

AMENDMENT TO DEVELOPMENT CODE

CHAPTER 10 SIGN REGULATIONS*

TA25-03(1)

**At a later date, amendments to billboards will be the subject of a separate amendment TA25-03(2).*

10.1.2 Effect

- (1) To establish a permit system that allows a variety of types of signs on business premises and a limited variety of signs on other premises, subject to this Code and its permit procedures;
- (2) To allow certain small, unobtrusive signs incidental to the principal use of a site without a permit if such signs meet the substantive requirements of this Code;
- (3) To prohibit off-premise advertising signs, except where billboards are permitted by state or federal law or by this Code;
- (4) To allow a variety of types of noncommercial signs subject to the same substantive and permit requirements that control on-premise signs;
- (5) To allow certain types of signs to make minor encroachments of the public right-of-way, if specially permitted; and
- (6) To prohibit all signs not expressly permitted by this Code.

10.1.3 Applicability

This Section applies to signs which are intended to be viewed from a public right-of-way such highways and streets, and to signs which are intended to be viewed from outdoor areas of public and private property used for public pedestrian purposes or vehicular access to such property.

This Section does not regulate the use of materials such as noncommercial holiday signs and decorations, signs on products, product containers or dispensers, public information and safety signs placed by government entities in their own rights of way, any signs required by local State or Federal law, or building design exclusive of any commercial message.

10.1.4 Approval Requirement

Except as otherwise stated in this Chapter, signs which are allowed under this Chapter shall not be erected or placed until and unless the person erecting or placing the sign or the property owner has obtained a sign permit from the Development Services Department pursuant to Section 12.13 of this Code.

Documentation of an approved Certificate of Occupancy or Building Permit for the associated principal use is required with application for permitted signage within the City of Tupelo. A minor site plan, including scale elevation representation depicting height, distance from Right of Way, distance from existing signs on parcel and adjacent parcels, width of permanent structures, and all copy, text, images, artwork, and other proposed visualizations, is also required.

MENU BOARD: A structure primarily designed for the display of menu items and prices for the purpose of placing orders for such items in conjunction with a restaurant utilizing drive-through or curbside service.

NEON: Lights, tubes, or other devices used to emit neon light.

ROOF LINE: The apex, or highest point of the roof. In a series of roofs, the apex of the lowest roof will be considered.

SIGN, ABANDONED: Any sign that is located on property which becomes vacant and is unoccupied for a period of three months or more, or any sign which pertains to a time, event, entity, or purpose which no longer applies, and which sign is nonconforming to the requirements of this Section; a sign that has been blank for 60 days or more; an electronic sign no longer capable of display; or a lawfully erected temporary sign for which the time period allowed for display of the sign has expired. Landmark signs or signs protected by Historical Preservation designations are exempt from this definition provided they do not pose a threat to health or safety.

SIGN, A-FRAMED: (also a SANDWICH BOARD) A freestanding upright sign on a rigid supporting frame in the form of a triangle or an inverted V.

SIGN, ANIMATED: Any sign that moves or that appears to move by any means, including fluttering or rotating. Such signs shall also include, but not be limited to, pennants, ribbons, streamers or propellers.

SIGN, ATTACHED: A sign that is permanently affixed to or painted on a building, canopy, or wall and that has a permanent or changeable copy face. Attached sign types include wall signs, awning signs, canopy signs, marquee signs, projecting signs and suspended signs.

SIGN, AWNING: A sign that is part of or attached to the face or valance of an awning and that is constructed in the same fabric or material as the awning.

SIGN, BANNER: A sign made of flexible material that advertises a business, an event, or a product for sale.

SIGN, CANOPY: A sign that is attached to a structure constructed of rigid materials that may be attached to and supported by a building and/or that is also supported by columns, poles, or braces extending to the ground.

SIGN, CHANGEABLE COPY: Any sign designed so that letters or numbers physically attached to the sign can be periodically changed to indicate a different message.

SIGN, CONVENIENCE: A sign displayed only for the direction, safety, and convenience of the public. Convenience Signs may include, without limitation, address signs, address and name

10.3 Sign Standards

10.3.1 Sign Area

- (1) The area of a sign shall include all lettering, wording, designs and symbols, together with the background, whether open or enclosed, on which they are displayed. The supporting structure or bracing of a sign shall be omitted in measuring the area of the sign unless such structure or bracing is made part of the message or face of the sign.
- (2) Where a sign consists of individual letters, words or symbols attached to a surface, building, canopy, awning, wall or window and all such elements are located in the same plane, the sign area shall be the area of the smallest rectangle which completely encompasses all such letters, words or symbols and any accompanying background of a color different than the natural color of the wall.

On all signs other than wall signs, which shall only be allowed one (1) face, signs with identical sign faces placed in such a manner to ensure that the angle at which the two (2) sign faces are placed does not exceed sixty (60) degrees, shall be considered as a single (1) face. The area for a sign with more than one (1) face, placed at an angle that exceeds sixty (60) degrees, shall be computed by adding together the area of all sign faces. Billboards are exempt from this standard. Billboard area and facing is regulated by Section 10.7 of this Code.

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- (4) The area of the address number required by Section 9.22 of the Tupelo Municipal Code, Structure Address Regulations, shall not be computed as part of the sign face unless it exceeds twice the minimum number height requirement. All such street address numbers shall be displayed in accordance with Section 9.22 of the Tupelo Municipal Code.

10.3.2 Sign Height

The height of a sign shall be computed as the distance from the base of the sign at a computed grade to the top of the highest attached component of the sign (including the sign face, sign structure, or any other appurtenance). The computed grade shall be the natural grade of the land at the site of the sign, exclusive of any berm height.

10.3.3 Illumination

Sign illumination shall only be achieved through the following standards. The Planning Committee shall hear and decide any appeals of staff decisions related to the interpretation of this section.

(1) External Illumination:

- (a) Signs that are externally illuminated shall have the light source shielded from adjacent buildings and streets, and no sign or device shall produce glare or illumination so as to

- (b) On property that is not under the ownership or control of the person conducting or responsible for the work, unless the work is done pursuant to the express authorization of the person owning the property on which the trees or shrubs are located; or
- (c) In any area where trees or shrubs are required to remain under an approved development contract.

10.3.5 Design, Construction and Maintenance

- (1) All signs shall comply with applicable provisions of the International Building Code and the National Electrical Code as currently adopted by the City of Tupelo. Sign shall maintain a minimum horizontal clearance of eight (8) feet in addition to the fall radius and a vertical clearance of a least eight (8) feet from electrical lines, or the minimum clearance in accordance with the provisions of the current adopted National Electrical Code, which either is greater. Windblown signs shall not be allowed to deteriorate to a tattered, torn, or faded condition and shall be attached and secured properly at all times.
- (2) Signs shall be constructed of permanent materials and permanently affixed to the ground or building except for those signs that, by their nature, are considered temporary.
- (3) All signs and components thereof shall be maintained in a safe, neat, clean, attractive and structurally sound condition. All signs shall be kept neatly painted, including all metal parts and supports thereof that are not galvanized or of rust-resistant material. The premises surrounding signs shall be maintained in a clean, sanitary, and inoffensive condition, free and clear of obnoxious substances, rubbish, and weeds.
- (4) The Director of Development Services, or authorized representative, shall have the authority to inspect all signs and order the painting, repair, alteration or removal of a sign which shall constitute a hazard to the health, safety or general welfare of the public by reason of inadequate maintenance, dilapidation or obsolescence.
- (5) All signs constructed in whole or in part with glass, plastic or other breakable materials which shall suffer any breakage, whether from natural or other causes, shall be repaired by the owner of the premises on which the sign is located within a period thirty (30) days from the time the breakage occurs. Additional periods of time for repairs may be granted by the Director of Development Services, provided such extensions are requested in writing and the Director of Development Services finds that such extensions would not defeat the basic purposes of this Code.
- (6) No sign, regardless of zoning district, shall encroach more than 15 feet of any curb line, street edge, or driveway, within a sight visibility triangle, or impede corner visibility, as established by Section 11.6.3 (12) of this Code.
- (7) All signs between 6 and 32 square feet shall maintain a minimum setback of 5 feet from the property line. All signs greater than 32 square feet shall maintain a minimum setback of 12 feet from the property line. No sign shall be located less than 12 feet from any property line adjacent to residential use or the boundary of a residential zone.

- (8) No sign will be granted flexible or compatible use approval, provided any variance, or otherwise be permitted for height greater than 100 ft without a review of public hazard by the Chief Building Inspector of the City of Tupelo.
- (9) No sign will be permitted for construction out of any combustible material except where approved by the Chief Building Inspector of the City of Tupelo.

10.4 Temporary Signs Allowed Without Permit

10.4.1 On-Premise Real Estate Sign

In residential districts on projects not involving multiple lots, such signs shall not exceed six (6) square feet in area and four (4) feet in height and are limited to one (1) per lot. In all other circumstances, such signs shall not exceed thirty-two (32) square feet in area and eight (8) feet in height. The sign shall be removed prior to the issuance of a Certificate of Compliance or within fifteen (15) days after closing or execution of a lease.

10.4.2 Off-Premise Real Estate Sign

- (1) Signs that solely provide directional information regarding the sale or lease of residential property.
- (2) The signs contain only directional information [i.e., directional arrows, "left 100 yards", "2nd right", etc.] and "house for rent", "open house", "new house(s) for sale" or the name of the project. Other information such as the name of a builder or real estate company is prohibited.
- (3) The signs shall be temporary signs on white background, unlit, and limited to two (2) square feet per side for a single user. The sign message may be placed on each side of the sign. The signs shall not exceed four (4) feet in height and shall not obstruct vision clearances.
 - (a) In order to avoid the placement of a series of signs along several miles of roadway, no more than five (5) signs shall be allowed per project or per property when a single dwelling is for sale or rent. Signs shall be placed no farther one (1) mile from the project or property for which directions are given.
 - (b) Each user is allowed only one (1) sign per intersection.
 - (c) Signs for properties for sale or lease shall be removed when a contract is closed on the last property for sale or lease in the project.
 - (d) To encourage assistance in compliance with these requirements, the Director of Development Services, or designee, may notify the Board of Realtors or the Home Builders Association regarding violations of these provisions.

10.4.3 Public/Nonprofit Announcement Sign

May be erected up to two (2) weeks prior to the event and shall be removed within seven (7) days after the event.

10.4.4 Setback Requirements

No temporary sign shall be placed or erected within the right-of-way of any street, or within fifteen (15) feet of any curb line or street edge. Temporary signs which do not meet the setback requirements may be removed by city staff without notice.

10.5 Permanent Signs Allowed Without a Permit

10.5.1 Public Convenience Sign

An on-premise sign giving information or direction for the convenience and necessity of the public such as address signs, address and name plaques, signs identifying rest rooms, parking area entrances and exits, gas station self-service or full-service pump islands, freight entrances and exits, and other facilities that may require directional signage.

Convenience signs visible from outside the property shall not exceed three (3) square feet of area per sign or four (4) feet in height and shall not contain any logos. Interior oriented signs may not exceed 32 square feet in area or the height of the nearest building.

10.5.2 Historic Marker Sign

A sign attached to a building, indicating the date of construction or the name of the building or the principals involved in its construction. Also includes attached or freestanding historic or memorial markers erected by a governmental agency or private, nonprofit historic preservation or education organization pursuant to a plan or program for the erection of such signs or markers applied on a national, state or local basis or to properties within a duly authorized local historic district.

(1) **Historic Marker Standards:** The plan or program sponsoring the sign shall employ uniform standards of eligibility and the sign or marker shall commemorate a person, building, place or event of historical, civic, cultural, natural historical, scientific, or architectural significance.

(a) Each such sign or marker shall be made of cast metal, cut masonry, painted wood or metal or other similar weatherproof material.

(b) Signs attached to buildings shall not exceed six (6) square feet in area

10.5.3 Window Sign: Signs that are attached to, painted on, or etched into a window or displayed within ~~twelve (12)~~ **twenty-four (24)** inches (measured horizontally) of the window and are legible from outside of the window.

(3) **Number:** One (1) freestanding on-premise sign shall be permitted on each property. An off-premise billboard may be located on property with a freestanding on-premise sign, subject to location and separation standards of this section.

(4) **Area:**

(a) **Nonresidential Districts:** Individual signs on each street frontage of a property shall not exceed thirty-two (32) square feet in area when the frontage is less than one hundred-fifty (150) feet, and shall not exceed eight (80) square feet in area in the Regional Commercial District, or one hundred (100) square feet in area in other districts, when the frontage is one hundred-fifty (150) feet or more.

(b) **Residential Districts:** Individual signs on each street frontage of a property shall not exceed twelve (12) square feet in area when the frontage is less than one hundred-fifty (150) feet, and shall not exceed thirty-two (32) square feet in area when the frontage is one hundred-fifty (150) feet or more.

(5) **Flexibility:** Pylon signs placed at a greater than minimum setback from the street edge may be allowed additional area as follows:

(a) Two (2) additional square feet of area for each foot of setback beyond the minimum, to a maximum of one hundred (100) square feet in the Regional Commercial District, or one hundred twenty (120) square feet in other districts. This flexibility may not be combined with the height limit exemption provided in Section 10.7.2. (6) below, "Highway Interchange Signage".

(6) **Highway Interchange Signage:**

The Director of Development Services may approve a pylon sign up to two hundred (200) feet in area and up to one hundred (100) feet in height for restaurants, hotels, motels, fuel sales establishments or other highway oriented establishments when located on property, any part of which shall be located within one-thousand (1000) feet of the center of the following interchanges on U.S. Highways 45 or 78/I-22; US78/I-22 and McCullough Boulevard/MS178; US78/I-22 and Coley Road Extended; US78/I-22 and Veterans Boulevard; US78/I22 and Auburn Road; US45 and Eason Boulevard; and US45 and Green Street, and which is zoned Mixed Use Commercial Corridor, Mixed Use Activity Center, Mixed Use Employment, or Industrial

An additional fifty (50) square feet in area may be allowed for additional businesses, up to a maximum of four hundred (400) square feet.

(7) **Location:**