall than one-half the vertical dimension of the largest letter or character. The Plan Commission, through Design Review, may approve a sign higher than allowed if it finds unusual circumstances and that the sign placement does not visually crowd the top of the wall.
- d. **Total Business Sign Area.** Each business shall be permitted a minimum Wall Sign area of 24 square feet. The maximum Wall Sign area permitted for a business shall be the greater of:
 - (1) the sign area calculated pursuant to Section 4.407.B.1.e: Sign Area Allowances per Building Elevation for the longest building elevation of the tenant or user space facing the street; or
 - (2) the sign area calculated pursuant to Section 4.407.B.1.e: Sign Area Allowances per Building Elevation for the length of the building elevation of the tenant or user space in which the principal entrance to the business is located.
- e. **Sign Area Allowances per Building Elevation.** Wall Signs are permitted at a rate of:
 - (1) In the GC District, 2 square feet of sign area for each 1 lineal foot of the building elevation adjacent to the tenant space.
 - (2) In the CC, DMU and MU districts, 1 and ½ square feet of sign area for each lineal feet of the building elevation adjacent to the tenant space.
 - (3) In the PFI and NC districts, 1 square foot of sign area for each lineal foot of the building elevation adjacent to the tenant space.
- f. **Multi-Story Buildings.** Wall Signs on a multi-story building shall be limited to the first and second floors and shall conform to criteria set forth below, in addition to all other wall sign criteria in Section 4.407.B.1.
 - (1) Individual Building Identification Signs located on buildings two or more stories in height shall not exceed 75 square feet in area.

- (2) Sign area allowance for first and second floor tenants is subject to the provisions of Sections 4.407.B.1.d: Total Business Sign Area and 4.407.B.1e: Sign Area Allowances per Building Elevation.
- g. Wall Signs Abutting Residential Uses. Wall Signs on building elevations that face properties designated for residential use in the Comprehensive Plan shall:
- (1) not be illuminated;
 - (2) not exceed 16 square feet in area; and
 - (3) be installed no higher than 14 feet above grade.
- h. Projecting Signs. Projecting Signs are permitted in the Downtown Mixed Use and Mixed Use districts, subject to the following criteria:
- (1) Location. One projecting sign is permitted on each principal building for each street frontage. For buildings located at an intersection, one 45-degree projecting corner sign is permitted in lieu of 2 frontage projecting signs. An additional sign is allowed for a separate tenant space on a street frontage for every 50 feet of additional frontage.
 - (2) Placement. No sign shall project more than 5 feet from the face of the building, nor encroach closer than 2 feet from the face of a curb on a public or private street. No sign shall be higher than 5 feet below the top of a parapet wall, the top of a hip or gable roof, or 25 feet above grade, whichever is lower. Projecting signs shall be located in such a manner as to complement architectural features of the building.
 - (3) Clearance. All projecting signs shall maintain a 10 foot vertical clearance from a public sidewalk, walkway or path. A projecting sign shall maintain a 8 foot vertical clearance from a private sidewalk, walkway or path.
 - (4) Approval. All projecting signs in the DMU district shall receive a certificate of appropriateness from the Historic Preservation Commission (HPC) before issuance of a building permit. In reviewing the application the HPC shall ensure that, as nearly as possible, the objectives listed in subsections h(5): Design, and h(7): Lighting, of this section, are met.

- (5) Design. Projecting signs shall reflect the character of the downtown historic district in materials, colors, scale, proportion, location and general design.
 - (6) Size. Projecting signs shall be subject to the maximum size limitation of wall signs and shall be included as part of the total allowed wall sign area for a building. Only one side of a projecting sign shall count toward allowable sign area.
 - (7) Lighting. Projecting signs may be illuminated in a manner that does not detract from the historic character of the building or the neighborhood.
- i. **Painted Wall Signs.** Painted Wall Signs are permitted in the, Downtown Mixed Use District (DMU) subject to the following regulations:
- (1) Permit Required. Businesses displaying a Painted Sign shall obtain Certificate of Appropriateness approval and a building permit prior to the application of the sign to a surface. The application shall depict the proposed sign design elements, text, colors and area.
 - (2) Location. A Painted Wall Sign is prohibited on any masonry surface of any building. A painted sign may only be placed on a non-porous material or metal surface.
 - (3) Placement. Painted Wall Signs shall be subject to the maximum size limitation of Wall Signs and shall be included as part of the total allowed wall sign area for a building.
 - (4) Design. Projecting signs shall reflect the character of the downtown historic district in materials, colors, scale, proportion, location and general design

2. *Freestanding Signs*

a. Monument Signs

- (1) Number. One on-site Monument Sign is permitted for any lot or parcel with the following minimum street frontages:
 - i. a minimum of 50 feet of street frontage in the DMU district. No additional Monument Sign is permitted.
 - ii. a minimum of 100 feet of street frontage in the PFI, NC, CC, GC districts and MU parcels that contain non-residential uses. One additional Monument

Sign is permitted for each additional 300 feet of street frontage on the same lot or parcel.

- (2) Height. Signs shall be no greater than 6 feet in height.
 - (3) Area. For buildings whose setback is less than 75 feet from the right-of-way, the monument sign area shall not exceed 32 square feet. For buildings whose minimum setback is at least 75 feet from the right-of-way, the monument sign area shall not exceed 60 square feet.
 - (4) Setback. Signs shall be set back from the right of way or back of curb of a private street a minimum of:
 - i. 0 feet in the DMU District.
 - ii. 10 feet in the PFI, NC, CC, GC Districts and MU parcels that contain non-residential uses.
 - (5) Changeable Message Signs. One-half (1/2) of the sign face of a monument sign may be a Changeable Message Sign, subject to Design Review approval.
- b. Tower Signs. Tower Signs are permitted in the General Commercial zoning district for retail centers exceeding 10 net acres, as follows:
- (1) Number. One on-site Tower Sign is permitted for each 600 feet of street frontage, provided the total number of all Freestanding Signs, including Monument Signs, shall not exceed 1 sign per 300 feet of street frontage.
 - (2) Height. Tower Signs shall not exceed a maximum height of 20 feet.
 - (3) Area. The maximum area permitted for a Tower Sign shall be 80 square feet.
 - (4) Setback. Tower Signs shall be set back a minimum of 10 feet from the right-of-way or back of curb of a private street.
- c. Directory Signs
- (1) Number. One sign shall be permitted for each 5 commercial tenants or uses.
 - (2) Size. Signs shall be no greater than 24 square feet in area and 6 feet in height.

- (3) **Setback.** Signs shall be set back a minimum of 75 feet from any perimeter property line, except where such property line abuts other commercial or employment development and there is a cross-access between the commercial or employment properties.
 - (4) **Location.** Directory Signs shall only be installed in landscape islands or pedestrian areas.
- d. **Directional Signs.** Directional Signs are not counted as part of the total sign area for a use and shall comply with the following regulations:
- (1) **Applicability.** Directional Signs are permitted to assist in traffic movement on a property. Directional Signs shall include an arrow, and may include copy to read "Enter", "Exit" or "Drive-Through" or similar language and a single business logo.
 - (2) **Size.** Signs shall be no greater than 3 square feet in area and 3 feet in height.
 - (3) **Setback.** Signs shall be set back a minimum of 10 feet from the right-of-way and 3 feet from the back of curb of a private street.
- e. **Signs on Accessory Entry Monuments.** Signs for center or project identification are permitted on accessory entry monuments for multiple-tenant projects exceeding 10 net acres, subject to Design Review approval.
- (1) **Area.** Signs shall not occupy more than 50 percent of the area of the structure.
 - (2) **Spacing.** Signs shall maintain a minimum spacing of 100 feet from any other freestanding sign.
- f. **Service Station Canopy Signs**
- (1) **Number.** The maximum number of signs attached to a canopy shall be 2.
 - (2) **Area.** Canopy Signage shall count toward total allowable wall sign area.
 - (3) **Projection.** No part of the sign shall project from a canopy wall by more than 2 inches.
 - (4) **Placement and Scale.** The sign shall be vertically centered on the face of the canopy and be a minimum of 3 inches from both the top and bottom.

- g. *Electronic Changeable Message Signs.* Where permitted by this Chapter (see Section 4.402.L.3), the Plan Commission, through Design Review (or the Historic Preservation Commission through COA where applicable), may approve an electronic *Changeable Message Sign* and may establish operational restrictions. Operational restrictions include, but are not limited to, the frequency and type of message change and intensity of illumination. The Plan Commission (or the Historic Preservation Commission through a COA where applicable) shall consider the visual impacts of the sign on the uses surrounding the sign location, and traffic volume, movements and speed in the area of the sign.

The operation of electronic Changeable Message Signs subject to regulation are:

- (1) *Static.* The Plan Commission, through Design Review approval, shall establish the minimum time interval permitted between static message changes as a part of the approval of the sign.
 - (2) *Fade/Dissolve.* Images that fade and/or dissolve are prohibited.
 - (3) *Travel/Scroll.* Travelling and scrolling sign messages are prohibited.
 - (4) *Animated.* Animated sign messages are prohibited.
- h. *Gas Station Pump-Topper or Spanner Signs.* Pump-Topper and Spanner Signs shall not include illumination and shall be approved by Design Review or Administrative Design Review. Colors, materials, placement, and dimensions shall complement the design and scale of the canopy structure and the main building
 - i. *Drive-Through Restaurant Menu Signs*
 - (1) *Number.* Drive-Through Restaurant Menu Signs shall be limited to 2 per drive-through lane.
 - (2) *Area.* Signs shall be no greater than 50 square feet in area and 7 feet in height.
 - (3) *Location.* Location shall be approved through Design Review as part of a Design Review plan.
 - (4) *Design.* Drive-Through Restaurant Menu Signs shall be constructed with a solid base, complimenting the materials and colors of the restaurant.

- (5) Visibility. The Plan Commission through Design Review (or the Historic Preservation Commission through COA where applicable) may require screening be added to the site to minimize visibility of Electronic *Changeable Message Signs* from streets or adjacent residentially used or zoned properties.
- C. **Window Signs.** Except as permitted elsewhere in this Code, window signs shall comply with the following:
1. *Area.* Signs shall not exceed 25 percent of the total window area. Window signs are not part of permitted wall sign area. Illuminated window signs shall not exceed 6 square feet per sign.
 2. *Location.* Individual businesses may display signs in a first floor window area or within 6 feet behind a window.
- D. **Awning and Canopy Signs.** Signs on awnings or canopies are permitted, subject to issuance of a building permit and the following standards:
1. Awning and Canopy sign area shall count toward permitted wall sign area for the business.
 2. Signs shall not exceed 80 percent of the width and height of the awning or canopy. Letters on a valance shall not exceed 80 percent of the width and height of the valance.
 3. The underside of a translucent canopy or awning shall not be illuminated.
- E. **Community Signs.** In addition to other permitted signs, Community Signs are permitted in the PFI and DMU districts, subject to the following regulations:
1. *Number.* One Community Sign is permitted for each zoning lot.
 2. *Height.* Community Signs shall not exceed a maximum height of 8 feet.
 3. *Area.* Community signs shall not exceed an overall maximum area of 60 square feet.
 4. *Changeable Message Area.* Where permitted elsewhere by this Code, up to one-half (1/2) of the sign face of a community sign may be a *Changeable Message Sign* subject to Design Review approval.
 5. *Setback.* Community Signs shall be set back a minimum of 10 feet from the right-of-way or back of curb of a private street.
- F. **Roof Signs.** In addition to other permitted signs, Roof Signs are permitted in the DMU District, subject to the following regulations:
1. *Number.* One Roof Sign is permitted for each building.

2. *Location.* A Roof Sign shall be located only on a portion of the roof that is in front of a building wall that is at least 1.5 times the height and width of the sign.
 3. *Height.* The bottom of a Roof Sign shall not be more than 2 feet above the roof surface where it is installed.
 4. *Area.* A Roof Sign shall not exceed a maximum area of 32 square feet.
- G. ***Chimney Signs.*** In addition to other permitted signs, Chimney Signs are permitted in the DMU District, subject to the following regulations:
1. *Number.* Two Chimney Signs are permitted on each chimney that is a minimum of 50 feet in height.
 2. *Location.* The top of a Chimney Sign shall be no higher than two-thirds of the height of the chimney.
 3. *Area.* Chimney Signs shall not exceed an overall maximum area of 60 square feet.
 4. *Placement.* Chimney Signs shall not extend around the entire circumference of the chimney surface.
 5. *Material.* Chimney Signs shall be painted directly on the chimney surface.
 6. *Illumination.* Chimney Signs may be externally illuminated from the base of the chimney or a building element, provided that the light source is fully shielded.
- H. ***Pole Signs.*** In addition to other permitted signs, Pole Signs are permitted in the DMU District in lieu of a monument sign, subject to the following regulations:
1. *Uses.* Pole Signs shall only be allowed for properties containing a Fueling Facility.
 2. *Number.* One Pole Sign is permitted on a property.
 3. *Location.* No portion of a Pole Sign shall be closer than 5 feet to any property line, or 20 feet from any structure.
 4. *Height.* The maximum height of a Pole Sign shall be 20 feet.
 5. *Clearance.* Pole Signs shall maintain an 8 foot vertical clearance from a public or private sidewalk, walkway or path.
 6. *Overhang.* No portion of a Pole Sign shall overhang a driveway, parking area or other vehicular access way.
 7. *Area.* Pole Signs shall not exceed an overall maximum area of 50 square feet.

8. *Changeable Message Signs.* No more than one-half (1/2) of the sign area may be a Changeable Message Sign subject to Design Review approval. Use of Electronic Changeable Message Signs shall be limited to the price of fuel.
- I. ***Portable Signs.*** In addition to other permitted signs, Portable Signs are permitted in the DMU, MU, NC, CC, and GC districts, subject to the following regulations:
 1. *Permit Required.* Businesses displaying a portable sign shall first obtain a building permit. The sign shall display a current City decal issued with the building permit.
 2. *Size.* Portable Signs shall be no greater than 6 square feet in area.
 3. *Height.* Portable Signs shall not exceed 4 feet in height.
 4. *Number.* No more than one sign shall be permitted per business customer entrance. One additional portable sign for valet parking service is allowed to be displayed while a valet is on duty.
 5. *Display.* Signs shall be removed:
 - a. When the business is not open for customers.
 - b. When the National Weather Service issues a high wind warning, a tornado or severe thunderstorm watch or warning.
 - c. From public sidewalks during an accumulating snowfall event.
 6. *Location.* Signs shall be located:
 - a. At grade level.
 - b. In front of the business property
 - c. No more than 15 feet from the customer entrance to the building for the business being advertised, unless a pedestrian plaza is adjacent to a customer entrance, in which case the sign may be located no more than 50 feet from that entrance.
 - d. A minimum of 2 feet from back of curb adjacent to parking spaces.
 7. *Prohibited Locations.* Signs shall not be located:
 - a. In landscaped areas, other than turf grass.
 - b. In parking aisles or stalls.
 - c. On or anchored to fences, planters, other signs, vehicles, utility facilities, or any structure.
 - d. In streets or alleys.

8. *Right-of-Way Placement.* Signs may be placed on a public sidewalk in the DMU district only:
 - a. Pursuant to the issuance of an annual City license,
 - b. Within 15 feet of a customer entrance if no location on private property can meet the standards of this code,
 - c. Subject to all requirements for licensing, insurance and indemnification of the City contained in Title 3 Chapter 21 of the City Code.

9. *Construction and Maintenance.* Signs shall be:
 - a. Constructed of exterior grade, rigid, weather resistant and durable materials,
 - b. Of sufficient weight and durability to insure the sign remains in place during normal weather conditions, and
 - c. Maintained in a professional manner free of chipping paint, cracks, gouges, loss of letters, and similar defects.

10. *Elements Prohibited on Portable Signs.* The following shall be prohibited on Portable Signs:
 - a. Any form of internal or external illumination, including flashing, blinking or rotating lights;
 - b. Animation;
 - c. Reflective materials;
 - d. Attachments, including, but not limited to, sandbags or other items to hold a sign in place, balloons, ribbons, flags, speakers, other copy or graphics, etc.

11. *Clearance for Pedestrians.* A clear pedestrian access path shall be maintained as follows:
 - a. Public Sidewalks. A minimum of 4 feet.
 - b. Private Walkways. A minimum of 3 feet.

4.407 Office/Employment Zoning Districts

- A. *Applicability.* The following regulations shall apply to the following zoning districts: O, SB, LI, and GI.
- B. *Approval.* Signs shall be approved as part of a development project through Design Review or separately by Administrative Design Review.

- C. **Permanent Signs.** Signs shall comply with the approved final Design Review or Administrative Design Review subject to the following regulations:
1. *Wall Signs.*
 - a. **Applicability.** Wall Signs are permitted on any exterior wall of the tenant or user space.
 - b. **Total Business Sign Area.** Each business shall be permitted a minimum Wall Sign area of 32 square feet. The maximum Wall Sign area permitted for a business shall be the greater of:
 - (1) The sign area calculated pursuant to Section 4.408.C.1c: Sign Area Allowances per Building Elevation for the longest building elevation of the tenant or user space facing the street; or
 - (2) The sign area calculated pursuant to Section 4.408.C.1c: Sign Area Allowances per Building Elevation for the length of the building elevation of the tenant or user space in which the principal entrance to the business is located.
 - c. **Sign Area Allowances per Building Elevation.** Wall Signs are permitted on any exterior wall of the tenant or user space at a rate of 1 square foot of sign area for each 1 lineal foot of the building elevation adjacent to the tenant space. In no case shall a wall sign exceed 200 square feet.
 - d. **Multi-Story Buildings.** Wall Signs on a multi-story building shall be limited to the first floor.
 - e. **Dimensions.** The length of a Wall Sign shall not exceed 80 percent of the horizontal length of the exterior building elevation of a tenant space. The height of a Wall Sign shall not exceed 80 percent of the vertical dimension of the sign band or wall space on which the sign is placed.
 - f. **Placement and Scale.** Wall signs shall be placed on an area that is free of architectural details. Wall Signs shall not be located closer to the top of a parapet wall than one-half the vertical dimension of the largest letter or character. The Plan Commission may approve a sign that is closer to the top of the parapet wall if it finds that the sign placement does not visually crowd the top of the wall.
 - g. **Wall Signs Abutting Residential Uses.** Wall Signs on building elevations that face properties designated for residential use in the Comprehensive Plan shall:

- (1) Not be illuminated;
- (2) Not exceed 16 square feet in area; and
- (3) Be installed no higher than 14 feet above grade.

2. *Freestanding Signs*

a. Monument Signs

- (1) Number. One Monument Sign is permitted for any lot or parcel with a minimum of 100 feet of street frontage. Parcels with 600 feet of street frontage are permitted 2 Monument Signs. One additional Monument Sign is permitted for each additional 300 feet of street frontage.
- (2) Height. Signs shall be no greater than 10 feet in height.
- (3) Area. Signs shall be no greater than 60 square feet in area.
- (4) Setback. Monument signs shall be set back a minimum of 10 feet from the right-of-way and 5 feet from any curb.
- (5) Changeable Message Signs. One-half (1/2) of the sign face of 1 monument sign in the General Industrial District may be a Changeable Message Sign, subject to Design Review approval. Only 1 changeable message sign is allowed per Zoning Lot.

b. Directory Signs

- (1) Number. One sign shall be permitted for each 5 tenants or uses.
- (2) Size. Signs shall be no greater than 24 square feet in area and 6 feet in height.
- (3) Setback. Signs shall be set back a minimum of 75 feet from any perimeter property line, except where such property line abuts other commercial or employment development and there is a cross-access between the commercial or employment properties.
- (4) Location. Directory Signs shall only be installed in landscape islands or pedestrian areas.

c. Directional Signs. Directional Signs are not counted as part of the total sign area for a use and shall comply with the following regulations:

- (1) Applicability. Directional Signs are permitted to assist in traffic movement on a property.

- (2) Directional Signs shall include an arrow and may include copy to read "Enter", "Exit" or "Drive-Through" or similar language and a single business logo.
 - (3) Size. Signs shall be no greater than 3 square feet in area and 3 feet in height.
 - (4) Setback. Signs shall be set back a minimum of 25 feet from the right-of-way.
 - (5) Prohibited Locations. Directional Signs shall not be located in a required perimeter landscape area.
3. *Signs on Accessory Entry Monuments.* Signs for center or project identification are permitted on accessory entry monuments for multiple-tenant projects exceeding 20 net acres, subject to Design Review approval.
 - a. Area. Signs shall not occupy more than 50 percent of the area of the structure.
 - b. Spacing. Signs shall maintain a minimum spacing of 100 feet from any other freestanding sign.
- D. **Window Signs.** Except as permitted elsewhere in this Code, window signs shall comply with the following:
1. *Area.* Signs shall not exceed 25 percent of the total window area. Window signs are not part of permitted wall sign area. Illuminated window signs shall not exceed 6 square feet per sign.
 2. *Location.* Individual businesses may display signs in a first floor window area or within 6 feet behind a window. Signs shall not be displayed in, on, or within 6 feet behind a window located above the first floor.
- E. **Awning and Canopy Signs.** Signs installed on canopies shall comply with the following:
1. *Area.*
 - (i) Freestanding Canopy. Signs shall not exceed 25 percent of the canopy edge length; signs shall not contribute to the total wall signage area allowed.
 - (ii) Attached Canopy. Signs shall not exceed 80 percent of the width and height of the awning or canopy. Letters on a valance shall not exceed 80 percent of the width and height of the valance.
 2. *Height.* Signs shall not extend above or below the vertical edge of the canopy.

3. *Location.* Signs may be located on canopy edges that face public right-of-ways or private streets.
4. *Illumination.* The underside of a translucent canopy or the edge of a canopy shall not be illuminated, except that an allowed sign may be illuminated where the canopy edge does not face a property designated for residential use in the Comprehensive Plan.

4.408 Parks and Open Space Zoning District

- A. *Applicability.* These regulations shall apply to uses located in the POS zoning district.
- B. *Approval.* Signs shall be approved as part of a development project through Design Review or separately by Administrative Design Review.
- C. *Permanent Signs*
 1. *Wall Signs*
 - a. *Applicability.* Wall Signs are permitted on any exterior wall of a structure.
 - b. *Total Sign Area.* Each building shall be permitted a single Wall Sign of 32 square feet.
 2. *Monument Signs*
 - a. *Number.* One monument sign is permitted on each street frontage. One additional monument sign is permitted for each street frontage over 600 feet.
 - b. *Size.* Signs shall not exceed 32 square feet in area and 6 feet in height.
 - c. *Setback.* Signs shall be set back a minimum of 10 feet from the right-of-way.
 3. *Changeable Message Panels.* One-half of a monument sign face may be a changeable message sign, subject to Design Review approval.

4.409 Removal of Signs on City Property or Rights of Way

The Code Compliance Officer, Building Commissioner, Building Inspector or any Police Officer is authorized to remove any Temporary Sign or Limited Duration Sign installed without permission on City property or in the right of way. In addition to the above City employees, City utility employees are authorized to remove any sign installed without permission on City utility facilities or property.

4.410 Removal of Hazardous Signs

The Building Commissioner is authorized to remove or require the immediate removal or repair without written notice of any unsafe sign that creates an immediate hazard to persons or property.

4.411 Temporary Signs, Limited Duration Signs, and Other Non-Permanent Signs

Temporary Signs and Limited Duration Signs, as defined in Chapter 6 of this Code, shall be permitted subject to the following regulations and any applicable State regulations:

A. *General Regulations for Temporary Signs and Limited Duration Signs.*

1. Temporary Signs may be displayed up to a maximum of 30 consecutive days. Temporary Signs do not require a permit.
2. Limited Duration Signs may be displayed for greater than 30 days, but not indefinitely. A permit is required for a Limited Duration Sign where specified in this Chapter.
3. All Temporary and Limited Duration signs must be installed and maintained such that in the opinion of the Code Compliance Officer, they do not create a safety hazard.
4. Temporary and Limited Duration Signs that are frayed, torn, broken, or that are no longer legible will be deemed unmaintained and required to be removed.
5. Temporary and Limited Duration Signs must be made of durable materials and shall be maintained as specified herein.
6. Illumination of or onto any Temporary or Limited Duration Sign is prohibited.
7. Temporary signs are exempt from the permit requirements further outlined herein, but the date of erection of a temporary sign must be written in permanent ink on the lower right hand corner of the sign face.
8. The City or the property owner may confiscate Temporary or Limited Duration signs installed in violation of this Chapter. Neither the City nor the property owner is responsible for notifying sign owners of confiscation of a sign installed in violation of this Chapter.
9. The party posting the Temporary or Limited Duration sign is solely responsible for obtaining the permission of the property owner before posting their sign.
10. Portable Signs are authorized in the DMU, MU, NC, CC, and GC districts as permitted in Section 4.407.I of this Chapter.

11. Temporary or Limited Duration Signs cannot be affixed to a permanent Freestanding Sign.

B. *Limited Duration Sign Permit Requirements.* The following rules apply where a permit is required for a Limited Duration Sign:

1. A permit for a limited duration sign is issued for one (1) year and may be renewed annually.
2. One (1) sign is allowed per permit. Up to two (2) permits per address, subject to the size and number requirements set forth in this section, may be issued.
3. An application for a limited duration sign permit must include:
 - a. A description of the sign indicating the number, size, shape, dimensions, and colors of the sign, and the expected length of time the sign will be displayed;
 - b. A schematic drawing of the site showing the proposed location of the sign in relation to nearby building and streets;
 - c. The number of Limited Duration signs existing on the site.

C. *Temporary and Limited Duration Signs in Residential Zoning Districts:*

1. Temporary Signs:
 - a. One (1) Temporary Sign is permitted per residential property.
 - b. Temporary signs may be displayed for a maximum duration of 30 consecutive days with four (4) sign postings permitted per year. The same sign cannot be displayed on the property for successive 30 day periods.
 - c. Area: Each sign shall have a maximum area of six (6) square feet.
 - d. Height: Each sign shall have a maximum height of six (6) feet.
2. Limited Duration Signs:
 - a. One (1) Limited Duration Sign is permitted per residential property.
 - b. Limited Duration signs may be displayed up to a maximum duration of one year, with one (1) posting permitted per year.
 - c. Area: Each sign shall have a maximum area of thirty-two (32) square feet.
 - d. Height: Each sign shall have a maximum height of six (6) feet.
 - e. Permit Required: Any Limited Duration Sign exceeding six (6) square feet will require a permit under Section 4.412.B.
3. Nonresidential Uses in Residential Zoning Districts:

- a. Initial Display of Banners and Advertising Flags. Banners and advertising flags are permitted once during the first year of operation of a use, for a period not to exceed 90 consecutive calendar days and commencing not earlier than 30 days prior to the first day of operation of the use. Such Banners and flags shall be located on the exterior building wall of the tenant space to which they are appurtenant and shall not exceed a total area of 32 square feet.
 - b. Periodic Display of Banners and Advertising Flags. Banners and advertising flags are permitted for a period not to exceed 14 consecutive days per calendar quarter. Such Banners and flags shall be located on the exterior building wall of the space to which they are appurtenant, and shall not exceed a total area of 32 square feet.
4. This Section C is not intended to regulate signs on residential properties where such regulation is otherwise preempted by State law.

D. *Temporary and Limited Duration Signs in Commercial, Mixed Use, and Public Facilities/Institutional Districts:*

1. Temporary Signs in Commercial, Mixed Use, and Public Facilities/Institutional Districts:
 - a. Freestanding Temporary Signs are permitted in Commercial, Mixed Use, and Public Facilities/Institutional Districts as follows:
 - i. Duration and Number: Freestanding Temporary Signs may be displayed for a maximum duration of 30 consecutive days with one (1) sign permitted per 300 feet of frontage. No Temporary Signs may be installed 30 days prior to the installation of a new sign.
 - ii. Area: Each sign shall have a maximum area of thirty-two (32) square feet.
 - iii. Height: Height: Each sign shall have a maximum height of six (6) feet.
 - b. Wall mounted Temporary Signs are permitted in Commercial, Mixed Use, and Public Facilities/Institutional Districts as follows:
 - i. Duration and Number: A single wall mounted Temporary Signs may be displayed for a maximum duration of 30 consecutive days with twelve (12) signs permitted per one year period per tenant or occupant.
 - ii. Area: Each sign shall have a maximum area of thirty-two (32) square feet.
2. Limited Duration Signs are permitted in Commercial, Mixed Use, and Public Facilities/Institutional Districts as follows:

- a. Duration and Number: Limited Duration signs may be displayed up to a maximum duration of one year, with one (1) posting permitted per year per street frontage.
- b. Area: Each sign shall have a maximum area of thirty-two (32) square feet.
- c. Height: Each sign shall have a maximum height of six (6) feet.
- d. Permit Required: Any Limited Duration Sign exceeding six (6) square feet will require a permit under Section 4.412.B.

E. Other Non-Permanent Signs, Banners, and Flags in Commercial, Mixed Use, and Public Facilities/Institutional Districts. Other non-permanent signs, banners, and advertising flags are permitted in Commercial, Mixed Use, and Public Facilities/Institutional Districts as follows:

- 1. *Additional Temporary Signs Related to Construction Projects that Reduce Accessibility.*
 - a. *Purpose.* During periods of construction activity that reduce accessibility to non-residential properties, owners of affected properties may need special signage to identify and to direct customers safely to their businesses. The City will also have a need for identification of traffic routes, parking areas and special events in the impacted area. The purpose of the Section is to allow increased temporary signage opportunity that is not otherwise allowed in this Chapter during a project of impact, as defined by City Council action. This Section will allow signs designed and located in such a manner as to maximize their effectiveness while minimally affecting construction activity and detracting from the appearance of the City.
 - b. *Properties Affected.* By Resolution, the City Council shall establish the specific properties subject to the rights and restrictions of this Section, as identified on a map that will be attached to said Resolution as an Exhibit, and the duration of those rights and restrictions. The duration shall be generally from the commencement of construction until construction is completed, so that full vehicle and pedestrian access is restored to a majority of the properties on the corresponding map.
 - c. *Permits Required.* A building permit must be applied for and issued for any sign allowed subject to this Section. The sign shall display a current City decal issued with the building permit.
 - d. *Sign Removal.* All signs installed pursuant to this Section must be removed no later than thirty (30) days after the City informs each permittee that the sign must be removed as set forth by the terms of the Resolution specified in Section 4.412.E.1.b.

- e. *Signs Allowed.* Notwithstanding sign regulations herein to the contrary, signs deviating from those otherwise allowed, whether in number, size, or placement, may be considered through the building permit application process. In addition to all other customary building permit reviews for temporary signs, any sign sought to be approved pursuant to this Section shall be approved by the Community Development Director. Under certain conditions, the Community Development Director may allow the following:
 - (1) signs placed in the public right-of-way if no opportunity exists to display a sign on the premises.
 - (2) signs on public property, but not affixed to light poles, utility poles, traffic control devices, or informational signs.
 - (3) off-premises signs, in reasonable proximity to the business being advertised.

- f. *Sign Size and Placement.*
 - (1) Sign size shall not exceed 32 square feet.
 - (2) Signs cannot block visibility for vehicles, bicycles or pedestrians or of other business signage.
 - (3) Signs shall not obstruct more than 50 percent of a window
 - (4) Signs shall not interfere with construction activity

- g. *Right-of-Way Placement.* Signs may be placed on a public sidewalk in the DMU District only:
 - (1) Pursuant to the issuance of a City license,
 - (2) Subject to all requirements for licensing, insurance and indemnification of the City contained in Title 3 Chapter 21 of the City Code.

- h. *Display.* Signs not permanently affixed to a building or securely anchored in the ground shall be removed:
 - (1) When the business is not open for customers.
 - (2) When the National Weather Service issues a high wind warning, a tornado or severe thunderstorm watch or warning.
 - (3) From public sidewalks during an accumulating snowfall event.

- i. *Construction and Maintenance.* Signs shall be:
 - (1) Constructed of exterior grade, rigid, weather resistant and durable materials,
 - (2) Of sufficient weight and durability to insure the sign remains in place during normal weather conditions, and
 - (3) Maintained in a professional manner free of chipping paint, cracks, gouges, loss of letters, and similar defects.
 - j. *Elements Prohibited on Signs Pursuant to This Section.* The following shall be prohibited:
 - (1) Any form of internal or external illumination, including flashing, blinking or rotating lights;
 - (2) Animation;
 - (3) Reflective materials;
 - (4) Attachments, including, but not limited to, sandbags or other items to hold a sign in place, balloons, ribbons, flags, speakers, other copy or graphics, etc.
 - k. *Clearance for Pedestrians.* A clear pedestrian access path shall be maintained as follows:
 - (1) Public Sidewalks. A minimum of 4 feet.
 - (2) Private Walkways. A minimum of 3 feet.
2. *Grand Opening and Re-Opening Signs.* Grand opening and re-opening signs may be allowed as follows:
- a. Building permits shall be required for all signs displayed pursuant to this section; all or several signs can be proposed in a single building permit application.
 - b. Signs may be displayed for no more than 30 days before the opening or re-opening after completion of an addition or renovation to the building in which the business is located, when such improvement has been issued a building permit by the City.
 - c. Signs may be displayed for a period not to exceed ninety (90) days. This ninety (90) day period shall begin with the earliest installation date established with issuance of the first grand opening or re-opening sign building permit. Subsequent building permits issued for grand opening or re-opening signs for the same business shall allow sign

display only during the same ninety (90) day period established by issuance of the first grand opening or re-opening sign building permit.

- d. Allowed signs include, but are not necessarily limited to, banners, flags, balloons, streamers, and other means to advertise the opening of the operation, subject to the approval of the Community Development Director and limitations imposed for the protection of the public health, safety and welfare. Signs that flash, blink, or are animated, or contain any moveable parts, whether moved by mechanical means or by a person, or designed to move by forced air, are prohibited.
- e. Signs may be displayed on the property occupied by the business only, or on property that is part of an approved Planned Development that includes the subject business when written consent from the owner of the other property is accepted as part of the approved building permit(s).
- f. Signs shall be setback at least 10 feet from the property line and from vehicle/pedestrian access.

F. *Temporary and Limited Duration Signs in Employment Districts:*

- 1. Freestanding Temporary Signs are permitted in Employment Districts as follows:
 - a. Duration and Number: Freestanding Temporary Signs may be displayed for a maximum duration of 30 consecutive days with one (1) sign permitted per 300 feet of frontage.
 - b. Area: Each sign shall have a maximum area of thirty-two (32) square feet.
 - c. Height: Height: Each sign shall have a maximum height of six (6) feet.
- 2. Wall mounted Temporary Signs are permitted in Employment Districts as follows:
 - a. Duration and Number: Wall mounted Temporary Signs may be displayed for a maximum duration of 30 consecutive days with twelve (12) signs permitted per one year period per tenant or occupant.
 - b. Area: Each sign shall have a maximum area of thirty-two (32) square feet.
 - c. Height: Height: Each sign shall have a maximum height of six (6) feet.
- 3. Limited Duration Signs are permitted in Employment Districts as follows;
 - a. Duration and Number: Limited Duration signs may be displayed up to a maximum duration of one year, with one (1) posting permitted per year per street frontage.
 - b. Area: Each sign shall have a maximum area of thirty-two (32) square feet.
 - c. Height: Each sign shall have a maximum height of eight (8) feet.

- d. Permit Required: Any Limited Duration Sign exceeding six (6) square feet will require a permit under Section 4.412(b).

G. *Other non-permanent signs, Banners, and Flags in Employment Districts.*

1. *Initial Display of Banners and Advertising Flags.* Banners and advertising Flags are permitted once during the first year of operation of a use for a period not to exceed 90 consecutive calendar days and commencing not earlier than 30 days prior to the first day of operation of the use. Such Banners and Flags shall be located on the exterior building wall of the tenant space to which they are appurtenant and shall not exceed a total area of:
 - a. 32 square feet for occupancies up to 25,000 square feet; or
 - b. 64 square feet for occupancies greater than 25,000 square feet.
2. *Other Display of Banners and Advertising Flags.* Banners and advertising Flags are permitted for a period not to exceed 30 consecutive days per calendar year. Such Banners and Flags shall be located on the exterior building wall of the space to which they are appurtenant, and shall not exceed a total area of:
 - a. 32 square feet for occupancies up to 25,000 square feet; or
 - b. 64 square feet for occupancies greater than 25,000 square feet.

H. *Temporary and Limited Duration Signs in Downtown Mixed Use Districts:*

1. Temporary Signs and Limited Duration Signs in Downtown Mixed Use Districts:
 - a. Freestanding Temporary Signs are permitted in Downtown Mixed Use Districts as follows:
 - i. Duration and Number: Freestanding Temporary Signs may be displayed for a maximum duration of 30 consecutive days with one (1) sign permitted per 300 feet of frontage.
 - ii. Area: Each sign shall have a maximum area of thirty-two (32) square feet.
 - iii. Height: Each sign shall have a maximum height of six (6) feet.
 - b. Wall mounted Temporary Signs are permitted in Downtown Mixed Use Districts as follows:
 - i. Duration and Number: Wall mounted Temporary Signs may be displayed for a maximum duration of 30 consecutive days with twelve (12) signs permitted per one year period per tenant or occupant.

- ii. Area: Each sign shall have a maximum area of thirty-two (32) square feet.
 - iii. Height: Each sign shall have a maximum height of six (6) feet.
- 2. Limited Duration Signs are permitted in Downtown Mixed Use Districts as follows:
 - a. Duration and Number: Limited Duration signs may be displayed up to a maximum duration of one year, with one (1) posting permitted per year per street frontage.
 - b. Area: Each sign shall have a maximum area of thirty-two (32) square feet.
 - c. Height: Each sign shall have a maximum height of six (6) feet.
 - d. Permit Required: Any Limited Duration Sign exceeding six (6) square feet will require a permit under Section 4.412.B.
- 3. Other non-permanent signs, Banners, and Flags are permitted in DMU Districts pursuant to the Commercial regulations in 4.412. E.

I. *Temporary and Limited Duration Signs in Parks and Open Space Districts:*

- 1. Temporary Signs:
 - a. Duration and Number: Freestanding Temporary Signs may be displayed for a maximum duration of 30 consecutive days with one (1) sign permitted per 300 feet of frontage. No Temporary Signs may be installed 30 days prior to the installation of a new sign.
 - b. Area: Each sign shall have a maximum area of thirty-two (32) square feet.
 - c. Height: Height: Each sign shall have a maximum height of six (6) feet.
- 2. Limited Duration Signs:
 - a. One (1) Limited Duration Sign is permitted per property in Parks and Open Space Districts. One additional sign may be permitted per 300 feet of frontage.
 - b. Limited Duration signs may be displayed up to a maximum duration of 180 days, with one (1) posting permitted per year.
 - c. Area: Each sign shall have a maximum area of thirty-two (32) square feet.
 - d. Height: Each sign shall have a maximum height of six (6) feet.
 - e. Permit Required: Any Limited Duration Sign exceeding six (6) square feet will require a permit under Section 4.412.B.