

## • **Chapter 29 - SIGNS<sup>(1)</sup>**

### **Purpose.**

The purpose of these rules and regulations are to provide uniform sign standards and regulations in order to ensure public safety and promote a positive city image reflecting order, harmony and pride, thereby strengthening the economic stability of Fredericksburg's business, cultural, historical, and residential areas.

### • **Sec. 29-2. - Jurisdiction.**

The provisions of this chapter shall apply within the city limits, and within the extraterritorial jurisdiction (ETJ) of the city as defined by the Municipal Annexation Act (Article 970a, Revised Civil Statutes of Texas). For the purposes of these sign regulations, all signs erected within the extraterritorial jurisdiction of the City of Fredericksburg shall be erected in accordance with the standards imposed for property inside the city limits within the C-2 commercial zone.

### • **Sec. 29-3. - Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*A-frame sign.* See *Unattached sign*.

*Area sign* means the square foot area enclosed by the perimeter of the sign face with each face contributing to the aggregate area. The sign face shall exclude decorative wood or metal devices, frames, and sign supports, but shall include sign supports which are defined as a monolith. However, double-faced sign faces shall be counted only as the area of one face. In cases where the sign, or portion thereof, is composed only of letters, figures, or other characters, standing against no sign face background or secured to a monolith, then the sign face area shall be the sum of the area of an imaginary figure (circle, triangle, rectangle, or other) which fully contains all words, figures, devices, designs, or trademarks which constitute the sign.

*Auxiliary sign* means any sign attached to a building or canopy indicating general information, such as trading stamps, credit cards, official notices or services required by law, or giving directions to offices, restrooms, exits, and like facilities. References to a product, service, business, name or pricing shall disqualify a sign as an auxiliary sign.

*Banner* means a sign intended to be hung without frames made of paper, plastic, or fabric of any kind which may possess colors, characters, letters, illustrations, or

ornamentations. Flags of governmental jurisdiction and flags carrying the emblem of a business or institution are not to be considered a banner for the purposes of this chapter.

**Billboard** means a sign that is designed for changeable copy, so the characters, letters or illustrations can be changed or rearranged within a fixed sign face which advertises a business, organization, event, person, place or thing not located on the same site (or property) as the billboard.

**Building frontage** means the distance or length of the primary building on the property adjacent and generally parallel to the business frontage or lot frontage. In the case of multitenant buildings, each tenant space shall be lease space portions of the building frontage.

**Building lot** means a lot or a portion of a lot or a combination of lots when used for construction of one building or commercial center.

**Building official** means the building official of the City of Fredericksburg, Texas, or his agent.

**Business frontage/ or lot frontage** means the distance along the adjacent street frontage between the two side lot lines. On an interior lot, such distance shall be measured along the lot line abutting the street. On a corner lot, the shorter lot line abutting a street or the line designated as the front lot line by the subdivision or parcel map shall be used. On a through lot, the lot line abutting the street providing the primary access to the lot shall be used. On a flag (panhandle) lot, the interior lot line designated as a front lot line by a subdivision or parcel map, or the line determined by the director of development services to be the front line shall be used. Where such identification is in doubt, the same shall be determined in accordance with [Section 7.220](#) (or its successor in the event the section number is changed) of the Zoning Ordinance of the City of Fredericksburg. On corner lots, the business/lot frontage shall be measured along a highway or street. Lot lines shall be those established by the most recent deed to the property as recorded in the real property records of the County Clerk of Gillespie County. If one business, or integrated business, occupies and utilizes more than one lot, the frontage distance of all lots occupied by the business, or integrated business, may be combined.

**Canopy sign** means a sign attached to a canopy that extends over a public right-of-way that is attached to or an extension of a building.

**Chalkboard or daily-special-type signs** are signs which announce daily specials and special sales and are signs which are typically written or have menu attachments and the like. These shall be permitted and otherwise treated as a wall sign provided, however, that:

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No location may display more than one of these signs;

The sign will be counted in the maximum allowable sign area for the purveyor of the sign;

The sign does not exceed four square feet; and

It is otherwise secured and not hazardous.

**Changeable lighted message sign** means a sign which permits light to be turned on or off intermittently or which is operated in a way whereby light is turned on or off intermittently, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including an LED (light emitting diode) or digital sign, and which varies in intensity or color however generated. This definition includes signs which utilize lights to form letters, words, figures, symbols, etc., and a sign with lights which illuminate intermittently (e.g., a sign with blinking or moving lights) regardless of wattage, whether directly or indirectly illuminated, except for time and temperature signs. This definition does not include a sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual of Uniform Traffic Control Devices approved by the Federal Highway Administrator as the National Standard or by the Texas Department of Public Safety and is for governmental use.

**Community service (public service) sign** means a sign which solicits support for or advertises a nonprofit community use, social institution, or public use. Such signs may include, but shall not be limited to, seasonal holidays such as Christmas or Easter, school activities, charitable programs, religious activities, or location of places or events of community or tourist interest and may include business advertising, provided that the same shall constitute not more than 25 percent of the sign.

**Construction sign** means a sign temporarily placed on a construction site identifying the project and/or owner, developer, contractor, or architect, and may include other information regarding the project.

**Damaged sign** means a sign which is unsafe, unsecured, disfigured, or broken.

**Directional sign** means an on-premises sign that is freestanding, the primary purpose of which is to give directions to parking lots, exits, entrances, drive-through windows, or similar directions. Reference to a product, service, business, or name, other than a subordinate business name or logo, shall disqualify a sign as a directional sign.

**Double-faced sign** means one structure containing either one sign with two faces back-to-back, oriented in opposite directions, or two signs back-to-back, with the faces

oriented in opposite directions and with a distance of not more than three feet between the two signs.

*Externally illuminated sign* means a sign illuminated in any manner by an artificial light source which is detached from the sign.

*Freestanding sign* means any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

*Governmental sign* means a sign indicating a public works project or other program or activity conducted or required by any governmental subdivision. This is also considered a community service sign.

*Ground sign* means a sign which is secured to the ground and which is not affixed to a building. The term "secured" is defined in the definition of unattached signs in this section.

*Height, sign*, means the vertical distance between the highest part of the sign or its supporting structure, whichever is higher, and the average established ground level beneath the sign, unless curb elevation is higher than the ground level, in which case the height shall be measured from curb level.

*Integral sign* means a memorial sign or tablet, name of a building, or date of erection when cut into any masonry surface or when constructed of bronze or other incombustible material mounted on the face of a building.

*Integrated business* means a commercial business which is operated by more than one business owner and which meets one or more of the following criteria:

Each business owner has shares of stock or a partnership interest in a corporation that owns the grounds and buildings;

Each business owner owns his own space under an undivided interest arrangement or a condominium arrangement;

Each business owner rents/leases his own space within the same building; or

Each business owner is a member of a merchants association which contributes to the joint promotional efforts of the center.

*Internally illuminated sign* means a sign illuminated in any manner by an artificial light source as an integral part of the sign.

*Marquee sign* means a sign hung from or affixed to a marquee. It shall be synonymous with a canopy sign.

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**Medallion sign** means a two-sided panel bearing a decorative figure or a relief or identifying emblem and limited to the business, address, proprietor and date of establishment.

**No Solicitation sign** is an on-premises sign of weather proof material not exceeding four inches in height and eight inches in width in size, with block letters at least one inch in height which is placed on a building or residence within three feet of either side of the front door clearly indicating that the occupant does not to be contacted by peddlers, solicitors or canvassers. The phrase "no solicitation" or "no solicitors" shall be sufficient for such purpose.

**Nonconforming sign** means a sign that does not conform to the regulations of this chapter or city ordinances, but which was placed or constructed in accordance with city ordinances existing at the time of its placement or construction.

**Off-premises sign** means a sign designed for identifying or advertising a specific establishment, merchandise, service product, or entertainment which exists or is sold, produced, manufactured, and/or furnished at a place other than on the property on which such sign is located.

**Party responsible** means the person whose name of business is being advertised on the sign and the owner of the property upon which the sign is located.

**Person** means an individual, partnership, corporation, firm or organization.

**Portable sign.** See *Unattached sign*.

**Professional nameplate (shingle sign)** means a sign denoting only the name, occupation and address of an occupant in a commercial, public, or institutional building.

**Projecting sign** means a sign, other than a wall sign, which is affixed to any building or wall, and whose leading edge extends more than two feet beyond such building or wall. A canopy or marquee sign is not defined as a projecting sign.

**Realty sign** means a sign which is used to offer property for sale, lease, or rent.

**Roof sign** means a sign that is mounted on, and is wholly supported by, the roof of a building and does not extend beyond the wall line.

**Sandwich sign.** See *Unattached sign*.

**Shield sign.** See *Medallion sign*.

**Sign** means any letters, figures, symbols, trademarks, or devices designed to inform people or attract the attention of persons to an individual, firm, profession, business,

commodity or service, and which is recognizable from any public right-of-way, and which is more specifically defined in various definitions in this section.

*Snipe sign* means a sign made of any material when such sign is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, or other objects, and the advertising matter appearing thereon is not applicable to the use of the premises upon which such sign is located.

*Temporary sign* means a sign to be hung with a frame, made of paper, plastic, fabric of any kind, wood, or metal, which may possess colors, characters, letters, illustrations, or ornamentations.

*Unattached sign* means a sign which is carried, wheeled, or moved about without having to detach the sign from a secure anchoring device which is set in the ground or affixed to a building which is set on an approved foundation, or a sign which is not secured in a manner approved by the building official and designed to withstand wind pressures as specified in Section 1605 of the International Building Code adopted by the City of Fredericksburg, Texas. Such signs are considered to be unattached if they can reasonably be expected to be blown out or about in high winds and may cause injuries to pedestrians and traffic hazards.

The term "unattached sign" includes:

- Portable signs;
- A-frame signs; and
- Sandwich signs.

The term "unattached sign" does not include:

- Realty signs;
- Individual contractor signs;
- Political signs which are six square feet in area or less;
- Signs intended for temporary use for safety reasons due to construction, danger, or traffic control; and
- Governmental or community service signs which are to inform the public.

*Wall sign* means a sign that is painted on, or attached to and erected parallel or approximately parallel to, the face of, or erected and confined within the limits of, the outside wall of any building and supported by such wall or building and which displays only one surface for display/advertising. No wall sign shall be affixed to any structural addition to a building which has been added primarily to evade the limitations of this chapter, or which projects above the roof line of the building.

- **Sec. 29-4. - Permit required.**

No person shall erect, construct, alter, repair, or relocate a sign without first obtaining a permit from the building official. The signs described in [section 29-5](#) shall be an exception to the requirement.

Each application for a sign permit shall be accompanied by such drawings, descriptions, and specifications as are determined by the building official.

After a sign permit has been issued by the building official, it shall be unlawful to change, modify, alter, or otherwise deviate from the terms and conditions of such sign permit without prior approval by the building official.

Whenever the building official or any police officer finds a sign which was erected after the effective date of the ordinance from which this chapter is derived and which was erected, constructed, altered, repaired, or relocated in violation thereof, the building official or officer shall require the party responsible for such sign to remove same. If the party responsible fails to remove the sign within three days after being notified to do, or if it appears to the building official or officer that the illegal sign placement poses an immediate danger to the public, such sign may be removed by the city at the expense of the party responsible. Any sign so removed shall be stored or impounded and shall not be returned to the party responsible until all applicable charges are paid. If any sign remains unclaimed for a period of 30 days after its removal, or if the removal and storage costs are not paid within the 30-day period, the city may destroy, sell, or otherwise dispose of the sign.

**Maintenance of signs and replacement of nonconforming signs.**

Ordinary maintenance of all signs is permitted without the necessity of obtaining a permit as required by [section 29-4](#). Ordinary maintenance shall mean the refurbishment of signs as they exist with no alteration. Replacement or reconstruction of any part of a sign shall not be considered ordinary maintenance. Examples of permissible maintenance would be replacement of a rotten board, repainting of the sign elements with no alteration of content or repair of loose parts of the sign. An example of impermissible maintenance is replacement of any part of the sign such as a plastic face. Changes other than ordinary maintenance require that the sign be brought into conformity with this chapter.

In the event a change in use, occupancy, or ownership occurs and necessitates the alteration of a sign in any manner, the entire sign must then comply with any provisions of this Code.

Nonconforming signs which have been damaged, blown down or otherwise destroyed or dismantled for any purpose, other than ordinary maintenance as described in subsection (e)(1) of this section, may not be replaced.

- **Sec. 29-5. - Signs exempted from certain regulations.**

The signs described in the following subsections are exempt from the regulations provided for in this chapter. However, such signs shall remain subject to the construction and electrical standards of the city codes:

Realty signs advertising the sale, lease, rental, will build to suit of or on the premises upon which the sign is located, provided such signs do not exceed 32 square feet in area in nonresidential districts, and six square feet in area in residential districts, and do not exceed five feet in height. This exception includes garage sale or similar signs in residential districts. These signs shall be limited to one per lot.

Professional nameplates or shingle signs on premises, provided that such signs do not exceed four square feet in area.

Signs denoting the name and address of occupants of the premises on the premises, provided that such signs are not more than two square feet in area. Such signs are permitted in addition to any required address sign otherwise required by any Ordinance of the City of Fredericksburg.

Signs or bulletin boards customarily incidental to places of worship, libraries, museums, social clubs, societies, or charitable organizations and located on the premises of such institutions, provided that if it is a freestanding sign such signs do not exceed 32 square feet in area.

One sign per street frontage of a building which is under construction, structural alteration or repair announcing the character of the building or enterprise or the purpose for which the building is intended, including names of architects, engineers, contractors, developers, financiers, owners, and others, provided the area of such signs does not exceed 32 square feet in nonresidential districts, and 16 feet in residential districts. Individual contractor signs (one per contractor), not exceeding three square feet in area, are allowed in addition to the construction sign described earlier in this subsection. All such contractor or construction signs shall be removed within 30 days after the completion of the construction project. All such signs which are larger than three square feet in area shall be set back from the property line to the normal building setback line required in the applicable zoning district. For the purposes of this subsection, the term "under construction" means under active construction and before substantial completion. Such signs shall not be erected, placed or allowed to remain in the absence or lapse of a building permit for the property to which it relates, or if a certificate of occupancy has been issued for such property. Trade repair or improvement signs (e.g., landscape and air conditioner repair signs) are limited to four square feet and may be placed only for the length of time the active repair or installation is underway not to include any maintenance period.

Governmental signs, provided that such signs do not exceed 32 square feet in area.

Community service signs may be placed on or over public property or on or over a public right-of-way only by units of local, state or federal governments or their agents.

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• **Sec. 29-6. - Prohibited signs.**

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The construction, placement, existence, use of or advertisement on signs of the following nature are prohibited unless specifically authorized by this chapter.

Signs or billboards off premises from the location of the subject of the advertising content.

Signs which advertise an activity, business or service which has been out of business for 45 days.

Signs which move or contain visible moving parts.

Banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners, balloons, inflatable objects or other similar devices. Flags listed in [section 29-5\(8\)](#) are exempted, as are displays of historic, political, religious and military flags on residential property and on private property used by religious organizations. Strings of lights outlining windows or buildings are exempted and not considered to be prohibited.

Signs which contain statements, words or pictures of an obscene character.

Signs which are located on or extend over any public sidewalk, street, alley or other public property, except for canopy signs or projecting signs on buildings built up to the public right-of-way, or portions thereof, permitted in [section 29-7\(4\)f](#) and [g](#). Signs required or authorized by governmental authorities for public purposes are exempted from this provision.

Signs which constitute a hazard to pedestrians or vehicular traffic, and signs which may be confused with, interfere with or obstruct the view of a traffic sign, signal or device.

Signs which make use of any word, phrase, symbol or character in such manner as to interfere with or mislead or confuse vehicular or pedestrian traffic.

Portable or wheeled signs.

Changeable lighted message signs.

Signs attached to or located upon amenities such as benches, trash containers or fences.

Signs placed on the side or rear of any building or property when such sign faces upon a contiguous residential district.

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All signs in this category shall be maintained in good condition and if not the city building official shall cause such sign to be removed. If any sign in this category is for a special event, the sign shall not be erected more than two weeks prior to the event and shall be removed no later than five days after the event. The owner or organization shall be responsible for all costs involved in the erection and removal of such signs. A freestanding community service sign shall not exceed 32 square feet in area in nonresidential districts, and six square feet in area in residential districts. Signs hung across a public right-of-way shall be constructed of minnow seine material and shall be no larger than four feet in width and 36 square feet in length.

Official flags of governmental jurisdictions, U.S. military regimental flags, school flags and flags placed with permission of the city for special events or occasions. Business flags carrying the emblem, name, logo or other information of a business shall be included in the calculation of the maximum allowable sign area for such business. Business flags shall be limited to a maximum flag size of five by three feet.

Commemorative plaques placed by governmental or civic organizations and integral signs.

Signs specifically approved in a planned unit development; provided, however no prohibited signs shall be permitted.

Political election signs and signs the regulation of which is prohibited by the First Amendment as free speech, provided that such signs do not exceed 36 square feet in area or eight feet in height, on private real property with the consent of the owner, and are nonilluminated and without moving elements, and provided that such signs shall not be placed in, on or over any public street right-of-way. This provision shall not prohibit the use of signs in lawful demonstrations or speech in the public forum.

Public service signs indicating time and temperature, provided no company name, logo, or advertisement appears thereon.

Window signs, either painted or attached to a window of a building.

Auxiliary signs, not exceeding four signs of four square feet each per business property.

Directional signs, provided that such signs do not exceed six square feet in area or five feet in height.

No solicitation signs.

Signs specifically listed and permitted by the City under a Special Event Promoter/Sponsor Checklist or Special Event Permit Application, as set forth in [Chapter 36](#) of this Code of Ordinances, for a Special Event held on Marktplatz (Market Square); provided that no prohibited signs, excepting signs set forth in [Sections 29-6\(3\)](#), [29-6\(4\)](#), [29-6\(6\)](#), [29-6\(9\)](#), and [29-6\(11\)](#), shall be permitted under this subsection (17) or under [Chapter 36](#) of this Code of Ordinances.

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Nothing contained in this section shall be construed to prohibit the display of the flag of the United States, State of Texas or any political subdivision permitted in [section 29-5\(8\)](#).

Roof signs mounted on, wholly supported by or painted on the roof of a building.

Signs listed in [section 29-5](#) that do not meet the requirements listed in that section and signs that do not meet the requirements of [section 29-7](#).

Damaged signs which are not repaired within 30 days following the date of the damage or following the date of notice to repair same given by the building official, or any police officer, to the party responsible for such sign whichever is sooner. Such 30-day period shall be extended provided that a bona fide work order bearing a delivery date for repairs is submitted to the building official within the 30-day period. The 30-day period shall be extended until seven days after the delivery date shown on the work order. The provisions of this subsection are subject to the provisions of [section 29-4](#).

Snipe signs.

### • **Sec. 29-7. - Permanent signs permitted by district.**

All signs listed in this section shall be required to meet any applicable standards as listed in this section and a construction permit shall be required prior to the erection of any signs described in this section:

The following signs shall be permitted in residential (R-1, R-2, R-3, RM and MPH) districts:

Residential subdivisions are allowed one permanent identification sign at each major entrance with not more than 32 square feet of sign area per sign. The height of each sign shall not exceed five feet and the lowest point of the sign facing shall not exceed 24 inches above the adjacent ground.

Multiple family complexes and mobile home parks are allowed one permanent identification sign with not more than 32 square feet of sign area. Permitted signs may be wall or ground signs, but if ground mounted the top shall not exceed five feet and the lowest point of the sign facing shall not exceed 24 inches above the adjacent ground. If building mounted, such signs shall be flush mounted and shall not project above the roof line.

Temporary real estate signs.

A maximum of two temporary real estate development signs, with a combined total of 90 square feet of sign area and limited to 64 square feet for any one sign, may be located in a new subdivision.

Each sign shall be located at a separate location with maximum separation as practicable. Two signs at the subdivision entrance are prohibited.

The maximum sign height shall be 15 feet.

Such temporary real estate subdivision signs shall be removed 24 months from the date the building permit for the sign is issued unless an application for extension of the same is made prior to the expiration of the 24-month period, in which case the 24-month period shall be extended for one additional period up to 24 months.

The following signs shall be permitted in neighborhood commercial (C-1) and medium commercial (C-1.5) districts:

**Residential signs.** Residential signs as permitted in subsection (1) of this section.

**Maximum sign area.** The maximum sign area of the combination of subsections (2)a, c, and d of this section for any property in this district shall not exceed 64 square feet.

**Wall signs.**

One wall sign is permitted for each property provided that the total sign area shall not exceed 1½ square feet for each linear foot of building frontage but in no case shall such wall sign exceed 50 square feet.

A wall sign shall not project above the building roof line to which it is attached and shall not exceed 25 feet in height.

A wall sign shall not extend outward more than 12 inches from the building wall to which it is attached.

**Ground signs.**

One ground sign is permitted for each property provided that the total sign area shall not exceed 32 square feet.

The height of the sign, including the sign structure, shall not exceed five feet above the adjacent ground and the lowest point of the sign facing shall not exceed 24 inches above the adjacent ground.

**Banners/temporary signs.**

One banner for a temporary sign shall be permitted for each business property provided it is not more than 16 square feet in area.

A permit shall be issued for a 20-day period.

The number of permits shall be limited to six per calendar year per property.

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Each permit may be linked together for a consecutive period (e.g., 20, 40, 60, 80, 100, 120 days). Each 20-day period, even if linked together, shall carry a separate permit fee.

Banners/temporary signs shall be mounted as wall signs on a building in accordance with subsection (3)d of this section or as freestanding or ground signs in accordance with subsection (3)e of this section, or erected as medallion or shield signs in accordance with subsection (7)b of this section.

The following signs shall be permitted in commercial (C-2) districts:

*Residential signs.* Residential signs as permitted in subsection (1) of this section.

*Banners/temporary signs.*

Banners shall be permitted for each business property provided they do not exceed either two square feet per lineal foot of business building frontage or 80 square feet maximum in area. This applies to C-2 and industrial districts only.

Temporary signs shall be permitted for each business property provided they are not more than 16 square feet in area.

A permit shall be issued for a 20-day period.

The number of permits shall be limited to six per calendar year per property.

Each permit may be linked together for a consecutive period (e.g., 20, 40, 60, 80, 100 or 120 days). Each 20-day period, even if linked together, shall carry a separate permit fee.

Temporary signs shall be mounted as wall signs on a building in accordance with subsection (3)d of this section or as freestanding or ground signs in accordance with subsection (3)e of this section, or erected as medallion or shield signs in accordance with subsection (7)b of this section.

Banners shall be mounted wholly within the business property on either the building entirely, or on an existing freestanding sign entirely, and shall not be attached to any utility pole or structure within the right-of-way.

*Maximum sign area.* The maximum sign area of the combination of subsections (3)a, d, and e of this section for a property in this district shall not exceed 80 square feet for each 125 feet of business frontage, provided that such shall not be prorated based on the number of actual feet of business frontage, nor shall such allowable square footage be combined into one sign except as provided for in subsection (6) of this section. For example, a business must have 250 feet of business frontage in order to erect a second sign containing not more than 80 square feet.

*Wall signs.*

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Wall signs are permitted for each business with a maximum total sign area of 1½ square feet for each linear foot of building frontage.

No wall signs shall project above the roof line of the building to which they are attached.

Wall signs shall not extend outward more than two feet from the building wall to which they are attached.

*Ground signs.*

One ground sign is permitted for each 125 feet of business frontage. A business must have 250 feet of business frontage in order to erect a second sign.

The maximum total sign area per sign shall not exceed 50 square feet.

The height of the sign, including the sign structure, shall not exceed five feet above the adjacent ground and the lowest point of the sign face shall not exceed two feet above the ground.

The following signs shall be permitted in the central business district (CBD):

Residential signs as permitted in subsections (1) and (2)a of this section.

Banners/temporary signs as permitted in subsection (2)e of this section.

The maximum total sign area of the combination of subsections (4)a, b, and d through g of this section shall not exceed two square feet of sign area per foot of business frontage and in no case shall the sign area exceed 80 square feet.

*Wall signs.*

Wall signs are permitted for each business property with a maximum total sign area of 1½ square feet for each linear foot of building frontage.

No wall signs shall project above the roof line of the building to which they are attached.

Wall signs shall be erected parallel to and extend not more than 12 inches outward from the facade of any building to which they are attached.

Wall signs that are boxed graphic or individual letters placed in a space between windows may not exceed two-thirds of the distance between the top of the lower window, or canopy, and the sill of the upper window.

*Ground signs.*

One ground sign is permitted for each business property provided the total sign area shall not exceed 20 square feet.

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The height of the sign, including the sign structure, shall not exceed five feet and the lowest point of the sign face shall not exceed 24 inches above the adjacent ground, except for the alternate freestanding sign option erected in accordance with subsection (7) of this section.

### Projecting signs.

One projecting sign per building face, or wall, of a business property.

A projecting sign shall not extend more than four feet from the building face, or wall, to which it is attached and shall not exceed 12½ square feet in area.

The distance from the bottom of the sign to the ground or sidewalk shall be a minimum of eight feet.

Projecting signs shall be pinned away from the building wall at least six inches.

Projecting signs may not extend vertically above the window sill of a second story.

### Canopy signs.

The edge of the canopy sign shall not extend beyond the length or width of the canopy to which it is attached.

A canopy sign shall not extend either two feet above or two feet below the horizontal underside of the canopy, and in no case shall the sign provide less than six feet, eight inches of clearance from the bottom of the sign and the ground. For a two-story porch canopy, the sign may extend more than two feet below the bottom of the porch structure, but in no case shall the sign provide less than seven feet of clearance from the bottom of the porch and the ground.

Signs mounted on the underside or topside of the canopy, which are perpendicular to the building face, may not exceed two-thirds the width of the canopy. A minimum spacing of ten feet from sign to sign and five feet from the end of the canopy, except that a canopy at a street corner is required.

Signs mounted on the underside or topside of the canopy and parallel to the building face shall not exceed two-thirds of the length of the canopy. A minimum spacing of five feet from the end of the canopy shall be provided, except that a canopy at a street corner is required.

The following signs shall be permitted in industrial (M-1, M-2 and M-3) districts:

Banners/temporary signs as permitted in subsection (3)b of this section.

Areas zoned for industrial uses shall have the same regulations for wall signs and ground signs as permitted in subsections (3)d and e, respectively, of this section.

The following signs shall be permitted for integrated businesses in commercial (C-1, C-1.5 and C-2) districts and industrial (M-1, M-2 and M-3) districts:

**Banners/temporary signs.** Banners/temporary signs as permitted in subsection (3)b of this section.

**Freestanding sign.** One freestanding sign shall be permitted for each integrated business property.

**Total sign area.** The total sign area for a freestanding sign shall not exceed the greater of:

32 square feet; or

One square foot for each five linear feet of lot frontage, with a maximum of 100 square feet.

**Total height.** The total height of the sign shall not exceed 15 feet and the lowest point of the sign face shall not exceed 24 inches above the adjacent ground, provided that such sign advertises more than one business. In the event that only one business is advertised, the height limitation shall be five feet.

**Wall signs.** Regulations for wall signs shall be the same as provided in subsection (3)d of this section but shall be limited to a maximum of 80 square feet of sign area per business or tenant. For buildings with multiple businesses or tenants arranged in such a fashion that each business or tenant does not have a separate building frontage, the wall signage per business or tenant shall be calculated as 0.03 square feet of sign area per square foot of business or tenant lease space, but shall not exceed 80 square feet of sign area per business or tenant.

**Historic district.**

Signs, other than exempted signs under [section 29-5](#), to be placed in the historic district shall also be subject to the review requirements of the historic preservation ordinance.

Businesses located in the historic district shall have the option of erecting a medallion or shield sign in lieu of a ground sign as described in subsection (2)d, (3)e, or (4)e of this section. Any such sign shall not exceed nine square feet of sign area and shall be mounted no more than nine feet high.

The following signs shall be permitted in industrial (M-1, M-2 and M-3) districts:

Banner/temporary signs as permitted in subsection (3)d of this section.

Areas zoned for industrial uses shall have the same regulations for wall signs and ground signs as permitted in subsections (3)b and e, respectively, of this section.

The following signs shall be permitted for integrated businesses in commercial (C-1, C-2 and C-3) districts and industrial (M-1, M-2 and M-3) districts:

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## • **ARTICLE VIII. - SIGNS**

### • **DIVISION 1. - GENERALLY<sup>(17)</sup>**

#### • **Sec. 28-1041. - Purpose.**

The regulation of signs is intended to allow clear and concise information to be presented to the public while preventing inharmonious, distracting or confusing **Sec. 28-1042. - Compliance required.**

All signs shall be erected, displayed and maintained in compliance with the requirements of this article and all other applicable state laws and city ordinances. If there is a conflict between the regulations of this article and a state law or city ordinance, the most restrictive standard applies and controls. In particular, if regulations applicable to the Brazos River Corridor Overlay District (BRC), as referenced in [division 23](#) of [chapter 28](#) of the zoning ordinance, or any other special **Sec. 28-1043. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Canopy** shall mean a covering that provides cover or protection to the area below. It may be freestanding and open on all sides, or stretch out from a building, thereby closing in that one side.

**Conventional sign** shall mean a non-digital sign.

**Small conventional off-premises sign.** A non-digital off-premises sign with a face area not exceeding 72 square feet.

**Medium conventional off-premises sign.** A non-digital off-premises sign with a face area exceeding 72 square feet but not exceeding 300 square feet.

**Large conventional off-premises sign.** A non-digital off-premises sign with a face area exceeding 300 square feet but not exceeding 672 square feet.

**Digital sign** shall mean a sign displaying digital static images that can change messages or copy by programmable electronic processes.

**Small digital off-premises sign.** A digital off-premises sign with a face area not exceeding 382 square feet.

**Large digital off-premises sign.** A digital off-premises sign with a face area exceeding 382 square feet but not exceeding 672 square feet.

**Educational institution** shall mean a public or private elementary school, middle/junior high school, high school, or institution of higher education.

**Face area** shall mean the entire area contained within a single continuous perimeter enclosing the extreme limits of a sign. In computing face area of a double-faced, back-to-back or V-type sign, the side with the larger face shall be used to compute the square footage of the sign to determine the size of the sign. Cutouts, uprights, trim and aprons are to be excluded in computing face area. An extension or cutout of up to 20 percent of the face area is permitted.

**Height** shall mean the vertical distance between the highest part of the sign or its supporting structure, whichever is higher, and a level plane going through the nearest point of the vehicular traffic surface of the adjacent, improved public right-of-way, other than an alley or access road. If a sign is equidistant from more than one improved public right-of-way, none of which are alleys or access roads, the highest point shall be used.

**Maintenance** shall mean the cleaning, painting, repairing, or replacing of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign, but does not include changing the design of the sign's support construction, changing the type of component materials, or increasing the illumination, subject to the provisions of [section 28-95](#) (Nonconforming uses).

**Mobile sign** shall mean a sign designed for use and display out-of-doors which is mounted on a trailer or is otherwise capable of being easily transported or moved from place to place.

**Off-premises sign** shall mean a sign displaying advertising or information copy that refers to a business, person, organization, activity, event, place, service or product not principally located or primarily manufactured or sold on the premises on which the sign is located.

**Small off-premises sign.** An off-premises sign with a face area not exceeding 72 square feet.

**Medium off-premises sign.** An off-premises sign with a face area exceeding 72 square feet but not exceeding 300 square feet.

**Large off-premises sign.** An off-premises sign with a face area exceeding 300 square feet but not exceeding 672 square feet.

**On-premises sign** shall mean a sign identifying or advertising a business, person, or activity and installed and maintained on the same premises as the business, person or

activity, or displaying a noncommercial message on the premises of a business, person or activity.

**Attached conventional on-premises sign.** A non-digital on-premises sign attached to a building or to an open canopy attached to or supported by a building on one side.

**Attached conventional on-premises canopy sign.** A non-digital on-premises sign attached to a freestanding canopy.

**Permanent sign** shall mean a sign permanently affixed to a building or to the ground.

**Setback** shall mean, for a front yard setback, the required distance between the portion of a sign on private land closest to a public right-of-way and the nearest point at the edge of the nearest public right-of-way, other than an alley. If a public right-of-way crosses a railroad right-of-way, the setback distance is to be measured from the public right-of-way line extended across the railroad right-of-way. For a side yard setback, the required distance between the portion of a sign on private land closest to the boundary line on the adjoining lot and the nearest point on the boundary line on the adjoining lot.

**Shared mobility information sign** shall mean a sign used solely to display information about the shared mobility system, such as approved shared mobility parking areas, customer service information, instructions for using the system, maps, and the logo of the system operator.

**Shared mobility sponsorship sign** shall mean a sign associated with an approved shared mobility system, used to identify the operator or sponsor (or both) of the shared mobility system and/or a shared mobility system parking area. A sponsorship sign may also display information about the shared mobility system.

**Shared mobility parking area** shall mean a demarcated parking area intended to define the limits of an approved parking location for shared mobility devices. This may include the use of paint, decals, or other similar sidewalk or pavement treatments with or without associated shared mobility system signage.

**Sign** shall mean any structure or combination of structure and/or message in the form of a display, device, figure, painting, drawing, placard, poster, billboard, advertising structure, advertisement, logo, symbol or other form designed to advertise or to inform the public. The term "sign" does not include an official traffic-control sign, an official governmental marker, a national, state, city, or educational institution flag, or governmental signs.

**Spacing** shall mean the required distance between a sign proposed to be erected and any existing sign for which a permit has been obtained, with the distance requirement to be based on the size of the sign for which a permit is being obtained. Each double-

faced, back-to-back or V-type sign shall be treated as a single sign. The spacing measurement shall be made along the shortest distance between a proposed sign's location and the nearest point on the other sign already erected on the same side of the roadway.

- **Sec. 28-1044. - Flashing, moving or rotating lights prohibited; signs resembling traffic-control signs prohibited.**

No sign or part of any sign may have lights which flash, move or rotate in such a manner as to be confused with traffic-control signals or emergency vehicle signals, or in a manner that confuses, misleads or distracts traffic motorists. Beacons may not be placed on any sign or be made a part of any sign. Additionally, no sign that resembles an official traffic-control sign, signal or device or that bears the words "stop," "go slowly," "caution," "danger," "detour," or other wording for official traffic-control signs or devices may be used within the city.

- **Sec. 28-1045. - Political signs.**

Political signs may be erected in any zoning district. Political signs erected in R-1 and R-2 districts may not exceed six square feet in size. Political signs erected in R-3 and O districts may not exceed 18 square feet in size. Political signs erected in C and M districts must comply with the size, height, spacing, lighting and setback regulations that apply to off-premises signs in these districts. Political signs in C and M districts do not have to be constructed with a single support pole and all-steel support structure if the sign is a temporary sign to be removed at the conclusion of the political contest for which it was erected. All political signs must comply with all other applicable city ordinances, except the permit requirement under [section 28-1052\(b\)](#). All political signs must be removed within 30 days after the conclusion of the applicable political contest.

- **Sec. 28-1046. - Signs on or over buildings restricted.**

No sign shall be allowed to project over a building or extend above or be placed on top of a building or parapet wall unless it meets the following conditions:

No detached on-premise signage exists on the same lot on which the building is located;

The sign does not extend more than 5 feet above the roof or the top of the building or parapet wall;

The sign does not exceed the height limit for the zoning district in which the lot is located; and

The lot is not located in the Downtown or Brazos River Corridor District.

- **Sec. 28-1047. - Signs on public rights-of-way prohibited.**

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No **sign** or flag may be placed on or over the area located within ten feet of the paved portion of a street or if unpaved, the area located within ten feet of the portion of the street ordinarily used for vehicular travel, the median of a street, across the public right-of-way line extended across a railroad right-of-way, or on utility poles with the following exceptions:

Bench **signs** located on public property are exempt from this provision if approval has been granted pursuant to a contract with the city for the location of such bench **signs**.

A permanent **sign** attached to a building that encroaches into public right-of-way, provided the owner of the **sign** enters into an agreement with the city that includes a requirement that:

The owner will indemnify the city for any liability arising from the **sign** encroaching into the right-of-way; and

The owner will assume all costs related to the repair and removal of the **sign**.

Directional **signs** that are no larger than nine square feet in area with a maximum height of four feet provided the owner of the **sign** enters into an agreement with the city that includes a requirement that:

The owner will indemnify the city for any liability arising from the **sign** encroaching into the right-of-way; and

The owner will assume all costs related to the repair and removal of the **sign**.

Flags attached to light poles located in the right-of-way of University Parks Drive, Franklin Avenue from S. 6th Street to University Parks Drive, Austin Avenue from 6th Street to 3rd Street, Washington Avenue from N. 6th Street to University Parks Drive, northbound and southbound frontage roads of IH-35 from S. 12th Street to University Parks Drive, Colcord Avenue from N. 18th Street to University Parks Drive, N. 15th Street from Bosque Boulevard to Trice Avenue, Lake Shore Drive from the Brazos River to N. 19th Street, N. 19th Street from Lake Shore Drive to Powell Drive, College Drive from N. 19th Street to Lake Shore Drive, Powell Street from N. 19th Street to the MCC Campus, New Road from IH-35 to Old Robinson Road and the right-of-way of streets bounded by and including University Parks Drive, LaSalle Avenue, S. 8th Street, and IH-35, provided the owner of the flags enters into an agreement with the city that includes a requirement that:

a.

The owner will indemnify the city for any liability arising from the flags encroaching into the right-of-way; and

The owner will assume all costs related to the repair and removal of the flags.

Flags or banners located on light poles in the public improvement district with an agreement with the city to promote economic development and urban revitalization.

Projecting signs and sidewalk signs in the Downtown District subject to provisions in [section 28-880.10](#).

Monument signs denoting a specific neighborhood or neighborhood association boundary that are no larger than 32 square feet, provided the owner of the sign enters into an agreement with the city that is approved by the city council and that includes a requirement that:

The owner will indemnify the city for any liability arising from the sign encroaching into the right-of-way; and

The owner will assume all costs related to the repair and removal of the sign.

Shared mobility information signs, shared mobility sponsorship signs, and shared mobility parking areas are exempt from this provision if approval has been granted pursuant to a contract or agreement with the city for the location of such signs.

No sign may be placed on or over that portion of the public right-of-way required by [section 16-64](#) of the Code to be maintained by the owner, occupant, lessee or person in control of adjoining private property without the prior consent of such person charged by such ordinance to maintain such right-of-way. Any sign allowed under this subsection must meet all other applicable requirements for signs.

No permanent sign may be placed on or over the public right-of-way except such signs that are listed as exceptions under subsection (a) herein.

• **Sec. 28-1048. - Temporary signs.**

**Construction signs.** Signs denoting the property owner, architect, contractor, engineer, landscape architect, decorator or mortgagee engaged in the design, construction or improvement of the property on which the sign is located shall be subject to the following restrictions:

Such sign may not exceed a combined total of 125 square feet in area nor extend higher than 15 feet, as measured from ground level.

Such signs must be removed upon the issuance of an occupancy permit.

**Development signs.** Signs relating to the promotion of new developments which are located on the property to be developed, or signs denoting the future location of a

development or public improvement which are located on the site of such development or improvement, shall be subject to the following restrictions:

For an office, commercial and/or industrial development, one **sign** not exceeding 400 square feet in area nor extending higher than 25 feet, as measured from ground level, may be placed on the site for a period of time not to exceed one year, subject to renewal by the building official for a period not to exceed six months.

For a residential development containing 25 or more lots, or 20 acres or more of land, one **sign** not exceeding 400 square feet in area nor extending higher than 25 feet, as measured from ground level, may be placed on the site for a period of time not to exceed one year, subject to renewal by the building official provided the project is less than 90 percent complete. No **sign** erected as provided herein may be located closer than 100 feet to a residential dwelling not within the development site.

For a residential development containing at least ten but not more than 24 lots, or 20 acres or more of land, one **sign** not exceeding 100 square feet in area nor extending higher than 15 feet, as measured from ground level, may be placed on the site for a period of time not to exceed one year, subject to renewal by the building official, provided the project is less than 90 percent complete. No **sign** erected as provided herein may be located closer than 100 feet to a residential dwelling not within the development site.

**Real estate sign.** Signs relating to the sale or rental of property on which the **sign** is placed shall be subject to the following restrictions:

In an R-1 or R-2 zoning district, such **signs** may not exceed six square feet in area or four feet in height, as measured from ground level.

In an R-3 zoning district, such **signs** may not exceed ten square feet in area or six feet in height, as measured from ground level.

In an O, C and M zoning district, such **signs** may not exceed 32 square feet in area or ten feet in height, as measured from ground level.

**Banners, flags, decorative fringe or tinsel, pennants and/or balloons.** Banners, flags, decorative fringe or tinsel, pennants, and/or balloons shall be allowed either as detached **signs** provided that a permit is obtained from the building inspection department. Such permit shall allow a maximum single-use period of 30 days. The total number of days for which permits may be issued within one year shall not exceed 90 days. There shall be a maximum of six permits issued annually per location. It shall be the responsibility of the permittee to notify the building inspection department of the date the **signs** go up and the date when they will be removed; or, as attached **signs** provided that the total square footage of attached temporary and permanent **signs** shall not exceed ten percent of the total area of a building wall.

All signs must be safely and securely attached to the building walls or other permanent structures, such as columns or light posts, where permitted.

**Signs for occasional sales.** Two signs not exceeding two square feet may be allowed for the advertisement of garage, yard, and estate sales, in accordance with [section 28-932](#), "Signs for Garage, Yard, and Estate Sales." Such signs are prohibited at all other locations.

**Other signs.** All other temporary signs are strictly prohibited, except for political signs under [sec. 28-1045](#).

• **Sec. 28-1049. - Nonconforming signs.**

A nonconforming sign is any sign which was lawfully erected prior to the effective date of any regulation governing signs but which is no longer in compliance with such regulations because of the erection of an on-premises sign or because of a change in such regulations.

A nonconforming sign may remain in place, provided:

When any sign, or substantial part of a sign, is blown down, otherwise destroyed, taken down or removed for any purpose other than maintenance or for changing the letters, symbols or other matter on the sign, it may not be reerected, reconstructed or rebuilt except in full compliance with the requirements of this section. Repairs, if any, must be completed not later than the nintieth day following the date of damage or dismantling.

A sign or substantial part of a sign is considered destroyed if the cost of repairing the sign is more than 60 percent of the cost of erecting a new sign of the same type at the same location.

• **Sec. 28-1050. - Elimination of certain signs.**

The city may require the removal of any sign erected in violation of any regulation of the city.

• **Sec. 28-1051. - Government signs.**

Nothing in this article shall be construed to prevent the display of a national or state flag, or to limit flags, insignia, legal notices, or informational, directional or traffic signs which are legally required or necessary to the essential functions of government agencies.

• **Sec. 28-1052. - Applications and permits.**

The building inspection department shall administer and enforce the provisions of this section.

Permits are required for the following signs:

All signs having an area greater than four square feet.

All signs having a height in excess of four feet.

All illuminated signs.

All signs with moving elements.

All signs projecting more than 18 inches from any wall, roof, parapet or eave.

No person shall erect or display a sign unless a permit for such sign is issued by the department of building inspection.

An application for a permit shall contain information concerning the location and size of the sign, date to be erected, value, name of the sign owner, name of the sign lessee, if any, and the name of the owner of the property where the sign is to be located.

An application for a permit shall also include a drawing to scale of the proposed sign and a list indicating the size of all existing signs maintained on the premises and visible from the right-of-way; a drawing of the lot plan or building facade, indicating the proposed location of the sign; and specifications for its construction, lighting, motion and wiring, if any.

The building official shall issue a permit for the sign if it complies with the requirements of this section.

The building official shall assign to each off-premises sign for which a permit is issued an identification number and shall issue an identification sticker with that number which shall be affixed to the sign's support pole. The identification sticker shall be placed on the support pole four to six feet above ground level. The identification sticker shall also be visible from the public right-of-way which is along the front of the property where the sign is located.

If the ownership or leasehold interest of any sign for which a permit has been issued changes, the permit holder shall provide this information to the city within 30 days.

All signs 35 feet and higher shall have a professional engineer's seal.

- **Sec. 28-1053. - Variances and interpretation.**

An applicant for a sign permit may include with the sign permit application an application for a variance from the requirements of this section on forms approved by the board of adjustment for use. The application shall state the reasons why the applicant requests a variance. A copy of the application shall be made available by the

applicant requests a variance. A copy of the application shall be made available by the board of adjustment for use. The application shall state the reasons why the applicant for a sign permit may include with the sign permit application an application for a variance from the requirements of this section on forms approved by

#### Sec. 28-1023. - Variances and interpretation.

All signs 35 feet and higher shall have a professional engineer's seal.

If the ownership or leasehold interest of any sign for which a permit has been issued changes, the permit holder shall provide this information to the city within 30 days.

property where the sign is located.

sticker shall also be visible from the public right-of-way which is along the front of the placed on the support pole four to six feet above ground level. The identification

which shall be affixed to the sign's support pole. The identification sticker shall be an identification number and shall issue an identification sticker with that number

The building official shall assign to each off-premises sign for which a permit is issued requirements of this section.

The building official shall issue a permit for the sign if it complies with the construction, lighting, motion and wiring, if any.

facade, indicating the proposed location of the sign and specifications for its premises and visible from the right-of-way; a drawing of the lot plan or building

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department of building inspection.

No person shall erect or display a sign unless a permit for such sign is issued by the

All signs projecting more than 18 inches from any wall, roof, parapet or eave.

All illuminated signs.

All signs having a height in excess of four feet.

All signs having an area greater than four square feet.

Permits are required for the following signs:

The building inspection department shall administer and enforce the provisions of this