

Exhibit A



ARTICLE 3.1400

SIGN REGULATIONS

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Article 3.1400 Subdivision Ordinance

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SECTION 1: Purpose and Intent

Regulation of the location, size, placement and certain features of signs is necessary to enable the public to locate goods, services and facilities in the corporate limits of the City to encourage the general attractiveness of the community and to protect property values therein. Accordingly, it is the intention of this article to establish regulations governing the display of signs and in part to achieve the following:

A. Safety. To promote the safety of persons and property by providing that signs:

1. Promote and protect the public health, safety, comfort, morals and convenience;
2. Do not obstruct firefighting or police surveillance; and
3. Do not overload the public's capacity to receive information or increase the probability of traffic congestion and accidents by distracting attention or obstructing vision.

B. Communications Efficiency. To enhance the economy, the business and industry of the City on promoting the reasonable, orderly and effective display of signs and thereby encourage increased communication with the public so that:

1. Businesses and services may identify themselves;
2. Customers and other persons may locate a business or service;
3. Signs are compatible with their surroundings, are appropriate to the type of activity to which they pertain, and are expressive of the identity of proprietors and other persons displaying signs; and
4. Persons exposed to signs are not overwhelmed by the number of messages presented and are able to exercise freedom of choice to observe or ignore said messages, according to the observer's purpose.

C. Environment Quality and Preservation. To protect the public welfare and to enhance the appearance and economic value of the landscape by providing that signs:

1. Do not interfere with scenic views, protect and preserve the unique and natural beauty and historic values of the City;
2. Do not create a nuisance to persons using the public rights-of-way;
3. Do not create a nuisance to the occupancy of adjacent and contiguous property by their brightness, size, height or movement; and
4. Are not detrimental to land or property values.

SECTION 2: Administration

The provisions of this article shall be administered and enforced by the Development Services department.

SECTION 3: Permit; Penalty for Violation

- A. Permit Required.** It shall be unlawful for any person to erect, conduct major repair of or relocate any sign or mural within the City without first obtaining a permit to do so from the Development Services department or its designated representative. Minor repair, however, is allowed without a permit, as defined in [Section 3.1404](#).
- B. Application.** Application for a permit required by this article shall be made upon forms provided by the Development Services department and submitted electronically.
- C. Insurance or Bond Required.** Every applicant for a permit under this article for attached, detached signs erected or maintained in accordance with [Section 3.1407](#) shall carry a liability insurance policy (minimum \$100,000.00) by any approved insurance company authorized to do business in the State of Texas, or a surety bond in favor of the City as the beneficiary thereof covering the erection of the subject sign for any and all damages or liability which may accrue against it by reason of faulty installation, erection, demolition, repair, removal, or defects in, or collapse of, any signs, for a period of one year after erection and for such period of time that such sign is maintained or serviced by or under the direction of the make of such bond. Such bond shall further provide for the indemnification of any person who shall, while upon public property or in a public place, incur damage for which the principal named in the bond is legally liable. Proof of liability coverage shall be submitted by means of a certificate.
- D. Refusal of Permit for Failure to Pay Costs.** The Development Services department may refuse to issue a permit under this article to any person who has refused or failed to pay any costs relating to signs.
- E. Approval of Permit by Director of Development Services.** The application for a permit for the erection of a sign in which electrical wiring and connections are to be used shall be first approved by the Director of Development Services prior to final approval of the application by the Development Services department.

SECTION 4: 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:

A

Automobile Dealership. A business or establishment engaged in the sale, purchase, or exchange of new or used automobiles.

B

Building. A structure that has a roof supported by columns, walls or air for the shelter, support or enclosure of persons, animals or chattel.

D

Dilapidated or Deteriorated Condition. Any sign that meets any of the following conditions:

- A. Where elements of the surface or background can be seen as viewed from the normal viewing distance (intended viewing distance), to have portions of the finished material or paint flaked, broken off, or missing, or otherwise not in harmony with the rest of the surface; or
- B. Where the structural support or frame or sign panels are visibly bent, broken, dented, or torn as to constitute an unsightly, hazardous or harmful condition; or
- C. Where the sign, or its elements, are twisted or leaning or at angles other than those at which it was originally erected (such as may result from being blown or the failure of a structural support); or
- D. Where the message or wording can no longer be clearly read by a person under normal viewing conditions; or
- E. Where the sign or its elements are not in compliance with the regulations of the National Electric Code and/or the International Building Code currently adopted by the City.

F

Façade. Any separate face of a building, including parapet walls and omitted wall lines, or any part of a building which encloses or covers usable space. Where separate faces are oriented in the same direction or in directions within forty-five (45) degrees of one another, they are to be considered as part of a single façade.

Façade, Primary. The face of the building directly facing a public street, road, or alley and containing the main entrance of the building.

Frontage or Property Frontage. The entire length of the boundary line of any one tract of real property adjacent to a public right-of-way, measured parallel to the right-of-way line in a horizontal manner.

G

Ghost Sign. A faded sign, typically painted directly onto a building surface, that is more than fifty (50) years old and remains from an earlier time, often advertising a business, product, service, or event no longer present or available. Ghost signs are valued for providing evidence of the history of the building, its past uses, or the commercial activities of the community.

Graffiti. Any unauthorized inscription, marking, painting, or drawing, whether legible or not, made on any property without the express consent of the owner of the property, including any image, symbol, word, phrase, slogan, or drawing made with paint, ink, chalk, or other similar materials.

H

Historic Sign. A sign which possesses significance as a representation of the cultural, economic, social, or architectural history of the City, due to its age, association with historic figures, events, or places, unique craftsmanship or materials, or its integral relationship to the design or history of a historic building or district. This may include original commercial signs.

M

Mural. Any nonelectronic, static work of art that is applied to or made integral with the surface of an outward facing wall or structure as a work of art, not associated with marketing a business, and is intended for viewing and enjoyment by the public as art.

P

Premises. A lot or un-platted tract that is recorded in the City.

R

Repair, Major. Any repair, other than minor repair as defined below, of an existing sign, which through an act of God or other event has become damaged in excess of fifty (50) percent of its replacement cost or becomes dilapidated or deteriorated in such manner as to be considered unsafe. Such repair work will require a permit and shall meet all provisions of this article. Verification of the percentage of damage will be supplied by the applicant to the permit office, and such verification shall be: two estimates from two different reputable sign companies, stating the total value of the sign and the total value of all costs to repair the sign to its original state. If the applicant agrees that the repair exceeds fifty (50) percent of replacement cost, then the said estimates shall not be required.

Repair, Minor. Limited to painting, replacement of defective parts, cleaning, or other similar minor maintenance to a sign, which will keep said sign at an acceptable level and which does not change the total area of the sign, and which repair is less than fifty (50) percent of the replacement cost of the sign.

S

Sign. Includes any writing, letter, word, numeral, pictorial representation, emblem, symbol, trademark, object, design or other identification that is designed or intended to identify, advertise, announce or inform. The term “sign” shall not include:

- A. Works of art that in no way identify a product or business and that are not displayed in conjunction with a for-profit enterprise; murals are considered works of art.
- B. Temporary decorations or displays directly incidental to and customary and commonly associated with the national, local, or religious holiday celebrations; or
- C. Traffic and other official signs and devices of any public or governmental agency.

Sign, Abandoned. A sign that depicts or refers to a product, business, service, activity, condition or person which has changed in such a manner that the sign no longer correctly identifies or describes him/her/it, or which no longer exists at the location referred to in the sign, or which, for at least six (6) contiguous months, no longer exists in any way or at any place, or which the sign has remained blank for the same period, or which no legal owner can be found.

Sign, Advertisement/Identification Flag. Includes flags or insignia that bear identification other than defined in “Sign, Government Flag.”

Sign, Attached. Any sign attached to, applied on or supported by any part of a building (such as a wall, roof, window, canopy, awning, arcade or marquee) that encloses or covers usable space and does not extend more than twelve (12) inches from the building façade.

Sign, Banner. A temporary sign composed of cloth, canvas, plastic, fabric or similar lightweight, non-rigid material that can be mounted to a structure with cord, rope, cable, or a similar method, or that may be supported by stakes in the ground.

Sign, Billboard and/or Non-Premises. A sign that advertises products or services not sold, manufactured, or distributed on the premises on which the sign is located utilizing a monopole pylon-type sign structure.

Sign, Detached. Any sign connected to the ground, which is not an attached sign.

Sign, Detached Ground. A sign having a low profile, either made of or contained within stone, concrete, metal, wood, brick, or similar material, which does not exceed six (6) feet in height from the adjacent ground level.

Sign, Directory. Any sign that identifies the names and locations of tenants in a multi-tenant building or in a development made up of a group of buildings. May provide text listings or include maps, site plans, or diagrams. Also see *Multi-use Sign*.

Directory Sign

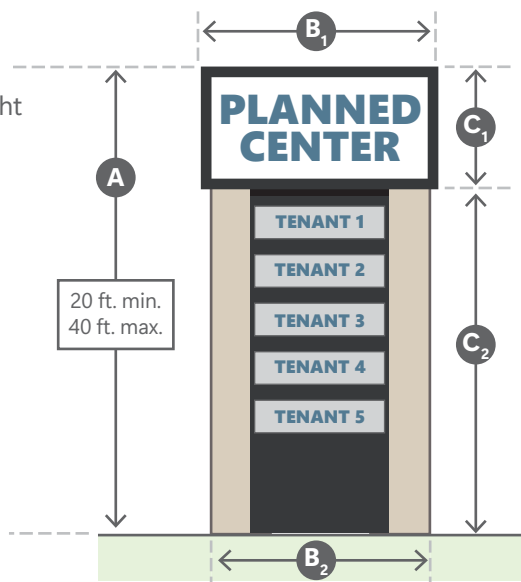
- A** Max Height **C** Sign Height
B Sign Width

Gross Surface Area

$$B_1 \times C_1 \text{ (sq. ft.)}$$

$$+ B_2 \times C_2 \text{ (sq. ft.)}$$

Max. 1.5 times area allowed
for single-use sign or 200 sq. ft.,
whichever is less in
Business, Industrial, and
Agricultural Zoning Districts



Sign, Detached Pole, or Pole Sign. Any sign supported by one or more freestanding poles and having no guys or braces to the ground or to any structure.

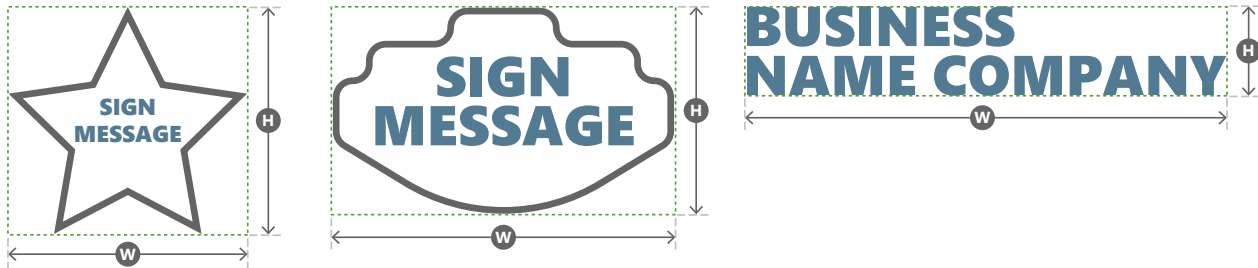
Sign, Effective Sign Area Measurement. The area enclosed by drawing one or more rectangles of horizontal and vertical lines that fully contain all extremities of the sign drawn to scale, exclusive of its supports. The measurement is to be calculated from the viewpoint that gives the largest rectangle of that kind as the viewpoint is rotated horizontally around the sign.

Effective Sign Area Measurement

H Sign Height

W Sign Width

$$\text{Area} = W * H$$



Sign, Digital or Electronic. A sign, display, or device that changes its message by a programmable electronic process, utilizes digital images or light emitting technology or employs electronic variable messages in any manner.

Sign, Government Flag. Flags or insignia of governments or fraternal, religious, civic or educational organizations and institutions that are not used in connection with a commercial promotion or to advertise a commercial product, service, business, activity or condition, or person.

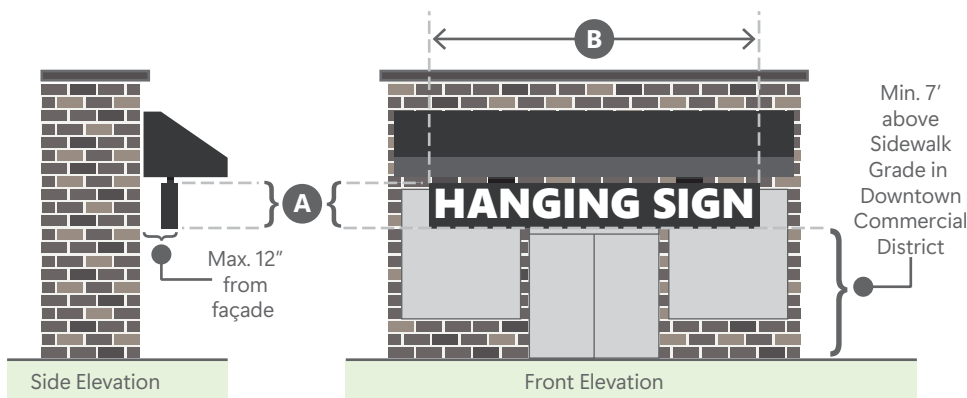
Sign, Hanging. A sign that is attached beneath an awning or canopy of a building.

Hanging Sign

A Sign Height **B** Sign Width

$$\text{Effective Area} = A \times B \text{ (sq. ft.)}$$

Max. 5 sq. ft. per face in Downtown Commercial District



Sign, Light Projecting. LED (Light Emitting Diode).

Sign, Meritorious Exception. Any sign which fails to conform to all applicable regulations and restrictions of this Code and for which a special permit has been issued.

Sign, Changeable Message. A sign whose face is designed and constructed in a manner capable of changing messages through a system of removable characters or panels attached to the face of the sign.

Sign, Multi-use. A freestanding identification sign that lists multiple businesses or uses on the same property. Also see Directory Sign.

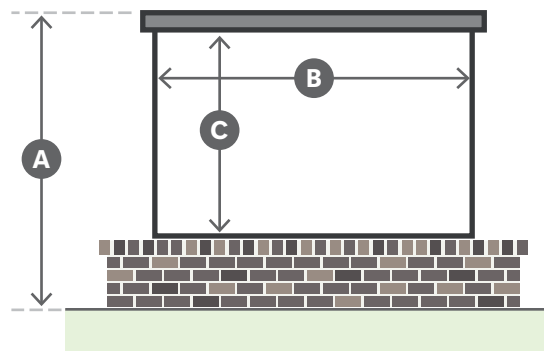
Sign, Monument. A detached ground sign, other than a wind device sign, which is solid from the ground up, and is made of stone, concrete, metal, routed wood planks or beams, brick or similar materials, and no visible pole.

Monument Sign

A Max Height **C** Sign Height

B Sign Width

Effective Area = B x C (sq. ft.)



Sign, Nameplate. Any sign showing only the name and address of the owner or occupant of the premises on which it is erected.

Sign, Non-Premises, Temporary Directional. A temporary sign, generally with a plastic, metal, or cardboard back and a wooden or steel stake, used to display advertising copy that pertains and provides directions to a business, person, organization, activity, event, place, service, or product not principally located or primarily manufactured or sold on the lot on which the sign is located. See Temporary Sign.

Sign, Obscene. A sign in which the dominant theme of material taken as a whole appeals to an unhealthy, excessive, or morbid interest in sex, is patently offensive as judged by the average person applying contemporary community standards relating to the description or representation of sexual matters, and is utterly without redeeming social value.

Sign, Movement Control. A sign that directs vehicular or pedestrian movement within or onto the premises on which the movement control sign is located.

Sign, Political. Any type of sign that refers only to the issues or candidates involved in a political election.

Sign, Portable and/or Display. A sign whose principal supporting structure is not permanently attached to the ground or building or designated to be permanently attached to the ground or building.

Sign, Premises. Any sign, the content of which relates to the premises on which it is located, referring exclusively to the name, location, products, persons, accommodations, service or activities on those premises, or the sale, lease or construction of those premises.

Sign, Projecting. A sign attached to a building or extending, in whole or in part, twelve (12) inches or more perpendicular to the surface of the building to which the sign is attached.

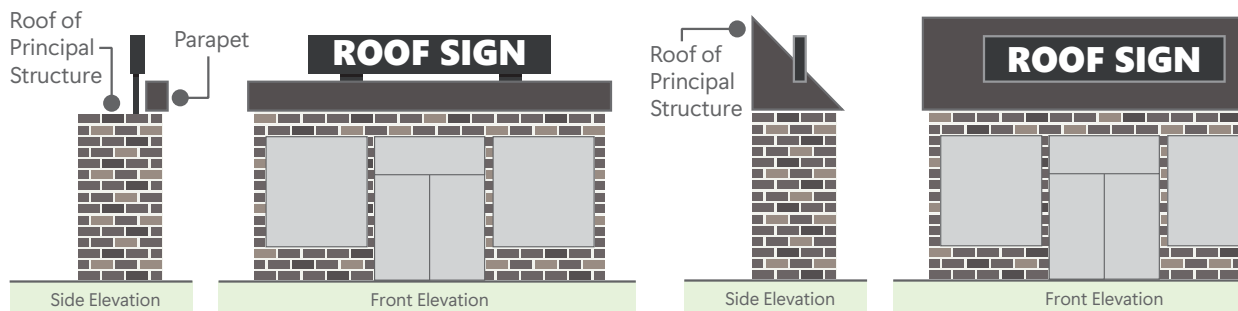
Sign, Protective. Any sign that is commonly associated with safeguarding the permitted uses of the occupancy.

Sign, Real Estate. Any on-premises temporary sign pertaining to the sale or rental of property and advertising property only for the use for which it is legally zoned.

Sign, Roof. Any sign erected upon, against or directly above a roof, or on top of or above the parapet of the building.

Roof Sign

Signs that are erected upon or applied to any roof are prohibited. A mansard-style roof shall be considered as part of the façade and not the roof for the purpose of attached sign location.



Sign, Sidewalk/Sandwich Board. A moveable sign not secured or attached to the ground or surface upon which it is located that's supported by its own frame. A common form of sidewalk sign may be referred to as a sandwich board sign that has the cross-sectional shape of the letter A. Sidewalk signs may also be in a form that has a cross-sectional shape of an upside-down letter T.

Sign, Special Purpose. A sign temporarily supplementing the permanent signs on the premises.

Sign Support. Any pole, post, strut, cable, or other structural fixture or framework necessary to hold and secure a sign, providing that said support is not used as a sign.

Sign, Temporary. A sign that is not permanent anchored to the ground, affixed to a structure, or mounted on a chassis, and is used in 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 after the erection of such sign, or is intended to remain on the location where it is erected or placed for a period of not more than thirty (30) days. Examples of these signs include, but are not limited to, banners, feather signs, air-activated graphics, or temporary yard signs (e.g., real estate signs, garage sales, yard sales, political signs, etc.).

Sign, Unsafe. Signs which are or become deteriorated, dilapidated, or in danger of falling or are otherwise unsafe and are subject to minor or major sign repair.

Sign, Vehicular. A sign that identifies a vehicle used for a particular business, however, not when the primary use of the vehicle is that of a sign.

Sign, Window. Any sign viewable through and/or affixed in any manner to a window or exterior glass door such that it is intended to be viewable from the exterior (beyond the sidewalk immediately adjacent to the window), including signs located inside a building but visible primarily from the outside of the building.

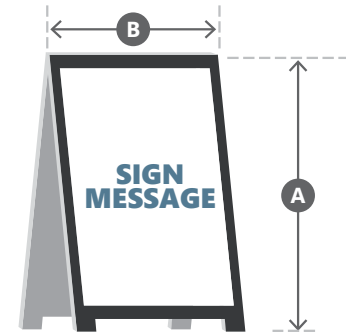
Sign, Wind-Driven. Any sign consisting of one or a series of two (2) or more banners, flags, pennants, ribbons, spinners, streamers, captive balloons, or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind or breeze.

Sidewalk/Sandwich Board Sign

A Max Height **C** Sign Height

B Sign Width

Effective Area = B x C (sq. ft.)



V

V.C.T.S., V.T.P.C., V.T.C.C.P., V.T.C.A. Such abbreviations refer to the divisions of Vernon's Texas Statutes Annotated.

Vinyl Graphics. An adhesive-backed sign made of vinyl film, generally applied to windows, floors, wall-mounted displays or vehicles. Vinyl graphics can range from stock letters and die-cut decals to custom computer-cut lettering, logos, and full-color photo wraps.

W

Work of Art. The expression or application of human creative skill and imagination. Within the context of signage, art entails the production of design source materials for built-environment visual communications. This can include handmade sketches or large-format murals or computer-generated design files.

Z

Zoning District, Agriculture. Any zoning district designated by the comprehensive zoning ordinance of the City as an agricultural district.

Zoning District, Business. Any zoning district designated by the comprehensive zoning ordinance of the City as a commercial and/or industrial district or any other business districts that should replace these or be added to them in the future.

Zoning District, Nonbusiness. Any zoning district not designated as a business district in accordance with the definition of "zoning district, business" or any nonbusiness district that should replace these or be added to them in the future.

SECTION 5: Prohibited Signage

The following signs are specifically prohibited, except as otherwise prescribed within this article.

A. Certain Illuminated Signs. No sign shall be illuminated from within or without to an intensity that causes glare or brightness to a degree that could constitute a hazard to the operation of motor vehicles upon a public street or interfere with the reasonable enjoyment of residential property. Moving, flashing, intermittently lighted, color changing, beacons, revolving projections, LED or similarly constructed signs shall not be allowed. Message signs in compliance with [Section 3.1406.F.](#) are allowed.

- B. Signs Containing Obscene Matter.** Obscene signs, as defined in [Section 3.1404](#), containing statements, words, symbols, or pictures of an obscene nature.
- C. Signs Interfering with Traffic.** Signs that imitate an official traffic sign or signal, or which contain the words “stop,” “go slow,” “caution,” “danger,” “warning” or similar words used on official traffic signs or signals. Signs which are of a size, location, movement, content, coloring, or manner of illumination which may be confused with or construed as a traffic-control device or which hide from view any traffic or street sign or signal, or which obstruct the view in any direction at a street or road intersection.
- D. Painting, Marking Streets, Sidewalks, Buildings, Utility Poles, Trees.** No person shall attach any sign, paper, or other material to, or paint, stencil or write any name or number (except house numbers) on, or otherwise mark on any sidewalk, curb, gutter, street, utility pole, tree, public building or structure unless authorized by this article or by the City Council or its delegated representatives.
- E. Signs In, On or Over Public Right-of-Way, Railroad Right-of-Way, Public Easements or Designated Fire Lanes.** No person shall place, erect, or allow to be placed or erected any sign in, on, or over public rights-of-way and easements, railroad right-of-way designated fire lanes except as erected by the City for public purposes. Detached signs shall maintain a setback as described in [Section 3.1407.B.2.a](#). (Table 1).
- F. Signs on Fences, Railings, Etc.** No person shall paint a sign or attach a sign, other than a nameplate, to the outside of a fence or railing. Agricultural signs are allowed as described in [Section 3.1411.F.13](#).
- G. Searchlights.** Searchlights are prohibited, unless specially permitted through the City Council. Searchlights may be allowed as part of a grand opening event with the issuance of a new occupancy permit once for a period up to four (4) days per site as long as it does not create an adverse impact on surrounding developments or the public health, safety, and general welfare. An application for such permit shall be submitted to the City thirty (30) days prior to the event and shall indicate the number of searchlights, time of use, intended purpose and location. If the use of the property should change, a new searchlight permit could be granted with the issuance of a new occupancy permit for the property.
- H. Miscellaneous.**
1. Signs that project above the fascia wall of any structure, strings of light bulbs not permanently mounted on a rigid background, used in connection with commercial premises for commercial purposes, other than traditional holiday decorations, and wind-driven signs shall be prohibited.
 2. Projecting signs are prohibited in all zones except as described in the commercial historic section of this article, [Section 3.1409.F](#).

3. Signs that are erected upon or applied to any roof are prohibited. A mansard-style roof shall be considered as part of the façade and not the roof for the purpose of attached sign location. The term “sign” herein shall not apply to a religious symbol, unaccompanied by lettering, when applied to the cornice, tower, or spire of a place of worship.
- I. **Handbills.** It shall be unlawful for any person to scatter, distribute, throw, or attach handbills, circulars, cards, tear sheets, or any other advertising device of any description along or upon any street, sidewalk, public park, or vehicle in the City.
- J. **Banners or Pennants.** Banners or pennants, other than those described in [Section 3.1407.C.4.](#) and [Section 3.1407.G.](#) are prohibited.
- K. **Luminous Gaseous Tubing Signs.** No luminous gaseous tubing sign within an enclosed building behind glass and visible outside the building from the public right-of-way through a window, except open signs, shall be permitted.
- L. **Billboards.** Billboards are prohibited.
- M. **Non-Premises Temporary Directional Signs.** Non-premises real estate directional signs as described in [Section 3.1404](#) shall be prohibited within the City limits.
- N. **Electronic Signs.** Electronic signs as described in [Section 3.1404](#) are prohibited.

SECTION 6: All Zoning Districts

The contents of this article are applicable to the corporate limits of the City only. The following general provisions apply to signs in all zoning districts.

- A. **Wind Load Requirements for Detached Signs.** Detached signs shall be engineered to withstand a wind load of thirty (30) pounds per square foot.
- B. **Removal of Abandoned Signs.** Abandoned signs shall be removed within ninety (90) days after such business ceases. On-premise signs may have the face replaced with a blank face of like material.
- C. **Repair of Damaged Signs.** Damaged signs shall be repaired or removed within ninety (90) days.
- D. **Illuminated Signs.** All illuminated signs shall bear the Underwriters' Laboratories, Inc. label or be built to comply with the Underwriters' Laboratories, Inc. requirements and shall be in conformance with the current electrical code. Additionally, illuminated signs shall comply with the following provisions:
 1. Any light used for the illumination of a sign shall be shielded so that the beams or rays of light shine directly onto the sign and not into surrounding areas.

2. Neither the direct nor the reflected light from any light source shall create a traffic hazard or distraction to operators of motor vehicles on public thoroughfares.
3. External illumination is allowed on the following signs:
 - a. Signs in the City's downtown commercial historical district;
 - b. Detached signs on tracts twenty-five (25) acres or greater in industrial zoning districts;
 - c. Ground signs in business districts; and
 - d. Institutional signs and apartment signs.

E. Maintenance. Any person having an interest in the sign for whom a permit is issued under this article shall maintain all parts and supports of the sign covered by such permit in good condition to prevent deterioration, oxidation, rust, and other unsightly conditions, as well as to prevent the sign being in a condition that would result in a hazard to public safety.

F. Sign Inspections. The inspector shall inspect as deemed necessary, each sign regulated by this article for the purpose of ascertaining whether the same is secure or insecure, whether it still serves a useful purpose, and whether it is in need of removal or repair.

G. Non-electronic changeable message signs. Non-electronic changeable message signs are allowed up to twenty (20) square feet and count toward the overall signage allowance.

H. Off-Premises Directional Signage. A business that shares a cross access across another property to a different street may be allowed one (1) off-premises directional sign. The directional sign may only display the name and logo of the business and an arrow. The sign can be no larger than eight (8) square feet and no more than six (6) feet in height.

SECTION 7: Business, Industrial, and Agricultural Zoning Districts

The following regulations shall apply to A, I, RC, NC, UMU, and UR zoning districts, as shown on the official zoning district map of the City.

A. On-Premises Attached Signs.

1. Sign Allowance.

- a. The following size limits apply to buildings with individual occupancies and to individual tenant spaces in buildings with multiple tenants. One or more attached signs may be erected on each façade of the occupied space. The signs may have a total area of 10% of the area of the façade to which the signs are attached, with a maximum aggregate area of 500 square feet per façade. Doors and windows shall be included in the calculation of the façade. The façade area shall be calculated by multiplying the width times the height, with a maximum calculated height of fifteen (15) feet. For structures exceeding fifteen (15) feet in height, allowable sign square footage shall be calculated as one and one-half (1-1/2) square feet for each linear foot of building fascia length.
- b. Length of an attached sign is limited to 75% of the lineal footage of the building or commercial space, whichever is less.
- c. A maximum of 1,340 square feet of attached on-premise signage shall be allowed, regardless of the number of facades or buildings associated with a single business or tenant.

2. **Sign Location.** Attached signs may be located on a building wall; but, if any part of the sign projects above the ceiling line of the first floor, then no window or part of a window shall be situated within or blocked by the flat wall sign. No such sign shall extend above the roof line of the building or more than twelve (12) inches from the building wall. Where such signs are located on mansard-style roofs, and the building fascia is not vertical, the bottom of such sign shall not project more than twelve (12) inches from said roof and the sign can be oriented in a vertical manner. The staff shall promulgate such graphic to illustrate sign location and orientation.

B. On-Premises Detached Ground or Pole Signs.

1. Pole signs shall be allowed only along the following linear segments of streets:
 - a. I-35 (Subject to regulations in [Section 3.1415.B.](#)).
 - b. 5th Street extending eastward from Keaton Road to its intersection with the northern terminus of Cowling Drive.

- c. 5th Street extending northward from FM 455 to I-35 Frontage Road.
 - d. FM 455 extending westward from 5th Street to its intersection with the northern terminus of Keaton Road and the southern terminus of Keaton Drive, except as otherwise regulated in [Section 3.1415.C](#).
 - e. If the stated linear segment does not reference a beginning or ending cross-street, the segment shall mean the entire length of such street within the corporate limits or from the stated cross-street to the corporate limits, as the case may be.
 - f. Overlay Districts. Notwithstanding the provisions of this section, signs located within the overlay districts established in [Section 3.1415](#) shall be subject to the additional regulations set therein. Where regulations conflict, the provisions of the specific Sign Overlay District shall govern.
2. The Board of Adjustment, upon specific application, may approve an exception to allow a pole sign at a location where prohibited herein if the council determines that a general condition of pole signs exists in the immediate vicinity and the proposed pole sign would be consistent with such established conditions.
- a. Pole Sign Regulations. Where allowed, pole signs shall conform to the following restrictions and limitations.

TABLE 1									
Planned Width of Adjacent Thoroughfare	0 to 70 feet			71 to 99 feet			100 feet or more		Interstate 35
Minimum width of lot frontage	50	100	150	50	80	100	100	200	125
Maximum square footage per side	20	30	40	50	60	70	80	100	150
Setback from street ROW line or any property line (feet)	5	5	10	10	10	15	15	15	15
Maximum height (feet)	*	8	10	25			25		50

* Pole sign not allowed. See regulations for ground signs which follow.

- b. Ground Sign Regulations. The maximum area of any ground sign as defined herein, is the area allowed by **Table 1**. The required setback from a street right-of-way line is three and one-half (3-1/2) feet. Required setbacks from other property lines are as specified by **Table 1**. The maximum height of any sign on a lot with less than one hundred (100) feet of street frontage adjacent to a street with a right-of-way of seventy (70) feet or less and does not exceed ten (10) feet in height, it may be considered a ground sign; provided that not less than one hundred twenty (120) square feet of its area is below a height of six (6) feet.
- c. Monument Signs and Directory Signs.
 - i. All monument and directory signs shall be compatible with the colors and materials of the building that is located on the same lot as the sign. Sculpted aluminum sign panels and plastic panel signs are allowed to be utilized on monument signs. Additional monument sign regulations are as follows:
 - (a) A directory sign that identifies a coordinated development site of more than one use, such as a shopping center, office center, or industrial park, may have a sign area not larger than one and one-half (1.5) times the area allowed for a single-use sign on the site, or a maximum of two hundred (200) square feet, whichever is less. Such sign may be single-faced or double-faced.
 - (b) A monument sign may contain a directory or listing of the occupants within a center or multi-use development; provided that the directory portion of the sign shall not exceed seventy (70) square feet or sixty (60) percent of the total sign area whichever is less. If a directory is utilized, the remainder of the sign area shall contain only the identification of the entire center or entire development.
 - (c) If a monument or directory sign area exceeds that allowed for a single use, no detached ground or pole sign is allowed for any single use within the center or development, or for any use listed in a directory on such sign.
 - d. When determining requirements for allowable detached ground or pole signs under the above table, first determine the right-of-way width adjacent to the subject lot, then determine the lot frontage. Next, determine the maximum square footage per side, setback from adjacent rights-of-way and the maximum height by reading vertically below the applicable lot frontage. To calculate the height of a sign, measurement shall be made from the top of the curb adjacent of the street upon which a sign faces or from the natural ground level, if above curb level,

to the top of the sign. Construction of a berm or earthen mound for the purpose of increasing height of signage is prohibited. For the purpose of calculating the distance from a street right-of-way line where the existing street right-of-way width is less than that required in the thoroughfare plan and subdivision ordinance, such distance shall be measured from the line of such right-of-way as required by such plan or ordinance (adding equal amounts to each side of the existing right-of-way) rather than from the existing right-of-way line. Freeways are as proposed by the thoroughfare plan of the City.

- e. No such sign shall be erected within twenty (20) feet of the street intersection, unless the bottom of the sign exceeds forty-two (42) inches in height above ground level, and the sign is set back from the right-of-way as stated in **Table 1**.
- f. If the lot on which a building or buildings are located has multiple right-of-way frontages and is three (3) acres or greater, two detached ground or pole signs are permitted (one per frontage) based on sign allowances in subsection B. of this section. If such a building or buildings are located on a lot less than three (3) acres, two detached ground or pole signs are permitted with a maximum of sixty (60) square feet per side, per sign and a maximum height of twenty (20) feet. On lots located at the intersection of a major thoroughfare and a freeway, two detached ground or pole signs are permitted, the size to be based on subsection B. of this section. All detached signs shall have a minimum of twenty (20) feet of separation from the largest permitted sign.
- g. If two of the allowable detached signs are combined into one detached sign, then the signage may exceed by fifty (50) percent the total allowable signage of the largest permitted sign up to a maximum of two hundred (200) square feet per side.
- h. When electrical service is provided to detached signs, all such electrical service shall be underground.

C. Automobile Dealership Signs.

1. Number Per Lot.

- a. Primary Detached Signs. There shall not be more than one (1) primary sign for each dealership up to a maximum of three (3) primary signs per dealership.
- b. Secondary Detached Signs. Secondary signs shall be permitted only if used for pre-owned automobiles and limited to one (1) per dealership.

2. Area, Location and Height Requirements.

- a. Primary Detached Signs. All primary detached signs shall conform to provisions within this section.
- b. Secondary Detached Signs. Secondary signs shall be limited to one-half of the area of the primary detached sign and a maximum of twenty-four (24) feet in height.

3. Minimum Separation. All signs shall be separated by a minimum distance of one hundred (100) feet.

4. Banners and Pennants. Such signage is allowed on light standards and poles, as long as signage does not exceed twenty (20) square feet per pole or sign and is not strung or affixed in any manner other than from brackets on single poles.

- a. Tattered, torn, or weathered banners and pennants are not allowed and shall be removed upon official notification by the building official.
- b. Banners and pennants indicating a special event to take place on the lot where the sign is located may be erected for no longer than thirty (30) consecutive days with a sixty (60) day separation between events.

D. Development Identification Signs. Project information or identification detached ground signs are permitted at the entrances of major offices or industrial park developments located on more than one lot and bisected by one or more publicly dedicated streets. They shall be allowed under the following size restrictions:

DEVELOPMENT IDENTIFICATION SIGN SIZE RESTRICTIONS

Size	Maximum Size (square feet)	Maximum Height (feet)
Under 10 acres	36	6
10 acres and above	64	8

Signs may be located at each corner of the intersection of an entrance street.

E. Real Estate Signs.

1. Generally. One real estate sign, not exceeding thirty-two (32) square feet in sign area and twelve (12) feet in height shall be permitted on tracts of fifty (50) acres or less, and not exceeding ninety-six (96) square feet in area and sixteen (16) feet in height for tracts of land over fifty (50) acres. On tracts of fifty (50) acres or greater with one thousand (1,000) feet of frontage adjacent to the public right-of-way, a sign not to exceed 200 square feet per side and

sixteen (16) feet in height shall be permitted. The sign shall be removed no later than thirty (30) days after the closing of the real estate conveyance. For setback requirements, refer to subsection B. Table 1 of this section. Such signs shall not require a permit if they measure thirty-two (32) square feet or less.

2. Construction Sites. On building construction sites, one sign each shall be permitted for all participating building contractors and subcontractors, one each for all participating professional firms, one each for all participating lending institutions and one for each property owner on the construction site, subject to a maximum of three (3) signs for each construction site, each such sign to be thirty-two (32) square feet in sign area or less, and that such signs must be removed prior to the issuance of a certificate of occupancy for said building.

F. Non-Premises Signs. Non-premises real estate signs shall be permitted based on the following criteria:

1. One (1) such sign shall be permitted per area between one hundred (100) acres and two hundred forty-nine (249) acres;
2. Two (2) such signs shall be permitted per area between two hundred fifty (250) acres and four hundred ninety-nine (499) acres;
3. Three (3) such signs shall be permitted for five hundred (500) acres and three (3) additional signs shall be permitted for each five hundred (500) acres thereafter;
4. The allowable signage shall be based on the original size of the zoning area;
5. Real estate signs shall be allowed in all nonplatted zoning districts;
6. The size of such sign shall be a maximum of thirty-two (32) square feet and eight (8) feet in height unless adjacent to I-35 where ninety-six (96) square feet and sixteen (16) feet in height is allowed;
7. A permit shall expire after two (2) years. Said permit may be renewed upon request by the property owner for another two-year period;
8. A permit fee per sign as defined in the Fee Schedule in [Appendix A](#) shall be paid; and
9. There shall be a minimum separation between each sign of five hundred (500) feet.

G. Temporary Promotional Banners, Posters and Pennants.

1. Temporary promotional signs, including but not limited to, banners, posters, and pennants, containing but not limited to, the following verbiage: "Now Hiring," "Applications Here," "We Finance," "Open 24 Hours," "Sale," or "Price Special" shall be permitted, subject to the following guidelines:

- a. Permit Required. All promotional signage requires a permit. A maximum of four (4) permits are allowed for each calendar year. A separate permit is required for each thirty-day period promotional signage will be used. Promotional signs will be considered as a group and not as each individual sign, streamer, banner, etc.
- b. New Business. For a new business, such signage shall not exceed twenty-five (25) square feet and shall be included as part of the total allowable attached or detached signage. Such signage shall have a permanently affixed location, which is integrated and compatibly designed as a component of the building, canopy, fascia wall or detached sign. A grand opening sign shall be allowed in addition to the allowable signage for a 30-day period upon issuance of the certificate of occupancy. The fee for such signage shall be included as part of the original sign package, and no subsequent fees will apply if included as part of the permanent signage.
- c. Existing Businesses. For businesses that are existing at the time of the effective date of the ordinance from which this article derived, such signage shall be permitted on the building, canopy or fascia wall and shall not exceed twenty-five (25) square feet. There shall be a permit obtained for the manner of designated and affixing of temporary banners and a permit fee as defined in the fee schedule [Appendix A](#) shall be charged for each such location designation.
- d. Promotional Signage. Promotional signage is allowed for four (4) thirty-day periods each calendar year per legal business subject to the following:
 - i. A thirty-day period will commence on the first day promotional signage is displayed.
 - ii. The four (4) thirty-day periods shall not occur in the same or consecutive months.
 - iii. A legal business shall include any commercial, industrial, or institutional use for which the building inspection department has issued a certificate of occupancy.
- 2. Such signage shall not exceed the size specifications in [Section 7.G](#) and shall be considered as part of the overall sign allowance; and the means of attachment shall not be visible from the public right-of-way.
- 3. Businesses that erect signs under the provisions of this section shall not display a sign that states “Going out of business,” “Quitting business,” or similar message more than one (1) time.

4. Setbacks. The following setbacks apply. However, the setbacks may be increased for any promotional signage found by the City to block traffic visibility or constitute a traffic hazard:
 - a. Fifteen (15) feet from street right-of-way.
 - b. Ten (10) feet from property lines other than those property lines fronting the street right-of-way.

H. Signs in Interior of Windows.

1. For new and/or existing businesses that are food or non-food service establishments, such signage is permitted in the interior of windows without a permit, provided that not more than twenty-five (25) percent of the transparent area is occupied at one time.
2. Items of Information. An item of information is defined as a symbol, a word, a logo, an initial, an abbreviation or a group of numbers. The amount of information that any attached or detached sign can contain shall be based on the following criteria:
 - a. No sign shall display more than ten items of information.
 - b. Lettering three (3) inches in height or less is not included when determining an item of information.
 - c. Letters less than nineteen (19) inches high which are carved into the fabric of a building or decorative screening walls or attached securely to the wall are not counted as items of information; provided that they are not specially illuminated and are not constructed of a shiny material, or their color does not contrast sharply with that of the building surface, and they do not exceed two (2) inches in thickness.

I. Apartment Signs. All apartment complex signs located in business zoning districts shall conform to the provisions as defined in [Section 3.1408.E.](#)

J. Murals.

1. Permit Required. An application and mural façade plan for installation or alteration of a mural shall be submitted for review by the Planning & Zoning Commission in a public meeting for recommendation, which application, mural façade plan, and recommendation shall then be submitted for review by the City Council in a public meeting for approval. The application, mural façade plan, and City Council's approval shall then be forwarded to the Director of Development Services for direction when issuing the permit. A sign permit is required before the placement of a mural.

2. Mural Façade Plan. All of the following materials must be submitted with a mural façade plan:
 - a. Drawings (elevation, site plan), photographs of building or property;
 - b. Written description, including materials used and how the mural will be affixed;
 - c. Color image of mural and artist's examples of past work, if any;
 - d. Written authorization from the property owner; and
 - e. Maintenance plan.
3. Only one (1) mural is permitted per building.
4. Murals do not count toward the overall signage allowance.
5. Murals are allowed to cover the entire wall area but may not exceed forty (40) feet above grade.
6. No mural shall be placed over glass openings for windows and doors or glass wall construction.
 - a. Exception. Temporary window paintings are permitted with written authorization of the property owner or his or her representative provided that the paintings are created using a water-soluble paint or other materials that can be easily removed without damaging the glass surface. Temporary window paintings shall not remain in place for more than forty-five (45) consecutive days.
7. Murals shall be painted with a weather-resistant paint.
8. Maintenance of Approved Murals.
 - a. Should the mural become faded, peeled, or severely weathered as determined by the Director of Development Services, the owner, or the person or firm maintaining the same, shall, upon written notice, repair or remove the mural or repaint the wall on which the mural is painted within sixty (60) days.
 - b. Standard of Maintenance. Notwithstanding any general requirement for signs to be maintained in a like-new condition or state of good repair elsewhere in this article, murals approved with an intentionally distressed appearance, approved Ghost Signs, and approved historic signs shall be maintained in a manner that preserves their approved appearance and character, including any documented and approved distressed, weathered, or faded elements. Maintenance shall focus on preventing

further unintended deterioration beyond the approved or documented historic state, ensuring structural stability, and protecting the underlying building fabric.

- c. Reference to Approval. The required state of maintenance shall be determined by reference to the approved Mural Façade Plan, Certificate of Appropriateness, permit documentation, or other official City records documenting the approved design, condition, and appearance at the time of approval or designation.
 - d. Materials and Methods. All materials and methods used for maintenance, repair, or restoration of murals, Ghost Signs, or Historic Signs, particularly those on historic buildings or within the Downtown Commercial District, shall be appropriate for the sign materials and the substrate to which they are applied. Treatment applied to masonry must be breathable and reversible where feasible, consistent with recognized historic preservation standards. Proposed materials and methods may require review and approval by the City through a permit or plan amendment process.
 - e. Neglect prohibited. This provision does not authorize the neglect of murals or signs. Deterioration resulting from a lack of maintenance beyond the approved distressed or historic character, or any condition creating a safety hazard, shall constitute a violation of this article.
- 9. Murals shall not contain commercial messages, logos, or branding intended to advertise a specific business, product, service, or event.
 - 10. Murals shall not be applied to a roof or other similar cover of a building or structure.
 - 11. Murals shall not face a residential neighborhood, unless separated by a major thoroughfare.

SECTION 8: Nonbusiness Zoning Districts

The following signs are permitted in nonbusiness zoning districts unless specifically stated within:

- A. Nameplates.** A nameplate, not exceeding two (2) square feet in area, containing only the name of the resident, the title of the person conducting a permitted home occupation, the name of the building and the sign of the agent.
- B. Institutional Signs.** An institutional sign, not exceeding twenty-five (25) square feet per face, and eight (8) feet in height, erected upon the premises of a church or other public or semipublic institution, for the purpose of displaying the name of the institution, and its activities or services. Such sign shall require a permit

and may be illuminated according to the provisions contained within [Section 3.1406.D](#).

- C. Real Estate Signs.** A real estate sign, nonilluminated, advertising the sale or development of a subdivision containing an area of not less than seven (7) lots or one (1) acre erected upon the property developed and advertised for sale; provided such sign is not in excess of thirty-two (32) square feet in size and eight (8) feet in height, and not more than one (1) such sign is placed per street frontage. Such signs shall be removed when the property is sold.
- D. Contractor's Signs.** A contractor's sign, nonilluminated, advertising the development or improvement of a property by a builder, contractor or other person furnishing service, materials or labor to said premises during the period of construction; provided any such sign is not in excess of thirty-two (32) square feet in size and eight (8) feet in height; and such sign shall be removed prior to the issuance of a certificate of occupancy for said property, ninety-six (96) square feet is the maximum allowed.
- E. Apartment Signs.** One identification sign per multifamily development, provided such sign does not exceed twenty-five (25) square feet in area at the primary entrance; and one sign per secondary entrance is not to exceed sixteen (16) square feet. Such sign shall require a permit and may be illuminated according to the provisions contained within [Section 3.1406.D](#).
- F. Bed and Breakfast.** One attached sign shall be permitted on the premises. Such sign shall not exceed four (4) square feet in area and shall not include the word "hotel" or "motel."
- G. Development Identification Signs.** Project information or identification detached ground signs are permitted at the entrance of residential subdivisions. The maximum size shall be thirty-two (32) square feet per sign with a maximum height of six (6) feet. Signs may be located at each corner of the intersection of an entrance street.

SECTION 9: Downtown Commercial District

The downtown commercial district is the 200, 300, 400 and 500 block of Bolivar, the 600 block of Elm, the 200 and 300 block of north 4th, the 200 and 300 block of north 3rd and the 300 block of north 5th. All signs within this district shall adhere to the following criteria:

- A. Architectural and Historical Character.** Signs must be designated and constructed in keeping with the architectural and historical character of the downtown district. Signs are subject to review by the Director of Development Services and the Director's approval is a prerequisite for the issuance of a sign permit.

- B. Suggested and Prohibited Finishes.** Materials suggested for use for signs are finished hardwoods or softwoods. Materials not allowed include, but are not limited to, plastics, fluorescent materials, paper or florescent paints and LED.
- C. Signs on Multistory Buildings.** No sign shall be allowed above the top of the second story windows of a building.
- D. Hanging Signs.** Hanging signs shall be allowed when such signs have a minimum clearance of seven (7) feet from the sidewalk and do not extend beyond an awning or canopy projection.
- E. Projecting Signs.** Projecting signs shall have a minimum clearance from the sidewalk of eight and one-half (8.5) feet and shall not project more than five (5) feet from the building or more than fifty (50) percent of the width of the sidewalk adjacent to the building, whichever is less.
- F. Maximum Size.** Maximum size shall be based on the following:
1. For every one (1) linear foot of building primary or entrance frontage, one and one-half (1-1/2) square feet of sign area shall be allowed.
 2. Signboards on secondary side street frontage shall not exceed one-half the size of signboards on the primary or entrance frontage.
 3. Window signs shall cover no more than twenty-five (25) percent of the total glass area and this will count as one of the signs permitted.
 4. Each face of a hanging sign shall be no more than five (5) square feet.
 5. Projecting signs shall be no more than fifteen (15) square feet in size with a maximum sign height of three (3) feet from the top of the sign to the bottom.
- G. Number of Signs Permitted.** Two (2) signs are permitted per primary entrance, plus one additional hanging sign, if a canopy is used.
- H. Secondary Entrance Signs.** One (1) secondary entrance sign is permitted.
- I. Menu Boards, Portable Signs, or Display Signs.** Menu boards, portable signs or display signs are allowed, provided they adhere to the following criteria:
1. One such sign shall be permitted per primary entrance.
 2. Such signs may extend out a maximum of two (2) feet from the building, with the maximum distance parallel to the right-of-way being four (4) feet.
 3. A maximum of eight (8) square feet shall be permitted in the area of the sign or the area of the sidewalk used.
 4. Such signs shall be displayed during business hours only.
 5. Portable Signs on wheels are not permitted.

J. Murals. Murals shall be allowed, provided adherence to the following criteria:

- 1. Permit Required.** An application and mural façade plan for installation or alteration of a mural shall be submitted for review by the Planning & Zoning Commission in a public meeting for recommendation, which application, mural façade plan, and recommendation shall then be submitted for review by the City Council in a public meeting for approval. The application, mural façade plan, and City Council's approval shall then be forwarded to the Director of Development Services for direction when issuing the permit. A sign permit is required before the placement of a mural.
- 2. Mural Façade Plan.** All of the following materials must be submitted with a mural façade plan:
 - a.** Drawings (elevation, site plan), photographs of building or property;
 - b.** Written description, including materials used and how the mural will be affixed;
 - c.** Color image of mural and artist's examples of past work, if any;
 - d.** Written authorization from the property owner; and
 - e.** Maintenance plan.
- 3.** Limited to one exterior surface per site and shall cover no more than seventy-five (75) percent of the space on that surface.
- 4.** Murals do not count toward the overall signage allowance.
- 5.** Shall not be placed on the primary façade of the structure. In instances where the structure has two façades (at the intersection of two public streets), murals may only be placed on the non-primary façade.
- 6.** Shall not be displayed on any fence, nor any building, or any portion of a building, which is used solely for residential purposes.
- 7.** Shall be painted with a weather-resistant paint.
- 8.** Should the mural become faded, peeled, or severely weathered as determined by the Director of Development Services, the owner, or person or firm maintaining the same, shall, upon written notice, repair or remove the mural or repaint the wall on which the mural is painted within sixty (60) days.
 - a. Standard of Maintenance.** Notwithstanding any general requirement for signs to be maintained in a like-new condition or state of good repair elsewhere in this article, murals approved with an intentionally distressed appearance, approved Ghost Signs, and approved historic signs shall be maintained in a manner that preserves their approved appearance

and character, including any documented and approved distressed, weathered, or faded elements. Maintenance shall focus on preventing further unintended deterioration beyond the approved or documented historic state, ensuring structural stability, and protecting the underlying building fabric.

- b. Reference to Approval. The required state of maintenance shall be determined by reference to the approved Mural Façade Plan, Certificate of Appropriateness, permit documentation, or other official City records documenting the approved design, condition, and appearance at the time of approval or designation.
 - c. Materials and Methods. All materials and methods used for maintenance, repair, or restoration of murals, Ghost Signs, or Historic Signs, particularly those on historic buildings or within the Downtown Commercial District, shall be appropriate for the sign materials and the substrate to which they are applied. Treatment applied to masonry must be breathable and reversible where feasible, consistent with recognized historic preservation standards. Proposed materials and methods may require review and approval by the City through a permit or plan amendment process.
 - d. Neglect prohibited. This provision does not authorize the neglect of murals or signs. Deterioration resulting from a lack of maintenance beyond the approved distressed or historic character, or any condition creating a safety hazard, shall constitute a violation of this article.
9. Murals shall not contain commercial messages, logos, or branding intended to advertise a specific business, product, service, or event, except as provided herein:
- a. Incidental sponsorship.
 - b. Exception for historic signs in Downtown Commercial District. Notwithstanding the prohibition on commercial messages, existing and restored ghost signs or historic signs, as defined in [Section 3.1404](#), containing their original commercial content may be permitted within the Downtown Commercial District subject to the approval criteria and process outlined in [Section 3.1409.K](#).

K. Historic Commercial Signs and Ghost Signs.

- 1. Within the boundaries of the Downtown Commercial District, ghost signs and historic signs displaying their original commercial message, logo, or advertisement may be permitted, maintained, or restored, notwithstanding the general prohibition on commercial messages in murals found in [Section 3.1407.J.9](#).

2. Approval Required. The display, maintenance, or restoration of any ghost sign or historic sign under this section requires approval from the Planning & Zoning Commission and City Council, typically as part of the Mural Façade Plan review or a similar process established by the City. If a City historic preservation review process and Certificate of Appropriateness requirement is established, such approval shall also be required.
 - a. Review Criteria. Approval shall be based on findings that the sign meets the following criteria:
 - i. The sign qualifies as a ghost sign or historic sign under the definitions in [Section 3.1404](#).
 - ii. The sign is located on a building within the designated Downtown Commercial District.
 - iii. The sign, through its age, design, or association, contributes positively to the historic or architectural character of the specific building or the Downtown Commercial District as a whole.
 - iv. Any proposed restoration work utilizes materials and methods appropriate for the sign and the building substrate, consistent with the maintenance standards in Section 9.J.8 and recognized historic preservation practices. The restoration shall aim to stabilize and preserve the existing historic fabric and appearance, rather than creating a new sign that merely replicates a historic style.
 - v. The sign is structurally sound and does not pose a safety hazard.
 - b. Sign Allowances. Approved Ghost Signs or Historic Signs permitted under this section shall not be counted toward the maximum number or area of other signs permitted on the property under this Article.
 - c. Maintenance. Approved Ghost Signs and Historic Signs shall be maintained in accordance with [Section 3.1409.J.8](#).

SECTION 10: Multiple Building Lot Coordinated Signage

- A. **Planned Development District**. Notwithstanding anything contained in the foregoing, if property is developed in the planned development district, all signs on such property may be reviewed and approved as part of the overall development plan. Total signage allowed for all sites in the development may be aggregated and the total allowance redistributed. Sign locations, types and sizes may be varied, however, they must be consistent with site and landscape planning principles and will be part of the review process.

B. Compatibility of Design. All signs applied for under the provisions within this section are subject to the approval by the planning staff. The following criteria shall be considered:

1. The sign's compatibility with surrounding signage as related to location, height, size, setback, etc.
2. The sign's compatibility with aesthetics as related to color scheme, shapes, design, materials, etc.
3. The sign's relationship to proposed or existing landscaping.

SECTION 11: Nonconforming Signs; Removal of Signs by City; Exemptions

A. Generally. Signs existing at the time of the effective date of the ordinance from which this article is derived and in compliance with the then current ordinance and not in compliance herewith shall be regarded as nonconforming signs with the following exceptions:

1. Nonconforming signs may continue to exist until structurally altered, removed, or destroyed as an act of God or until the business in which they are advertising is no longer in existence.
2. Nonconforming off-premises signs must be removed within thirty (30) days of the effective date of this article.
3. Nonconforming banners and pennants must be removed within thirty (30) days of the effective date of this article.
4. Nonconforming portable signs must be removed within six (6) months of the effective date of this article.
5. Nonconforming signs that are structurally altered, relocated, or replaced shall comply immediately with all provisions of this article.
6. Nonconforming fence signs must be removed within thirty (30) days.
7. Any nonconforming sign which has been damaged by fire, wind, or other cause in excess of fifty (50) percent of its replacements cost shall be restored in conformance with the provisions of this article.

B. Removal of Certain Signs. All of the following signs shall be considered unlawful:

1. Any sign erected without a required permit, either prior to or after the adoption of this article.
2. Any sign erected in violation of the provisions of this article.
3. Any sign which is dangerous due to being electrically or structurally defective.

4. Said signs shall be removed from the property or premises in question, or such other defect as is specified shall be cured, upon written notification by the Development Services director or his designated representative to the owner of the property on which the sign is located and/or the permittee of the sign. The notification required by this provision shall state that if the sign is not removed or the specified defect is not cured within the prescribed timeframe from the date of the notice, a citation may be issued.

C. Removal of Public Nuisance/Hazardous Signs. The Development Services director or his designated representative shall, without the requirement of notification or impoundment, order the immediate removal and disposal of the following signs:

1. Any nonpermanent sign erected or existing that constitutes a traffic hazard.
2. Any nonpermanent sign erected in, on or over a public right-of-way or easement or designated fire lane, either prior to or after the adoption of this article, except those nonpermanent signs in the Downtown Commercial District ([Section 3.1409](#)).
3. A person is responsible for the violation if the person is the permit holder, owner, agent, or person having the beneficial use of the sign and a citation may be issued.

D. Recovery of Impounded Signs. Impounded signs may be recovered from the Development Services Department by the owner within fifteen (15) days by paying a fee as defined in the Fee Schedule in [Appendix A](#).

E. Disposal of Impounded Signs. Signs not recovered within fifteen (15) days of impoundment may be disposed of by the City in any manner it shall elect.

F. Exemptions Generally. The following signs may be erected and maintained under the exceptions and conditions listed and shall not require a permit, provided all other provisions of this article are met:

1. Public Signs. Noncommercial signs erected by or at the direction of a public officer in furtherance of the public interest in the performance of his public duty.
2. Public, Charitable, Educational or Religious Signs. Temporary signs announcing any noncommercial public, charitable, educational, or religious event or function may be installed only on private property, with the consent of the property owner, for a period of not more than twenty-one (21) days prior to the event and shall be removed within twenty-four (24) hours following the event. The maximum sign area shall be limited to twenty-four (24) square feet on each sign face.
3. Integral Signs. Names of buildings, dates of erection, monumental citations and commemorative tablets that are carved into stone, concrete or similar permanent materials and constructed as an integral part of a structure.

4. Nameplates. One (1) nameplate per public entrance per business, not exceeding three (3) square feet of sign area per face.
5. Private Signs. Signs not visible beyond the boundaries of the lot or series of contiguous lots under the same ownership on which they are located or that are not visible from any public right-of-way.
6. Garage Sale Signs. Garage sale signs may be installed only on private property with the consent of the property owner. Said signs shall not be installed earlier than 12:00 p.m. on the immediately preceding day before the sale and must be removed within twenty-four (24) hours following the sale. The maximum sign area shall be limited to four (4) square feet on each sign face. A garage sale permit is required.
7. Menu Boards. Eating establishments with drive-through service are permitted two (2) menu boards per premises, limited to thirty-six (36) square feet in area and six (6) feet in height.
8. Window Signs. Window signs are exempt from the provisions of this article, providing not more than twenty-five (25) percent of the transparent window area is occupied at any one time.
9. Gasoline/Service Station Signage. Signs located beneath a canopy that do not advertise the premises are exempt, including, but not limited to, the following information: "Self-Service," "Full-Service," "Unleaded Gasoline" and "Regular Gasoline." Governmentally mandated signage and signage contained within the individual pumps are also exempt. In addition, ten (10) square feet of signage is permitted per side under the canopy per set of gasoline product dispensers. Signage located beneath the canopy that is intended to advertise to individuals using the gasoline product dispensers only, and not intended for advertisement to the public right-of-way, is exempt. Letters less than three (3) inches in height shall not be counted as art of the sign allowance.
10. Government Signs. Government signs are allowed, as defined in the definitions in [Section 3.1404](#), provided that each such sign does not exceed forty (40) square feet. One advertisement/identification flag or three government flags are permitted with a maximum of three (3) such signs per premises.
11. Political Signs. Such signs that satisfy the requirements of [V.T.C.A. Election Code 259.003](#).
12. Real Estate Signs. Such signs shall be nonilluminated, shall not exceed six (6) square feet in area per face, and shall pertain to the sale or lease of the premises.

13. Agricultural Signs. One sign, advertising agricultural uses, not exceeding thirty-two (32) square feet in area and eight (8) feet in height, shall be allowed per owner. On large tracts that exceed one-fourth (0.25) mile of public right-of-way frontage, said owner may have one (1) sign per one-fourth (0.25) mile or portion thereof. Agricultural signs may be placed on the fence.
14. Vehicular Signs. Vehicular signs are allowed for the purpose of identifying a vehicle used for a particular business (i.e. delivery service, professional business, construction trailers, etc.) but not when the primary use of the vehicle is that of a sign. The vehicle must be licensed, insured, and inspected (street legal).
15. Protective Signs. The occupant of any premises may erect two (2) protective signs in accordance with the following provisions.
 - a. Each sign must not exceed two (2) square feet in area.
 - b. Detached signs must not exceed two (2) feet in height.
 - c. Letters must not exceed four (4) inches in height.
16. Movement Control Signs. Movement control signs may be erected at any occupancy or any premises, other than a single-family or duplex premises, and may be attached or detached and may be erected without limit as to number; provided that such signs comply with all other applicable requirements of this article. The occupant of any premises who erects a movement control sign shall comply with the following requirements:
 - a. Each sign must not exceed four (4) square feet in area and a maximum of six (6) feet in height.
 - b. If a sign is an attached sign, the letters must not exceed six (6) inches in height.
 - c. Each sign must convey a message which directs vehicular or pedestrian movement within or onto the premises on which the sign is located.
 - d. Not more than fifty (50) percent of such sign may be used for advertising or identification.

SECTION 12: Meritorious Exceptions

- A. Application for Meritorious Exception.** Application for meritorious exception shall be applied for by the responsible party of the premises and the owner of the premises shall consent to such exception.
- B. Application Fee.** Fees for an application for a meritorious exception sign shall be based on the fee schedule as defined in [Appendix A](#).

C. Late Fee. If a sign is erected, placed or maintained in violation of the provisions of this Article prior to any authority, permission, or approval of the City to do so, and an application for meritorious exception is sought, there shall be a paid by the applicant for such meritorious exception a late fee as defined in [Appendix A](#). Payment of the late fee does not excuse full compliance with the provisions of this Article.

D. The following procedures apply to a meritorious exception:

1. In the development of these criteria, a primary objective has been ensuring against the kind of signage that has led to low visual quality. On the other hand, an equally primary objective has been guarding against overly controlled signage.
2. It is not the intention of these criteria to discourage innovation. It is entirely conceivable that signage proposals could be made that, while clearly nonconforming to this article, and thus not allowable under these criteria, have obvious merit in not only being appropriate to the particular site or location, but also in making a positive contribution to the visual environment.
3. The Board of Adjustment may consider appeals on the basis that such regulations and/or standards will, by reason of exceptional circumstances or surroundings, constitute a practical difficulty or unnecessary hardship or on the basis that the proposed improvement although falling under the definition of a “sign,” constitutes art that makes a positive contribution to the visual environment.

SECTION 13: Variances and Appeals

A. Variance procedure. Requests for variances to sign regulations shall be made in writing and heard by the Board of Adjustment at a public hearing. An application requesting a variance to the sign regulations may be obtained from the Development Services Department. The application requires written authorization from the property owner before being filed.

1. Before the 10th calendar day of the date of the public hearing conducted by the Board of Adjustment, written notice of the public hearing shall be sent by its deposit in the United States mail to each owner, as indicated by the most recently approved municipal tax roll of property within two hundred (200) feet of the property on which the variance is proposed. The notice shall include a description of the time and place of such hearing, a description of the location of the subject property, and a description of the requested variance. In addition, the notice shall be published in the official newspaper of the City stating the time and place of such hearing, a minimum of ten (10) calendar days prior to the date of the public hearing.

2. In order to approve a request for a variance, the Board of Adjustment shall determine that the requests meets three of the following four criteria as well as criteria stated in the state statute, [V.C.T.A. Local Government Code 211.009](#) et seq., as amended:
 - a. The proposed sign shall not adversely affect the adjacent property (visibility, size, and the like);
 - b. The proposed sign shall be of a unique design or configuration;
 - c. The variance is needed due to restricted area, shape, topography, or physical features that are unique to the property or structure on which the proposed sign would be erected; or
 - d. The variance will substantially improve the public convenience and welfare and does not violate the intent of this article.
3. The decision of the Board of Adjustment shall be final as to administrative remedies. No appeal to the Board of Adjustment for the same variance on the same piece of property shall be allowed prior to the expiration of two (2) years. Any variance granted by the Board of Adjustment expires unless a permit securing the variance has been applied for within ninety (90) days from the date of the decision.

B. Appeals of Code Enforcement Administrator's interpretation/decision. Any appeal of an administrative interpretation or decision issued in connection with the requirements of this article must be in writing and received by the Director of Development Services within fifteen (15) days after the date of the written notice of such decision. The Director shall hear and decide the appeal. An appeal of the Director's decision shall be made to the City Manager or his or her designee. Appeals to the City Manager shall be made in writing within ten (10) calendar days from the date of the Director's decision and shall be submitted to the City Manager or his or her designee. An appeal of the City Manager's decision shall be made to the City Council. Appeals to the City Council shall be made in writing within ten (10) calendar days from the date of the City Manager's decision and shall be submitted to the City Council. The City Council's decision on the appeal shall be final.

SECTION 14: Regional Commercial District

The regional commercial district is the area surrounding the intersection of Interstate 35 and Farm-to-Market Road 455, as shown on the map attached to Ordinance 10-16-12.

- A. Maximum Height.** Properties that do not have frontage on either I-35 or FM 455 are permitted to install their attached signage up to a maximum of ten (10) feet above the roof of the building or the height of the parapet, whichever is greater.
- B. Detached Signage.** Businesses are permitted to place their allowed nonpylon detached signage on an adjacent site that fronts on either thoroughfare with the agreement of the adjacent property's owner. The agreement with the adjacent property's owner must be demonstrated in writing and submitted to the building official along with the required permits for the sign or signs.

SECTION 15: Sign Overlay Districts

- A. Purpose and Conflict.** The purpose of Sign Overlay Districts is to apply specific sign regulations tailored to the unique characteristics and goals of designated corridors or areas. Where regulations within a Sign Overlay District conflict with the general regulations of [Section 3.1407](#), the provisions of the Sign Overlay District shall govern. Where the boundaries of overlay districts defined within this section overlap on a single property, and the regulations of those districts conflict, the following rules shall govern:
 - 1.** For properties located within both the Interstate 35 Corridor Sign Overlay District and the FM 455 Corridor Sign Overlay District, the applicable sign regulations shall be determined as follows:
 - a.** Properties possessing frontage on the Interstate 35 ROW or its associated frontage road shall be governed by the regulations set forth in [Section 3.1415.B](#), including the allowance for pole signs as specified therein.
 - b.** Properties not possessing frontage on the Interstate 35 ROW or its associated frontage road shall be governed by the regulations set forth in [Section 3.1415.C](#).
- B. Interstate 35 Corridor Sign Overlay District.** The purpose of the Interstate 35 Corridor Sign Overlay District is to establish specific sign regulations for properties within the visual influence Interstate 35, ensuring effective identification for businesses targeting primarily automobile customers, while maintaining safety and aesthetic quality consistent with the goals of this Article.
 - 1. Boundary.** The Interstate 35 Corridor Sign Overlay District includes all properties where any portion of the property lies within one-thousand (1,000) feet as measured perpendicularly from the right-of-way line of Interstate 35 on both the east and west sides thereof, extending for the entire length of Interstate 35 within the corporate limits of the City of Sanger. The precise boundaries are delineated on the City of Sanger's Official Zoning Map.

2. Regulations. Subject to the conflict resolution provisions in [Section 3.1415.A.](#), the following regulations shall apply to on-premises pole signs for properties located within this overlay district and zoned A, I, RC, NC, UMU, or UR (or other districts where pole signs are permitted), and shall supersede the dimensional requirements found in [Section 3.1407.B](#), Table 1:

I35 CORRIDOR SIGN OVERLAY DISTRICT	
Minimum Width of Lot Frontage	125 Feet
Maximum Square Footage Per Side	250 Square Feet
Setback from Street ROW Line or any Property Line	20 Feet
Maximum Height	50 Feet

3. Applicability. All other applicable provisions of Article 3.1400 shall remain in full force and effect within this overlay district unless explicitly modified herein or by the conflict resolution provisions above

C. FM 455 Corridor Sign Overlay District. The purpose of the FM 455 Corridor Sign Overlay District is to ensure that signs located along this major arterial provide effective means of identifying their premises and the goods and/or services sold on the premises to primarily automobile customers, while restricting the types of signs adjacent to the Urban Downtown Area and creating harmonious signage in scale with building elements.

1. The Map of the FM 455 corridor can be found in City of Sanger's Official Zoning Map.
2. Signs within this corridor shall conform to the following size, location, and height restrictions based on geographic segments as defined below.

FM 455 SIGN OVERLAY DISTRICT	
From Western Border of intersection at FM 455 and Creekview Road to N. 7th Street	No more than 100 total square feet
	No more than 100 feet from centerline
	Heights of not taller than 20 feet
From N. 7th Street to N. 2nd Street	No more than 50 total square feet
	No more than 50 feet from centerline
	Heights of not taller than 20 feet
From N. 2nd Street to ETJ boundary near intersection of FM 455 and McReynolds Road	No more than 100 total square feet
	No more than 100 feet from centerline
	Heights of not taller than 20 feet

3. Sign Requirements.

- a. Type.** Subject to the conflict resolution provisions stated above, all signs within the FM 455 Corridor Sign Overlay District shall be monument signs. Pole signs are prohibited, except as may be permitted under the conflict resolution rules for properties with Interstate 35 frontage. The copy area shall be framed on all four sides by at least six (6) inches of masonry, rock, or other material compatible with the colors and materials of the fascia of the building located on the same lot as the sign. Sculpted aluminum sign panels and plastic panel signs are allowed to be utilized on monument signs.
- i.** A monument sign may contain a directory or listing of the occupants within a center or multi-use development; provided that the directory portion of the sign shall not exceed sixty (60) percent of the total sign area.
- ii.** No advertisement signs shall be permitted.