

**ORDINANCE NO. 2016-04**

**AN ORDINANCE OF THE CITY OF FAYETTEVILLE, TENNESSEE AMENDING THE FAYETTEVILLE MUNICIPAL CODE TITLE 14, CHAPTER 2 ENTITLED ZONING CODE CHAPTER 5 SECTION 14-508 OTHERWISE KNOWN AS THE SIGN ORDINANCE.**

**WHEREAS**, the Planning Commission of the City of Fayetteville, Tennessee has reviewed Chapter 5, Section 14-508 Standards for Signs, Billboards and other Advertising Structures; and,

**WHEREAS**, amendments to the Zoning Ordinance are periodically required to ensure the regulations are in keeping with the growth and needs of the community; and,

**WHEREAS**, the Fayetteville Municipal/Regional Planning Commission reviewed and recommended this amendment for adoption on October 27, 2015; and,

**WHEREAS**, this amendment has been reviewed and a public hearing was held by the Fayetteville Board of Mayor and Aldermen on November 12, 2015; and,

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FAYETTEVILLE, TENNESSEE THAT:**

**Chapter 5, Section 14-508 KNOWN AS THE SIGN ORDINANCE is hereby amended as follows:**

**In its entirety**

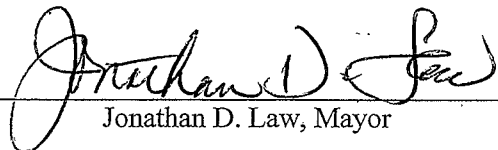
**IS HEREBY DELETED AND REPLACED WITH THE FOLLOWING: (SEE ATTACHED) with the exception of the following: Item j. Off-premise Non-commercial Directional Signs and Item k. Off-premise Destination Signs- See Pages 29 and 30**

**BE IT FURTHER ORDAINED** that this ordinance shall take effect from and after its passage, the public welfare requiring it.

Adopted this 12<sup>th</sup> day of January, 2016.



Scott Collins, City Clerk

  
Jonathan D. Law, Mayor

## 14-508 STANDARDS FOR SIGNS, BILLBOARDS, AND OTHER ADVERTISING STRUCTURES

### 14-508.1 – Purpose and Scope.

#### 1. Purpose

The purpose of this section is to provide a comprehensive system of sign regulation which will promote and carry out the goals and objectives of the City of Fayetteville. These regulations are intended to assist in the economic development of the city, but without lessening a quality of life which the citizens of Fayetteville strive to maintain and improve to the extent possible. To this end, it is the intent of this section to establish regulations which:

- a. Regulate the type, placement, number and size of signs within the city;
- b. Protect the right to use signs for the identification of activities, products, services, events, and non-commercial messages;
- c. Protect the right of individuals to privacy and freedom from nuisances;
- d. Promote the public health, safety, and welfare by prohibiting improperly designed or located signs which could distract, confuse, mislead, or obstruct vision;
- e. Ensure safe construction and maintenance of signs;
- f. Protect and enhance public and private property;
- g. Ensure equity in the distribution of the privilege of using the public visual environment to communicate private information;
- h. Improve the appearance of the city's business area, especially along major thoroughfares; and
- i. Eliminate abandoned or obsolete signs.

#### 2. Scope.

This chapter shall not regulate signs which are not visible from outside of a building. Nor shall this chapter regulate non-commercial flags and non-commercial emblems on mailboxes which are located on residentially used land. Thus the primary intent of this chapter is to regulate signs of a commercial nature intended to be viewed by the public.

These regulations shall not in any manner attempt to censor written or depicted copy on any permitted sign. Any sign allowed under this ordinance may contain, in lieu of any other copy, any otherwise lawful non-commercial message that does not direct attention to a business operated for profit, or to a commodity or service for sale, and that complies with size, location, height, lighting, number, and spacing requirements of these regulations.

#### 14-508.2 - Definitions.

1. For the purpose of this chapter, words used in the present tense include the future tense; words in the singular number include the plural number, and words in the plural number include the singular number; the word "shall" is mandatory and not directory; the word "may" is permissive. Any word or term not defined within this chapter or in Chapter 2, Definitions, of the Zoning Ordinance shall be construed to be used in this chapter as defined by the latest edition of Webster's Unabridged Dictionary. Any word or term not defined in the city's ordinance or the latest edition of Webster's Unabridged Dictionary shall have the meaning customarily assigned to them.

2. The following words and terms are defined as follows:

Abandoned sign. A sign which identifies or advertises a business, lessor, owner, product, or activity that has been discontinued for one-hundred eighty (180) days or more.

Address signs. Signs depicting the official street address.

A-Frame sandwich board sign. A stationary A-frame sign consisting of two attached poster boards located at a permitted fixed position in front of a business.

Artwork. Mosaics, murals, sculptures or other artistic displays affixed to a building or ground that do not convey a commercial message or draw attention to a product, service or individual.

Awards sign. A sign which displays special recognition for an award granted by the city, county, state, or not for profit such as a beautification board or other organization approved by the city council.

Awning. A roof like cover that is temporary or portable in nature that projects from the wall of a building and is supported primarily from the exterior wall of a building.

Awning sign. A sign painted, stamped, perforated, stitched or other application on the surface of an awning.

Building memorial/cornerstone signs. Signs indicating the name of a building and the date of construction and which are cut into a masonry surface. Such signs are permanent with the building and do not change when there is a change of occupancy.

Campus. The area and buildings around a university, college, school, etc. and includes medical and corporate settings.

Canopy sign. A sign attached to an extension of the roof of a building or a freestanding structure that has a roof with support but not walls.

Changeable copy sign. Any sign where letters or numbers displayed on the sign are designed to be changed frequently to display different messages.

Civic, religious and cultural signs. Any sign that advertises an on premise service or activity, typically by a not for profit organization.

Construction signs/subdivision construction signs. Temporary signs erected on the premises on which construction is taking place, indicating the name of the future development, the names of the architects, engineers, landscape architects, contractors or similar artisans, and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the project(s).

Delivery signs. Signs indicating the delivery or loading points and which are limited to directional messages for vehicular traffic.

Digital billboard. A Digital Billboard is an off premises billboard sign in excess of 80 square feet that is digital in nature and uses exclusively LCD, LED, or similar electronic technology for providing changeable content to the billboard.

Digital Message Center. Any electronic sign that conveys information using electronic technology.

Directional building identification signs. Signs which identify a particular building within a multi-building complex and which are limited to directional messages, principally for vehicular traffic.

Directional destination signs. A sign that is sponsored by the local government and located on public right of way for the purpose of directing patrons to businesses.

Directional parking signs. Signs indicating the entrance to or exit from an off-street parking lot. Such signs may display a distinctive identifying symbol or emblem of the establishment.

Directory sign. A sign listing the tenants or occupants of a building and which is limited to the building name, the building address, the tenant names, and the location of tenants within a building.

Flag. Usually a rectangular piece of fabric of distinctive design that is used as a symbol (as of a nation), as a signaling device, or as a decoration.

Flag pole. A straight, vertical pole or staff anchored in the ground on which a flag is or can be displayed.

General occupant sign. A sign located within five (5) feet of the building entrance within non-residential districts and located on a building wall within residential districts. The text content of such signs is not restricted to identification purposes.

Ground-mounted sign. A sign, also known as a monument sign, erected on a free-standing frame and not attached to any building. Such signs may be two-sided provided that both sides cannot be seen simultaneously from any point.

Height clearance signs. Signs indicating clearance for vehicles.

Historic plaques. Signs which identify sites deemed of local, state, or national importance by the Fayetteville Board of Mayor and Aldermen or by the state or federal historic commissions.

- Illegal sign.** Any sign that is constructed in violation of the regulations at the time of installation.
- Marquee sign.** A sign attached to and made part of a marquee or any other similar projection from a building.
- Menu board.** A changeable copy sign that serves primarily to list the food and beverage products offered for sale by an establishment.
- Parking lot directory signs.** Signs located within a parking lot which list the tenants or occupants of a building and indicates the general direction to the tenants' entrance into the building. Such signs are intended to direct vehicles to their destination within a multiple use or multiple building complex.
- Pedestrian mall.** An open aired pedestrian or walk way in a multiple use building on which tenant spaces front.
- Permanent window signs.** Any sign placed at either the internal or external surface of a window, is intended to be visible from the outside of a building, remains for more than thirty (30) consecutive days or more than sixty (60) days within any consecutive one hundred eighty-day (180) period, is constructed of a permanent type material, or is internally illuminated. For the purposes of this ordinance, a permanent window sign shall be considered a wall sign.
- Pole sign.** A sign that is mounted on a freestanding pole so that the bottom edge of the sign face is fourteen (14) feet or more above grade.
- Portable sign.** Any sign that is not affixed to a building, structure, or the ground permitted as a temporary sign.
- Roof sign.** Any sign which projects in part or whole above the top edge of a building wall.
- Security system signs.** Signs which identify a security system that is installed on the premises.
- Sign.** Any letter, number, figure, symbol, trademark, graphic, logo, emblem, design, or device mounted or otherwise placed and intended to be visible from outside of a building, used to attract attention in order to advertise, identify, announce, notify, direct, or communicate.
- Sign area.** The entire face of a sign, including the advertising surface and any framing, trim, or molding but not including the supporting structure.
- Sport field sponsorship message board.** A freestanding structure with a sign face upon which names of sponsors and sport field activities are posted.
- Stationary vehicle signs/logs.** Vehicles, including trucks, cars, tractors, trailers, motor homes or any other similar vehicle that are not operational weekly and have been placed on or off premise for the purpose of advertising a business, product, service, event, or individual.

Subdivision homeowner association notification signs. Signs which notify residents of a residential development the events planned for or by the homeowners' association or neighborhood.

Subdivision real estate signs. Temporary signs erected at the entrance of residential developments that are under construction and which are limited to indicating the names of builders, prices of lots, prices of homes for sale, names of sales representatives, names of owners/developers, name of the development, and other similar information.

**Temporary sign.**

Commercial. A sign that is used to advertise a product or service for sale that is designed, intended, or expected to take place or to be completed within a reasonably definite period not to exceed the duration of the completion of the transaction including but not limited to real estate, liquidation, holiday, and other similar sales.

Non Commercial. A sign that is used in the connection with a circumstance, situation, or event that is designed, intended, or expected to take place or to be completed within a reasonably short or definite period of erection not to exceed more than sixty (60) days prior to the circumstance, situation, or event and five (5) days after its conclusion. If a sign display area is permanent but the message displayed is to be subject to periodic changes, that sign shall not be regarded as temporary.

Temporary window signs. Any sign constructed of paper, fabric, or other light material that is displayed on the internal surface of a window, but is designed or intended to be visible from the outside of a building and is displayed for a period not to exceed thirty (30) days.

Under-canopy sign. A sign that is hung perpendicular to a building under a canopy which projects over the public entrances into a building.

Vehicle, business sign/logo. Signs or logos that convey an advertisement on business vehicles that are in operable condition, carrying all current and valid licenses and normally parked at the business when not in use including but not limited to delivery, service, product transportation, taxi, courier or other ordinary course of business of the owner.

Wall sign. A sign attached parallel to and projecting not more than twelve (12) inches from the wall of a building. No such sign shall extend above the top edge of a building wall or roof line. For the purposes of this chapter, a permanent window sign shall be considered a wall sign.

Window Sign. A sign painted, stenciled or affixed on the interior or exterior of a window which is visible from the public street Right-of Way.

14-508.3 - General provisions.

All signs erected, replaced, reconstructed, expanded, or relocated on any property within the city shall conform to the provisions of this section.

1. Signs not requiring permits. The following types of signs do not require a permit but shall be cited in violation by the zoning administrator if not in conformance with all other requirements of this chapter:
  - a. Address signs;
  - b. Artwork. Works of art that do not include any commercial message or references.
  - c. Building memorial/cornerstone signs;
  - d. Construction signs;
  - e. Awards signs;
  - f. General occupant signs;
  - g. Flags, pennants, or insignia of any governmental or non-profit organization when not displayed in connection with a commercial promotion or as an advertising device;
  - h. Height clearance signs;
  - i. Historic plaques;
  - j. News racks and other vending machine signs;
  - k. Neon border, as defined in this chapter;
  - i. Public or quasi-public information, safety, and regulatory signs;
  - o. Scoreboards on publicly owned athletic fields;
  - p. Security system signs;
  - q. Subdivision construction signs;
  - r. Subdivision real estate signs;
  - s. Temporary decorations for recognized holidays;
  - t. Temporary signs approved with a special events permit;
  - u. Temporary window signs;
  - v. Temporary commercial signs such as real estate; and
  - w. Temporary non-commercial signs such as political.

2. Prohibited signs. The following types of signs are prohibited in all districts.
  - a. Abandoned signs, which shall be removed by the property owner;
  - b. Any sign placed on public property or right-of-way without the written consent of the public authority having jurisdiction over the property;
  - c. Any sign which bears or contains statements, words or images of an obscene, pornographic, or immoral character;
  - d. Any signs with flashing, chasing, pulsating, twinkling, dancing, scintillating, and/or oscillating lights or any other rotating, revolving, or otherwise moving part;
  - e. Off-premise signs, except as provided for elsewhere in this chapter;
  - f. Off-premise outdoor advertising;
  - g. Pennants, ribbons, festoons, buntings, streamers, spinners, balloons, or other types of lighter-than-air or wind-activated signs and attention getting devices for commercial advertisement;
  - h. Portable signs, except as provided for elsewhere in this chapter;
  - i. Roof signs, except commonly recognized religious symbols for churches and other places of worship;
  - j. Search lights;
  - k. Signs attached to, suspended from, or painted on any stationary vehicle which is regularly parked on any street or private property when one (1) of the purposes of so locating such vehicle is to display, demonstrate, and advertise, or attract the attention of the public;
  - l. Signs imitating or resembling official traffic or government signs or signals;
  - m. Signs that are made structurally sound by guy wires or bracing that is not integral to a pole, monument or wall mount;
  - n. Hand tacked signs on utility poles, fence posts and trees; and
  - o. All other signs not specifically permitted.



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3. General Sign Regulation Summary/Guideline Table for Freestanding Parcels or Uses  
(Note: This table does not include complex development regulated in section 11-508.4)

See Appendix Table 1A

#### 4. General Constructions Standards

- a. No sign shall be erected until a permit has been obtained in accordance with the provisions of this ordinance, except signs listed in 14-508.3.1. No sign permit shall be issued for new construction until a building permit has been issued.
- b. No sign shall resemble or approximate the size, shape, form or color of any official traffic control sign, signal or device.
- c. No sign shall be placed as to obstruct or interfere with the visibility or effectiveness of any traffic control sign, or with driver vision at any access point.
- d. On any corner lot and any access point no sign shall be erected in a manner to impede or obstruct vision between the heights of two and one-half (2.5) feet and ten (10) feet above the centerline grade of the intersecting streets in the area
- e. No sign shall obstruct any doorway, window or fire escape.
- f. Criteria in determining sign area. The sign area for all signs shall be measured by drawing an imaginary single, regular geometric shape of a rectangle, circle, or equilateral triangle around the sign. The text and other graphics do not have to be physically, visually, or topically connected.
- g. For a sign with two (2) parallel faces, only the area of a single face shall be considered. If the faces of a multiple-faced sign are not parallel, then the total sign area shall be the sum of the areas of the individual, non-parallel faces
- h. Construction specifications. All signs shall be installed in compliance with all building and fire codes adopted by the city. All electrical service to ground-mounted and pole signs shall be under ground. Any lighting of signs shall be installed so as to prevent any glare upon adjoining properties or rights-of-way
- i. Sign maintenance and removal. All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced. The sign administrator shall have the right to order the repair or removal of any sign which is defective, damaged, or substantially deteriorated
- j. When any sign is removed, all structural components shall be removed with the sign and such removal shall be in compliance with all building and fire codes adopted by the city. All structural components of ground-mounted and pole signs shall be removed to ground level. The structural components of all other signs, including painted wall signs, shall be removed back to the original building configuration. All visual remains of the sign shall be removed
- k. Criteria in determining setback for ground-mounted and pole signs. The setback shall be measured from the farthest most protrusion of the sign to the nearest point of a property line. All signs shall be located outside of the visibility triangle. For the purposes of this chapter, the interstate highway right-of-way shall be considered a side or rear lot line.

5. Height of Signs

- a. Criteria in determining sign height for ground-mounted signs. The sign height shall be measured by the vertical dimension from the ground level at the base of the sign, including the supporting structure, to the top most point of the sign. Unless otherwise specified in this chapter, if the ground level at the base of the sign is lower than the adjacent street grade, the height shall be computed from the adjacent street grade, excluding elevated bridges or interchanges.
- b. No sign shall exceed twenty-five (25) feet in height in any district.

14-508.4 - Sign regulations by land use and/or zoning districts.

All signs shall comply with the following regulations. Any sign that is not specifically permitted shall be prohibited. For the purposes of this chapter, commercial purposes shall include all uses permitted within the commercial districts and office purposes shall include all uses permitted within the office district.

1. The following signs are permitted in all zoning districts.
  - a. Building memorial/cornerstone signs. One (1) non-illuminated wall sign not to exceed six (6) square feet in size and six (6) feet in height.
  - b. Flags. A total of three (3) flags per lot, parcel, or tract. Flags shall be displayed on a flag pole. Flag poles shall not exceed the maximum building height of the zoning district and shall be set back a minimum of twenty (20) feet from the front property line and ten (10) feet from side and rear property lines. Such poles shall meet the construction standards of the industry per the size of flag that is to be flown on the pole.

An unlimited number of flags shall be allowed on nationally recognized holidays and shall be allowed to be erected no sooner than two (2) days prior to a holiday and shall be removed within two (2) days after the holiday.
  - c. Historic plaques. One (1) non-illuminated sign per site, not to exceed six (6) square feet in size and eight (8) feet in height. Such signs shall be set back a minimum of ten (10) feet from all property lines.

- d. Civic, religious and cultural signs. Each sign must meet the minimum height, area and setback requirements as prescribed in the General Sign Regulation Summary/Guideline Table unless further regulated in a specific zoning district.
- e. Political signs. One (1) non-illuminated sign per candidate per lot, parcel, or tract, not to exceed twelve (12) square feet in size and six (6) feet in height. Lots, parcels or tracts that front on more than one street may have one (1) sign per candidate for each street frontage. No such signs are permitted on any public rights-of-way or other public property. Such political signs shall not be posted prior to sixty (60) days before an election and shall be removed by the owner of the property on which the sign is located within five (5) days after any election to which it refers. Per state law winners of primary elections may display political signs until the general election.
- f. Public or quasi-public information, safety, and regulatory signs. The location, height, and size of such signs to be located on public and private streets shall be determined by city staff based on the current edition of the Manual of Uniform Traffic Control Devices. The location and height of such signs which are to be located on private property shall be determined by city staff based on the current edition of the Manual of Uniform Traffic Control Devices. The size of such signs which are to be located on private property shall comply with the following size regulations:
  - (i) Advisory signs, such as "No Parking", "Exit", "Entrance", "Handicapped Parking", etc., shall not exceed 12" x 18" in size;
  - (ii) Regulatory signs, such as speed limit signs, "One Way", "Slow", "Right Turn Only", etc., shall not exceed 18" x 24" in size;
  - (iii) Warning signs, such as "Stop", "Road Closed", "Stop Ahead", "Detour", "No Trespassing", etc., shall not exceed 24" x 24" in size; and
  - (iv) Public or quasi-public information signs, such as schools, libraries, parks, etc., shall not exceed 18" x 24" in size.
- g. Security system signs. Two (2) non-illuminated ground-mounted signs per lot, parcel, or tract, not to exceed one (1) square foot in size and two (2) feet in height. Such signs shall be set back a minimum of five (5) feet from all property lines.

One non-illuminated wall sign per entrance, not to exceed one (1) square foot in size.
- h. Temporary decorations for recognized holidays. Noncommercial seasonal displays and banners that are customarily associated with a national, local, or religious holiday, provided such are not used to advertise the name of a product, service, or business.

Banners used for holiday decorations shall be affixed to a wall, board, or some other type of inflexible surface so that it does not move in the wind, or shall be hung in a vertical manner and tautly secured at two (2) opposite edges by horizontal brackets.

Such displays and banners shall be removed within five (5) days after the holiday.

- i. Temporary signs approved with a special events permit.
  - j. Temporary non-commercial signs
2. The following signs are permitted in all districts with the exception of the R-1, R-2 and R-3 district
- a. Digital message centers (DMC). One DMC may be allowed where a pole, ground mounted or wall sign is allowed. The DMC will be counted in the total allowable square feet for an allowed sign, but in no case shall the DMC be greater than thirty six (36) square feet. The message display time for all DMC's shall remain static for a minimum of eight (8) seconds with a maximum change time of two (2) seconds, and shall have an automatic dimmer function at sunset. All DMC's are subject to the provisions of 14-508.3.2.d.
3. Signs permitted in agricultural and residential districts:
- a. Address signs. One (1) wall sign, not to exceed two (2) square feet in size. The individual figures shall not be less than three and one-half (3½) inches nor more than six (6) inches high.  
  
One (1) ground-mounted sign per driveway entrance, not to exceed two (2) square feet in size. The individual figures shall not be less than three and one-half (3½) inches nor more than six (6) inches high.  
  
The street address numbers may also be painted on the curb at the driveway entrance. The numerals displayed on curbs shall be four (4) inches high.
  - b. Directional building identification signs. In multi-building apartment complexes, each building shall be allowed one (1) directional sign, not to exceed two (2) square feet in size and thirty (30) inches in height. Such signs shall be set back a minimum of fifteen (15) feet from the edge of street pavement and five (5) feet from the edge of driveway and parking lot pavement. If signs are to be illuminated, internal illumination shall be used.  
  
Each building shall be allowed one (1) non-illuminated wall sign not to exceed six (6) square feet in size.
  - c. General occupant signs. One (1) non-illuminated wall sign per dwelling unit, not to exceed two (2) square feet in size and eight (8) feet in height.
  - d. In addition, directional off-premise open house signs, not to exceed six (6) square feet in size and three (3) feet in height, shall be allowed to be erected for

directive purposes. Such off-premise signs may be located in the public right-of-way. These open house signs shall not be erected before 5:00 p.m., Friday and must be removed by 8:00 a.m., Monday.

- e. Permanent subdivision identification signs. A total of forty (40) square feet of sign area shall be permitted per single-family or multi-family development entrance, with either one (1) ground-mounted sign not to exceed forty (40) square feet or two (2) ground-mounted signs not to exceed twenty (20) square feet each. Such signs and the structures/walls on which they are affixed shall be set back a minimum of five (5) feet from all property lines and shall be located within a platted sign easement. Such signs, excluding the supporting structure, shall not exceed six (6) feet in height and shall not be erected until a preliminary plat or a site plan has been approved. If signs are to be illuminated, external illumination shall be used.
  - f. Real estate signs. One (1) non-illuminated sign per lot, parcel, or tract, not to exceed six (6) square feet in size and six (6) feet in height. Such signs shall be set back a minimum of five (5) feet from all property lines and shall be removed within fifteen (15) days after the sale, rental, or lease of the real estate involved.
  - g. Subdivision construction signs. One (1) non-illuminated sign per single-family or multi-family development entrance, not to exceed three hundred (300) square feet in size and fifteen (15) feet in height. Such signs shall be set back a minimum of twenty (20) feet from all property lines. Such signs shall not be erected until a preliminary plat or site plan has been approved. The sign(s) shall be removed within fifteen (15) days of the completion of the permanent sign or the expiration of the preliminary plat or site plan, whichever comes first.
  - h. Subdivision real estate signs. One (1) non-illuminated sign per single-family or multi-family development entrance, not to exceed thirty-two (32) square feet in size and ten (10) feet in height. Such signs shall be set back a minimum of five (5) feet from all property lines. Such sign(s) shall not be erected until a preliminary plat or site plan has been approved. The sign(s) shall be removed when seventy-five (75) percent of the units within the development, as based on the approved preliminary plat, have received certificates of occupancy.
4. Signs allowed in the C-1 Central Business District. The central business district is established to protect and recognize the historic downtown of the City of Fayetteville and adjacent properties to the courthouse square. Architectural compatibility and design are voluntary but it is the intent that signs reflect the architecture, culture and history of the building they are attached.
- a. Allowed signs. Wall, projecting, window, awning, canopy, under canopy, and marque signs shall be allowed in the C-1 zoning district. On properties where the building exceeds a thirty (30) foot front yard setback, a monument sign shall also be allowed. One (1) permanent A frame sandwich board sign per store front not

exceeding three (3) feet in width and four (4) feet in height may be allowed on the public sidewalk if all Americans with Disabilities Act requirements and normal pedestrian circulation is not prohibited as determined by the zoning administrator.

- b. Number of signs. Each business front shall be permitted one wall and one projecting sign, awning or under canopy sign; and any number of permanent window signs not to exceed 15 percent of the window area. Parcels where the building exceeds a thirty (30) foot front yard setback may have one monument sign and one wall, projecting, or under canopy sign. Marquee signs shall be restricted to buildings that historically used this type of sign display.
- c. Maximum sign area. The combined square footage of all sign areas shall not to exceed ten (10) percent of total wall area, except allowed marquee signs shall be determined separately.
- d. Sign height
  - i. Wall signs shall not be higher than twelve (12) inches below the building roofline.
  - ii. Projecting signs shall not be lower than nine (9) feet above the sidewalk.
  - iii. Under canopy signs shall not hang lower than nine (9) feet above the sidewalk.
  - iv. The height of marquee signs shall be determined by review of the board of zoning appeals and may extend above the roof line if determined to be architecturally and historically appropriate.
  - v. Monument signs shall be a maximum height of four (4) feet.
- e. Lighting and illumination. Signs may be externally illuminated but shall not be directed onto other properties so not to create glare.
- f. Historic signs. A property owner may petition the board of zoning appeals for a special exception to permit a sign not allowed in the C-1 zoning district when the property owner can prove through photographs, historic documents or other documentation that the sign requested once was historically significant to the architecture, culture or economy of the downtown.
- g. Temporary signs. Temporary banners, posters, sandwich boards or other sidewalk displays shall be allowed by special event permit. Such special event permit signs shall not be posted prior to one day before the event and shall be removed within one day after the event.
- h. Temporary window signs may not exceed five (5) percent of total window area.

5. Signs allowed on free standing parcels or uses in C-2, C-3, C-4 & C-5 commercial, technology and industrial districts.

- a. Maximum sign area. A freestanding use of property or parcel may have a maximum of 300 square feet of total sign area including all allowed sign types.
- b. A free standing use of property having off street parking may utilize one (1) pole sign, one (1) ground/monument sign or one (1) portable and allowable wall signage.
- c. Pole or ground and portable signs. The maximum sign area shall be eighty (80) square feet per allowable sign structure. Each sign shall be setback five (5) feet from all property lines.

Pole signs shall be no greater than twenty-five (25) in height.

Ground mounted or monument signs and portable signs shall be no greater than six (6) feet in height.

- d. Wall signs. Wall signs shall be permitted on each street frontage and shall not exceed ten (10) percent of the surface of the wall. The front of the use shall be the location of allowed wall signs for uses not oriented to a public street. Wall signs shall not extend above the roof line and shall not extend more than twelve (12) inches from the wall surface. Permanent window signs shall be included in the total wall sign area calculation.
- e. Projecting signs. A use may have one (1) projecting sign not to exceed eighty (80) square feet in display area, shall not exceed twenty five (25) square feet in height up to but not exceeding the roof line, shall clear the established grade a minimum of ten (10) feet, and shall not be closer than twenty five (25) to any other projecting sign. The copy information shall be limited to the identification of the owner, address and name and/or principal activity conducted on premise.
- f. Projecting signs shall project no more than (6) feet into the public right-of-way and shall be no closer than two (2) feet from the curb or edge of pavement.
- g. Banner signs. A use may have one (1) banner sign which shall not exceed fifty (50) square feet in surface area, shall not be closer than five (5) feet from any property line when ground mounted and parallel to the property line.
- h. Address signs. One (1) non-illuminated wall sign per entrance/door to the premises, not to exceed two (2) square feet. The individual figures shall not be less than three and one-half (3½) inches nor more than eight (8) inches high.  
  
The street address numbers may also be painted on the curb at the driveway entrance. The numerals displayed on curbs shall be four (4) inches high.
- i. Delivery signs. One (1) ground-mounted sign denoting delivery points, not to exceed four (4) square feet in size and thirty (30) inches in height. Such signs shall be set back a minimum of fifteen (15) feet from the edge of street pavement and



five (5) feet from the edge of driveway and parking lot pavement. If signs are to be illuminated, internal illumination shall be used.

One (1) non-illuminated wall sign per delivery bay not to exceed four (4) square feet in size.

- j. Directional building identification signs. In multi-building complexes, each building shall be allowed one (1) directional sign, not to exceed two (2) square feet in size and thirty (30) inches in height. Such signs shall be set back a minimum of fifteen (15) feet from the edge of street pavement and five (5) feet from the edge of driveway and parking lot pavement. If signs are to be illuminated, internal illumination shall be used.
  - k. Directional parking signs. One (1) ground-mounted directional parking sign per entry/exit to a parking lot, not to exceed two (2) square feet in size and thirty (30) inches in height. Such signs shall be set back a minimum of fifteen (15) feet from the edge of the street pavement and five (5) feet from the edge of driveway and parking lot pavement. If signs are to be illuminated, internal illumination shall be used.
  - l. General occupant signs. Any number of wall signs per entrance to the premises, not to exceed a cumulative total of six (6) square feet in size and eight (8) feet in height.
  - m. News racks and other vending machine signs. Only the name and price of the products being sold out of the vending machines may be listed on the machine.
  - n. Permanent window signs. Such signs shall be counted as part of the total wall sign area allowed.
  - o. Real estate and auction signs. One (1) non-illuminated sign per lot, parcel, or tract, not to exceed twenty (20) square feet in size and six (6) feet in height. Such signs shall be set back a minimum of five (5) feet from all property lines and shall be removed within fifteen (15) days after the sale, rental, or lease of the real estate involved.
  - p. Temporary window signs. Any number of non-illuminated, temporary window signs, not to cover more than twenty-five (25) percent of the total window area.
6. Signs allowed in multi-building/tenant commercial, technology, and industrial complexes including but not limited to shopping centers, institutional campuses and planned developments:
- a. A complex may be permitted one (1) pole or one ground mounted/monument sign.
  - b. Address signs. One (1) non-illuminated wall sign per entrance/door to the premises, not to exceed two (2) square feet. The individual figures shall not be less than three and one-half (3½) inches nor more than eight (8) inches high.

- c. Delivery signs. One (1) ground-mounted sign denoting delivery points, not to exceed four (4) square feet in size and thirty (30) inches in height. Such signs shall be set back a minimum of fifteen (15) feet from the edge of street pavement and five (5) feet from the edge of driveway and parking lot pavement. If signs are to be illuminated, internal illumination shall be used.

One (1) non-illuminated wall sign per delivery bay not to exceed four (4) square feet in size.

- d. Directional parking signs. One (1) ground-mounted directional parking sign per entry/exit to a parking lot, not to exceed two (2) square feet in size and thirty (30) inches in height. Such signs shall be set back a minimum of fifteen (15) feet from the edge of the street pavement and five (5) feet from the edge of driveway and parking lot pavement. If signs are to be illuminated, internal illumination shall be used.
- e. Directory signs. In a multiple use building where individual uses do not have an exterior wall sign, a directory sign shall be permitted. The signs shall meet the following criteria:
  - (i) The number of directory signs shall be limited to one (1) per principal exterior entrance. In the case of a pedestrian mall where the individual tenant's principal exterior entrance is to a sidewalk and not to a parking lot or street, one (1) directory sign may be placed at each entrance into the pedestrian mall;
  - (ii) The information on such signs must not be legible from adjacent streets or properties;
  - (iii) If illuminated, such signs shall be externally illuminated;
  - (iv) The sign can be a wall sign or a ground-mounted sign, but it shall not exceed six (6) feet in height and must be located within ten (10) feet of the building entrance or pedestrian mall entrance;
  - (v) The maximum size of the sign is dependent on the total number of a building's tenants. A total of one (1) to eleven (11) tenants shall not exceed twelve (12) square feet and a total of twelve (12) or more tenants shall not exceed eighteen (18) square feet;
  - (vi) The building name letters shall not exceed five (5) inches and the tenant name letters shall not exceed two (2) inches, with each tenant listing to be limited to the same color, size, and shape; and
  - (vii) Such sign shall be architecturally compatible with the principal building. Compatibility shall be based on color, building materials, and style.
- f. General occupant signs. Any number of wall signs per entrance to the premises, not to exceed a cumulative total of six (6) square feet in size and eight (8) feet in height.

- g. Ground-mounted signs. One (1) sign per street entrance from which access is provided to the lot, parcel, or tract, plus one (1) sign per each street that is classified as an arterial or collector on the major road plan and on which the lot, parcel, or tract fronts but does not access. When more than one (1) ground-mounted sign is permitted on a single lot on the same street, such signs shall be a minimum of four hundred (400) feet apart. Such signs shall be located within twenty (20) feet of the street entrance. When more than one (1) ground-mounted sign is permitted on a single lot on two (2) different streets, such signs shall be a minimum of one hundred fifty (150) feet apart.

Such signs shall not exceed sixty (60) square feet in size and six (6) feet in height. Such signs shall be set back a minimum of twenty (20) feet from the front property line and ten (10) feet from side and rear property lines.

The above sign(s) may be substituted for a sign which does not exceed twenty (20) square feet in size, six (6) feet in height, and is set back a minimum of ten (10) feet from all property lines. Such sign area may be increased in size by two (2) square feet for each one (1) additional foot the sign is set back from the front property line, not to exceed a maximum sign size of sixty (60) square feet.

All ground-mounted signs shall be architecturally compatible with the principal building. All letters, figures, emblems, and logos used on the sign shall be legible from the nearest adjacent street at which the sign face is directed. Individual letters or figures used within a logo or emblem are not required to be legible, however, the logo or emblem as a whole must be legible.

An address for the building/complex shall be attached to the top of the ground-mounted sign, but shall not be factored into the permitted sign area or sign height. Such address, however, shall not exceed the maximum permitted sign height by more than eighteen (18) inches nor exceed the width of the sign area, including support structures. The individual figures shall not be less than eight (8) inches nor more than fifteen (15) inches high. Such figures shall be displayed parallel to the ground.

A digital street clock that is limited to time and temperature shall be considered a ground-mounted sign. Such sign shall not display any moving light messages.

- h. Ground-mounted signs and parking lot directory signs. In lieu of the sixty (60) square foot ground-mounted signs permitted above, smaller ground-mounted signs and parking lot directory signs may be used.

Such ground-mounted signs shall meet the same criteria stated in the ground-mounted signs section above, except that the signs shall not exceed forty (40) square feet in size and the text of such signs shall be restricted to the name of the building, shopping center, or complex.

In addition to the smaller ground-mounted sign, a parking lot directory sign shall be permitted. Such signs are not intended to be legible from adjacent streets and shall meet the following criteria:

- (i) The number of such signs shall be limited to one (1) sign per street entrance;
  - (ii) Such signs shall be set back a minimum of sixty (60) feet from all property lines and ten (10) feet from the edge of driveway pavement;
  - (iii) Such signs shall not exceed twelve (12) square feet in size and six (6) feet in height;
  - (iv) The information on such signs shall be limited to the tenants' names and addresses and a directional arrow indicating the location of the tenants' entrance into the building(s);
  - (v) The letters and numbers on the signs shall not exceed five (5) inches in height with each tenant listing to be limited to the same color, size, and shape. Each tenant listing shall be limited to three (3) square feet in size; and
  - (vi) Such signs shall be architecturally compatible with the principal building. Compatibility shall be based on color, building materials, and style.
- i. Height clearance signs. One (1) sign per clearance, not to exceed four (4) square feet each.
  - j. News racks and other vending machine signs. Only the name and price of the products being sold out of the vending machines may be listed on the machine.
  - k. Permanent window signs. Such signs shall be counted as part of the total wall sign area allowed.
  - l. Temporary window signs. Any number of non-illuminated, temporary window signs per premise, not to exceed a total of twenty (20) square feet or cover more than twenty-five (25) percent of the total window area, whichever is less.
  - m. Under-canopy signs. When the roof of a building is extended as a canopy over the public entrances into the building, one (1) non-illuminated sign per principal entrance shall be permitted. Such signs shall not exceed four (4) square feet in size, shall have a minimum clearance of nine (9) feet to grade, and shall be hung perpendicular to the building.
  - n. Wall signs. Each separate use within a building which has its own separate and exclusive exterior public entrance to the building shall be allowed one (1) wall sign. Such wall signs are permitted a total area of one (1) square foot per each linear foot of building wall of lease space upon which the sign is mounted, not to exceed three hundred and fifty (350) square feet, unless otherwise provided for in this section. Such wall signs shall be limited to the side of a building which fronts upon a public street, faces upon a customer parking area, faces upon a pedestrian

mall, or is the point of the principal public access into the establishment, unless otherwise provided for in this section.

If an individual tenant space has more than three hundred (300) linear feet of building wall of lease space, there shall be a maximum of one (1) sign per principal entrance, such signs shall be located within the entrance vicinity, plus one (1) additional sign, which may be located anywhere on the lease space wall. Such signs shall be spaced a minimum of fifty (50) feet apart. Each sign shall be calculated separately and the total sign area of all signs combined shall not exceed the 1:1 ratio of one (1) square foot of sign area per each linear foot of lease space wall upon which the signs are mounted. No individual sign shall exceed three hundred and fifty (350) square feet. Such signage shall be limited to one wall.

In the case where a building has a pedestrian mall, the landlord may opt for a different wall signage alternative. When a wall has a pedestrian mall access, each separate use which faces upon such wall shall be permitted one (1) wall sign not to exceed twenty-five (25) square feet. In addition, each separate use which faces upon the pedestrian mall shall be permitted one (1) wall sign not to exceed twenty-five (25) square feet with the total signage for mall uses not to exceed one hundred (100) square feet. In no case shall a use have more than one (1) sign. Such signs shall be placed on the wall that has the pedestrian mall access and which fronts upon a public street or faces upon a customer parking area. The maximum sign area allowed on such wall shall be two (2) square feet per linear foot of building wall length.

A building with multiple uses that all share the public exterior entrances into the building shall be allowed one (1) wall sign. Such buildings are permitted a total sign area of one (1) square foot per each linear foot of building wall upon which the sign is mounted, not to exceed three hundred and fifty (350) square feet. Such wall signs shall be limited to the side of a building which fronts upon a public street or faces upon a customer parking area.

7. In addition to the applicable regulations above, the following additional signs are permitted on land used for banks and other lending institutions:
  - a. Automatic teller machines. One (1) sign, not to exceed two (2) square feet in size, which shall be posted at the machine. One (1) sign, not to exceed two (2) square feet in size, which shall be posted above the drive-thru lane on the overhead canopy; and
  - b. Drive-thru teller lanes. One (1) sign, not to exceed two (2) square feet in size, which shall be posted at the service window. One (1) sign per drive-thru lane, not to exceed two (2) square feet in size, which shall be posted above the lane on the overhead canopy.
8. In addition to the applicable regulations above, the following additional signs are permitted on land used for theaters:

- a. Marquee signs. A marquee sign shall be limited to the side of the theater building with the principal public entrance. Such signs are permitted a total area of one (1) square foot per each linear foot of building wall upon which the sign is mounted, not to exceed three hundred fifty (350) square feet; and
  - b. Poster case signs. One (1) poster case per movie screen or stage, not to exceed sixteen (16) square feet in size each, including frames. Illumination shall be in such a manner so as to light the poster(s) for readability only. Poster case signs shall be used in lieu of any temporary window signs. Such signs shall be mounted on the building wall with the principal public entrance.
9. In addition to the applicable regulations above, the following additional signs are permitted on land used for other businesses with drive-thru windows:
  - a. Wall signs. One (1) sign per drive-thru lane, not to exceed two (2) square feet in size, which shall be posted at the ordering point. One (1) sign per drive-thru lane, not to exceed two (2) square feet in size, which shall be posted at the pick-up point.
  - b. Canopy signs. One (1) sign per drive-thru lane, not to exceed two (2) square feet in size, which shall be posted above the lane on the overhead canopy.
10. In addition to the applicable regulations above, the following additional signs are permitted on land used for restaurants with drive-thru windows:
  - a. Menu board signs. One (1) sign per drive-thru lane, not to exceed twenty-five (25) square feet in size and six (6) feet in height; and
  - b. Order box signs. One (1) sign per drive-thru lane, not to exceed one (1) square foot in size and thirty (30) inches in height.
11. For the purposes of this chapter gasoline service stations/convenience stores shall be considered freestanding commercial uses and such sign regulations shall apply. If such establishments also have a restaurant with a drive-thru window, such drive-thru window sign regulations shall apply. In addition to these signs, the following additional signs are permitted:
  - a. Canopy signs. Two (2) signs, not to exceed nine (9) square feet in size each, which shall be posted on two (2) different sides of the canopy over the gas pumps; and
  - b. Gas pump signs. Any number of signs, not to exceed a total area of eight (8) square feet per gas pump island. The content of such signs shall be limited to the federally required safety information, the octane level, credit card information, the gas brand name, car wash information, and other similar information. Only one (1) sign permit shall be required for all the gas pump islands on the site.
  - c. Car wash signs. In addition to the wall sign(s) permitted elsewhere in this chapter, one (1) additional wall sign located on the wall of the vehicle entrance shall be allowed. Such wall signs are permitted a total area of one (1) square foot per each

linear foot of building wall upon which the sign is mounted, not to exceed twenty (20) square feet.

- d. Car wash order box signs. One (1) sign per car wash entrance, not to exceed one (1) square foot in size and thirty (30) inches in height.
12. The following signs are permitted on land used for large campuses (education, medical and other similar developments) located on tracts of land larger than ten (10) acres:
- a. Address signs. One (1) non-illuminated wall sign per entrance/door to the premises, not to exceed two (2) square feet. The individual figures shall not be less than three and one-half (3½) inches nor more than eight (8) inches high.
  - b. Construction signs. One (1) non-illuminated sign per each street on which the lot, parcel, or tract fronts, not to exceed thirty-two (32) square feet in size and ten (10) feet in height. Such signs shall be set back a minimum of five (5) feet from all property lines. Such signs shall not be erected until a site plan has been approved or a building permit has been issued. The sign(s) shall be removed within fifteen (15) days of the issuance of a certificate of occupancy, the completion of a permanent sign, or the expiration of the site plan or building permit, whichever comes first.
  - c. General occupant signs. Any number of wall signs per entrance to the premises, not to exceed a cumulative total of six (6) square feet in size and eight (8) feet in height.
  - d. Ground mounted signs. One (1) sign per street entrance from which access is provided to the lot, parcel, or tract, plus one (1) sign per each street that is classified as an arterial or collector on the major road plan and on which the lot, parcel, or tract fronts but does not access. When more than one (1) ground-mounted sign is permitted on a single lot on the same street, such signs shall be a minimum of five hundred (500) feet apart. When more than one (1) ground-mounted sign is permitted on a single lot on two (2) different streets, such signs shall be a minimum of one hundred fifty (150) feet apart.

Such signs shall not exceed forty (40) square feet in size and six (6) feet in height. Such signs shall be set back a minimum of twenty (20) feet from the front property line and ten (10) feet from side and rear property lines.

The above sign(s) may be substituted for a sign which does not exceed twenty (20) square feet in size, six (6) feet in height, and is set back a minimum of ten (10) feet from all property lines. Such sign area may be increased in size by two (2) square feet for each one (1) additional foot the sign is set back from the front property line, not to exceed a maximum sign size of forty (40) square feet.

All ground-mounted signs shall be architecturally compatible with the principal building. All letters, figures, emblems, and logos used on the sign shall be legible from the nearest adjacent street at which the sign face is directed. Individual

letters or figures used within a logo or emblem are not required to be legible, however, the logo or emblem as a whole must be legible.

An address for the building/complex shall be attached to the top of the ground-mounted sign, but shall not be factored into the permitted sign area or sign height. Such address, however, shall not exceed the maximum permitted sign height by more than eighteen (18) inches nor exceed the width of the sign area, including support structures. The individual figures shall not be less than eight (8) inches or more than fifteen (15) inches high. Such figures shall be displayed parallel to the ground.

No sign permit shall be issued until a building permit has been issued.

- e. Height clearance signs. One (1) sign per clearance, not to exceed four (4) square feet each.
- f. News racks and other vending machine signs. Only the name and price of the products being sold out of the vending machines may be listed on the machine.
- g. Parking lot directory signs. Parking lot directory signs shall be located at key decision making locations within the parking lot in relation to building entrances. The physical layout of the campus shall determine the total number of signs needed. Such signs are not intended to be legible from adjacent streets and shall meet the following criteria:
  - (i) Such signs shall be set back a minimum of thirty-five (35) feet from side and rear property lines, sixty (60) feet from front property lines, and five (5) feet from the edge of driveway pavement;
  - (ii) The entire sign structure shall not exceed thirty (30) square feet, the sign area of such signs shall not exceed twelve (12) square feet in size, and the sign shall not exceed six (6) feet in height;
  - (iii) At a single key decision making location within the parking lot, if one (1) parking lot directory sign is not large enough to accommodate the essential directional information, two (2) such signs may be placed side by side;
  - (iv) The letters and numbers on the signs shall not exceed five (5) inches in height with each tenant/occupant listing to be limited to the same color, size, and shape.
  - (v) Such signs shall be architecturally compatible with the principal building.
- h. Permanent window signs. Such signs shall be counted as part of the total wall sign area allowed.
- i. Real estate signs. One (1) non-illuminated wall sign per lease space not to exceed sixteen (16) square feet in size and eight (8) feet in height. Real estate information may also be incorporated into the permanent ground-mounted sign, provided the maximum permitted height and sign face area of the ground-mounted sign are not



exceeded and the real estate sign is architecturally and visually compatible with the remainder of the permanent ground-mounted sign. In addition, where such real estate information is to be incorporated into the permanent ground-mounted sign, one (1) non-illuminated wall sign shall be permitted at each available lease space not to exceed two (2) square feet in size and eight (8) feet in height.

In the event of the entire campus is for sale or lease, one (1) non-illuminated ground mounted sign not to exceed twenty (20) square feet in size and six (6) feet in height shall be permitted. Such signs shall be set back a minimum of five (5) feet from all property lines.

All real estate and auction signs shall be removed within fifteen (15) days after the sale, rental, or lease of the real estate involved.

- j. Temporary window signs. Any number of non-illuminated, temporary window signs per premise, not to exceed a total of twenty (20) square feet or cover more than twenty-five (25) percent of the total window area, whichever is less.
- k. Wall signs. There shall be a maximum of one (1) wall sign per building wall which fronts upon a public street or faces upon a customer parking area, unless specifically provided for in this section. Such wall signs permitted a total area of one (1) square foot per each linear foot of building wall upon which the sign is mounted, not to exceed three hundred fifty (350) square feet.

One (1) wall sign with the name of the medical campus shall be allowed on a building wall which fronts upon a public street. No other wall signs shall be located on the same wall as such sign.

With the exception of individual medical offices, each separate principal medical use within a building shall be allowed one (1) wall sign. Such wall signs shall be limited to the side of a building which fronts upon a public street or faces upon a customer parking area. No other wall signs shall be located on the same wall as such signs, unless specifically provided for in this section.

If a wall is less than seventy-five (75) feet long and is a glazed store front type exterior (glass), a second wall sign shall be allowed. Such second wall sign shall be a non-illuminated, no added color, etched sign in the glass. There shall be a maximum of two (2) such signs per campus.

An emergency room shall be allowed one (1) wall sign for each building wall approach to the emergency room portion of the building with a maximum of two (2) such wall signs. No other wall signs shall be located on the same wall sign as such signs.

A wall clock that is limited to time and temperature shall be considered a wall sign. Such sign shall not display any moving light messages.

All wall signs shall be architecturally compatible with the principal structures and shall be consistent in terms of style, color, and illumination with the other signs in the complex.

13. The following signs are permitted on land used for freestanding churches and other places of worship:

- a. Address signs. One (1) non-illuminated wall sign per entrance/door to the premises, not to exceed two (2) square feet. The individual figures shall not be less than three and one-half (3½) inches nor more than eight (8) inches high.

The street address numbers may also be painted on the curb at the driveway entrance. The numerals displayed on curbs shall be four (4) inches high.

- b. Construction signs. One (1) non-illuminated sign per each street on which the lot, parcel, or tract fronts, not to exceed thirty-two (32) square feet in size and ten (10) feet in height. Such signs shall be set back a minimum of five (5) feet from all property lines and shall not be erected until a site plan has been approved. The sign(s) shall be removed within fifteen (15) days of the issuance of a Certificate of Occupancy, the completion of a permanent sign, or the expiration of the site plan or building permit, whichever comes first.
- c. Directional parking signs. One (1) ground-mounted directional parking sign per entry/exit to a parking lot, not to exceed two (2) square feet in size and thirty (30) inches in height. Such signs shall be set back a minimum of fifteen (15) feet from the edge of the street pavement and five (5) feet from the edge of driveway and parking lot pavement. If signs are to be illuminated, internal illumination shall be used.
- d. Ground-mounted signs. One (1) sign per each street on which the lot, parcel, or tract fronts, not to exceed twenty (20) square feet in size, six (6) feet in height, and is set back a minimum of ten (10) feet from all property lines. Such sign area may be increased in size by two (2) square feet for each one (1) additional foot the sign is set back from the front property line, not to exceed a maximum sign size of forty (40) square feet. When more than one (1) ground-mounted sign is permitted on a single lot, such signs shall be a minimum of one hundred fifty (150) feet apart.

All ground-mounted signs shall be architecturally compatible with the principal building. All letters, figures, emblems, and logos used on the sign shall be legible from the nearest adjacent street at which the sign face is directed. Individual letters or figures used within a logo or emblem are not required to be legible, however, the logo or emblem as a whole must be legible.

An address for the building shall be attached to the top of the ground-mounted sign, but shall not be factored into the permitted sign area or sign height. Such address, however, shall not exceed the maximum permitted sign height by more

than eighteen (18) inches nor exceed the width of the sign area, including support structures. The individual figures shall not be less than eight (8) inches nor more than fifteen (15) inches high. Such figures shall be displayed parallel to the ground.

Signs may have changeable copy provided the copy is not written in lights.

No sign permit shall be issued until a building permit has been issued.

- e. Real estate and auction signs. One (1) non-illuminated sign per lot, parcel, or tract, not to exceed twenty (20) square feet in size and six (6) feet in height. Such signs shall be set back a minimum of five (5) feet from all property lines and shall be removed within fifteen (15) days after the sale, rental, or lease of the real estate involved.
- f. Wall and roof signs. Because of the unique architectural elements (i.e. belfries, cupolas, domes, steeples, etc.) that are often associated with churches and other places of worship and the common use of symbols incorporated into these unique architectural elements, any number of wall and roof signs shall be permitted. Such signs shall be architecturally compatible with the building.

The total square footage of sign area allowed shall be based on the linear length of the widest building length which fronts upon a public street and the linear length of the widest building length which fronts upon a customer parking area. For each one (1) foot of linear length of building, one (1) square foot of sign area shall be permitted. Each sign shall be measured separately.

Roof signs allowed shall be limited to commonly recognize religious symbols associated with churches and other places of worship. No text is permitted. The symbol height shall be no taller than one-fifth (1/5) of the height of the architectural element on which the symbol is mounted, but in no case to exceed fifteen (15) feet in height. Roof signs shall be architecturally compatible with the architectural element on which it is located. If illuminated, roof signs should be internally illuminated only.

Wall signs may be placed on any wall of the building.

#### 11-508.5 – Nonconforming and Noncomplying Sign Provisions.

Any sign lawfully existing at the time of the enactment of this ordinance but which is not permitted either by type of sign, location, or district or which fails to meet the standards on regulations shall be declared legal nonconforming signs.

1. The zoning administrator shall have authority to determine if a sign is legally nonconforming based on its current condition, time of construction and continuance at the location. Appeals to the decision shall be made to the Fayetteville Board of Zoning Appeals.

2. Any legal nonconforming sign may be continued in operation and maintenance after the effective date of this chapter, provided:
  - a. The sign is not relocated or replaced;
  - b. The structure or size of the sign is not altered in any way except toward compliance with this chapter. This does not refer to the change of text of changeable copy signs or normal maintenance;
  - c. No new or additional signs are added to the premises; and
  - d. Other than changing the text of changeable copy signs, no other existing signs are changed or replaced on the premises.
3. A legal nonconforming sign is subject to all requirements of this Code regarding safety, maintenance, and repair. However, if the sign suffers more than fifty (50) percent damage or deterioration, as based on appraisal, it must be brought into conformance with this code or removed.

#### 11-508.6 - Provisions declared to be minimum requirements.

The provisions of this chapter are considered to be minimum requirements. Wherever there is a discrepancy between the minimum standards noted in this chapter and those contained in any other lawfully adopted regulation or ordinance of the city, the highest standard shall apply.

#### 11-508.7 - Administration.

1. The municipal building official or zoning administrator shall be designated to administer all sign regulations as specified in section 11-801 of this zoning ordinance.
2. Application and permit process. Unless otherwise provided by this chapter, permits are required for all types of signs. It shall be unlawful for any person, agency, firm, or corporation to erect, structurally repair (other than normal maintenance), replace, alter, relocate, change the panels of, change the establishment being advertised on a sign, as defined in this chapter, without first obtaining a permit to do so from the city.
  - a. Applicants shall submit a completed sign application in the same manner as required for building permits found in section 11-803.A;
  - b. A separate application must be completed and submitted for each new or replacement sign;
  - c. A sign permit shall become null and void if erection is not commenced within one hundred eighty (180) days of issuance. If work authorized by such permit is suspended or abandoned for one hundred eighty (180) days any time after the work is commenced, the sign permit shall be void and a new permit shall be first obtained to resume work. A new permit shall be required if changes have been made in the

original plans. After a permit expires, a partially completed sign structure must be removed within thirty (30) days if no new permit is issued.

- d. No sign permit shall be issued without a valid building permit if required.

#### 11-508.8. - Enforcement.

1. Non-compliance with this chapter shall be deemed a violation. When the sign administrator finds violations of the provisions of this chapter, the administrator shall document such findings and take the appropriate action to correct said violations. A citation to municipal court may be issued to the owner, agent, or employee for violations of this chapter.
2. Each day a violation continues shall be considered a separate offense. The owner or tenant of any building, sign, premises, or sign thereon, and any architect, builder, contractor, agent or other person who commits, or participates in, assists in, or maintains any violation hereunder may be found responsible of a separate offense. Nothing herein contained shall prevent the city from taking such lawful action as is necessary to prevent or remedy any violation of this chapter.
3. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not to exceed fifty dollars (\$50.00). Each day a violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

#### Sec. 11-508.9 - Appeals.

1. The Fayetteville Board of Zoning Appeals as specified in chapter 11-806 of this ordinance shall have the following additional responsibilities:
  - a. To hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, permit, decision, or refusal made by the zoning administrator in the carrying out or enforcement of any provision of this chapter;
  - b. To authorize, upon an appeal relating to said property, a variance from such strict application so as to relieve such difficulties or hardship. Variances shall not be granted to allow a larger sign or a sign which is otherwise not permitted in this chapter. Variances shall be granted only where by special physical characteristics of the lot, parcel, or tract exist, that the strict application of the provisions of this chapter would deprive the applicant of an otherwise permitted sign.
2. Appeals procedure: Appeals to the Fayetteville Board of Zoning Appeals shall follow section 11-806.C Appeals to the Board, of the Fayetteville Zoning Ordinance.

Items j. and k. are not approved for state owned rights of way at this time, negotiations with TDOT are ongoing.

- j. Off-premises non-commercial directional. Churches, cemeteries, memorials, civic organizations and other similar uses as approved by the board of mayor and aldermen and which are located on streets classified as local, local collector, major collector, and minor arterial on the major road plan shall be permitted to have off-premise directional signs. The signs shall meet the following criteria:
  - (i) The sign(s) shall be located within the rights-of-way at intersections approved by the board of mayor and aldermen;
  - (ii) The exact location of the sign(s) shall be determined by city staff at the time of installation. The location and height of the sign shall be based on the current edition of the Manual of Uniform Traffic Control Devices;
  - (iii) The sign(s) shall match the existing signs in color, construction material, and size. The individual figures on such signs shall also match existing figures on existing signs in color and size and shall be painted with reflective paint;
  - (iv) Breakaway poles shall be used in the public right of way designed to reduce damage or injury;
  - (v) The individual sign(s) for each entity shall be purchased and maintained by such entity; and
  - (vi) The supporting structure(s) of the sign(s) shall be owned and maintained by the city.
  
- k. Off-premises destination signs. (similar to the TDOT Tourist-Oriented Directional Signs) Business establishments that cater to travelers to and through arterials and major collectors as regulated by TDOT and that provide gas, food, or lodging, are located within the C-2 and C-2 zoning designations and are located one block or more from a specified street, and that front on streets classified as local collectors or local on the major road plan, shall be permitted to have off-premise directional signs. The signs shall be installed at the expense of the business owner, and owned and maintained by the city:
  - (i) The individual business directional sign shall not exceed eighteen (18) inches by twenty-four (24) inches;
  - (ii) The individual sign content shall be made of reflective material;
  - (iii) Individual logos shall be owned and maintained by the individual business and the space shall be rented on an annual basis from the city;
  - (iv) A directional arrow with mileage shall be listed under each logo. The figure size shall be four (4) inches;

- (v) The sign structure, the directional arrows, and mileage indicators shall be owned and maintained by the city;
- (vi) The sign shall be located within the rights-of-way of streets classified as arterial or major collector on the major road plan; and
- (vii) The exact location of the sign shall be determined by city staff at time of installation. The location and height of the sign shall be based on the current edition of the Manual of Uniform Traffic Control Devices.

Table 1A

SIGN TYPE	ZONING DISTRICT	ALLOWABLE AREA	MAX HEIGHT	MIN HEIGHT	MAX NUMBER	MIN SETBACK	TIME LIMIT	ILLUMINATION ALLOWED	PERMIT REQUIRED
Awing	com/rtp/ind	10 % of awing	15 ft.	9 ft.	1/business	na	perm	yes	yes
Address	all						perm	yes	no
Banner	all	25 sf per side	4 ft.	na	1/activity	5 ft.	note i.	no	yes
Billboard (legal non-conforming including digital)	legal non-conforming only	legal non-conforming area	na	na	legal non-conforming only	na	note ix	yes	yes
Canopy	com						perm	yes	yes
Civic general	com/rtp/ind	restricted by sign type	25 ft.	na	1/property	5 ft.	perm	yes	yes
Civic residential	ag/res	25 sf	6 ft.	3 ft.	1/property	5 ft.	perm	yes	yes
Construction	all	32 sf	8 ft.	4 ft.	1/site..	5 ft.	note ii.	yes	yes
Professional Construction Identification	all	6 sf	8 ft.	4 ft.	1	5 ft.	note ii.	yes	yes
Future Business Sign	all	32 sf	8 ft.	4 ft.	1	5 ft.	note ii.	yes	yes
Cornerstone	all	6 sf	6 ft.	4 ft.	1/building	attached to structure	perm	no	no



Delivery	com/rtp/ind	6 sf	6 ft.	4 ft.	1/business	5 ft.	perm	yes	yes
Directional Parking	all	6 sf	3 ft.	na	1/entrance	5 ft.	perm	yes	yes
Directory	com	80 sf	25 ft.	9 ft.	1/center	5 ft.	perm	yes	yes
Flag Pole	all	na	note iii	na	3	20 front, 10 side/rear	perm	yes	no
Fuel Service Canopy	com	14-508.3.10	14-508.3.10	14-508.3.10	14-508.3.10	14-508.3.10	perm	yes	yes
Fuel Price Sign	com	14-508.3.10	14-508.3.10	14-508.3.10	14-508.3.10	note vii	perm	yes	yes
Fuel Canopy Identification	com	80 sf	25 ft.	na	2	na	perm	yes	yes
Ground Mounted	com/rtp/ind	80 sf	6 ft.	na		5 ft.	perm	yes	yes
Marquee	com	1 sq. ft. / liner building front	note iv	10 ft. above walkway	2	2 ft. from sidewalk edge	perm	yes	yes
Menu Board	com						perm	yes	yes
Parking Lot Directory	all	6 sf	3 ft.	na	1/entrance	5 ft. from property line	perm	yes	yes
Permanent Window	com	15% of window included in wall	1 ft. below roof line	na	1/street frontage	na	perm	yes	yes
Pole	com	80 sf	25 ft.	8 ft.	1/street frontage	5 ft. from property line	perm	yes	yes

Pole Banner	com	25 sf	10 ft.	na	3/street frontage	5 ft.	perm	no	yes
Portable Sign	com	60 sf	6ft	na	note v.	5 ft.	perm	yes	yes
Projecting	com	80 sf	25 ft.	10 ft.	1/business	2 ft. from sidewalk edge	perm	yes	yes
Subdivision Identification	res	40 sf / sign	15 ft.	na	2	note vi	perm	yes	yes
Temporary Commercial	All	regulated by zoning district	6 ft	na	1	5 ft	???	yes	yes
Temporary Non-Commercial	All	12 sf	6 ft	na	1/event/street frontage	5 ft	65 days	yes	no
Temporary Window	com	5 % of window	na	na	5/business	na	30 days	no	yes
Under Canopy	com	6 sf	na	8 ft.	1/business	2 ft. from sidewalk edge	perm	yes	yes
Wall - note	com/rtp/ind	10% of wall including permanent window	note viii	6 ft.	1/street frontage	attached to structure	perm	yes	yes

Abbreviations

com = C-1, C-2, C-3, C-4, C-5 commercial zoning districts.

ind = I-1 & I-2 industrial zoning districts

rtp = T-P Research/Technology Park zoning district

X = Prohibited

na = not applicable

sf = square feet

ft. = feet

Perm = permanent

Notes:

- i. Banner sign time limit: ten (10) days prior to the event through five days (5) after the event not to exceed 60 days for each permit.
- ii. Construction signs must be permitted thirty (30) days past project completion.
- iii. A flag pole height may not exceed the height of the building on the parcel it is located.
- iv. A marquee sign shall not extend above the roof line of the building unless existing or replacement approved by BZA.
- v. A portable sign may be substituted for a pole sign or ground sign.
- vi. Subdivision entrance signs must be on private property set back five (5) or in the median of the entrance street.
- vii. Ground mounted fuel price signs must be setback five (5) feet from property lines and thirty (30) feet from all street intersections.
- viii. Wall signs shall not extend above the roof line of the bldg. and may not extend more than twelve (12) inches from the bldg. surface.
- ix. Existing billboards are allowed only when legally non-conforming.