

STATE OF SOUTH CAROLINA )  
 )  
CITY OF CLEMSON )

ORDINANCE NO: CC-2013-

**AN ORDINANCE ADOPTING TEXT AMENDMENTS TO AMEND THE CITY OF CLEMSON ZONING ORDINANCE SIGN REGULATIONS, ARTICLE IV, DIVISION 3 SECTIONS 19-431 TO 19-440 IN THE CODE OF ORDINANCES, CITY OF CLEMSON, SOUTH CAROLINA**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CLEMSON, SOUTH CAROLINA:

**Section 1. Authority and Adoption.** The following ordinance is adopted pursuant to the authority granted in the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, S.C. Code §§ 6-29-310, et seq. (1994 Supp.), and is incorporated by reference in the Code of Ordinances of the City of Clemson.

**Section 2. Purpose.** The purpose of the text amendments is to clarify intent, correct errors, and implement the land use element of the Comprehensive Plan and to guide land development in accordance with existing and future needs, and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the community, and all those purposes set forth in S.C. Code §6-29-710.

**Section 3. Jurisdiction.** The provisions of this ordinance shall apply to all land and improvements within the corporate limits of the City of Clemson, South Carolina.

**Section 4. Effective Date.** The provisions of this ordinance shall be effective on 2013.

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J.C. Cook, III, Mayor

Attest:

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Beverly Coleman, Municipal Clerk

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Planning Commission Meeting:  
City Council, Public hearing:  
City Council, First reading:  
City Council, Second reading:  
File No.:  
Ordinance No.:

August 12, 2013

2013-R-04  
CC-2013-

**Amend Article IV, Division 3. Sign Regulations by striking in its entirety the current language and replacing said section with the following:**

## **ARTICLE IV. GENERAL AND SUPPLEMENTAL REGULATIONS**

### **DIVISION 3. SIGN REGULATIONS**

#### **Sec. 19-431. General Sign Standards**

- A. The purpose of this section is to ensure that signage is designed and placed to complement the character of the city; to minimize the distractions and obstruction of view that contribute to traffic hazards and endanger public safety; to protect existing development and promote high standards of quality in new development by requiring appropriately designed, placed, and sized signage; and to provide an effective guide for communicating identification through signage while preventing signs from dominating the visual appearance of the areas in which they are located; the following standards shall apply to all signs in all zoning districts unless otherwise noted.
- B. A permit shall be required for the erection, alteration, relocation, or reconstruction of any sign, unless specifically exempted in Section 19-633, and shall be issued by the zoning administrator in accordance with this Division.
- C. Signs constructed shall comply with the following:
  - 1. Signs must be constructed and maintained in conformity with the adopted International Building Code and National Electric Code standards;
  - 2. Any temporary sign allowed by this ordinance shall be constructed of materials and printed on by inks capable of withstanding normal weather conditions;
  - 3. All signs, except for banners, flags, temporary signs, and window signs conforming in all respects with the requirements of this ordinance shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure; and
  - 4. All signs shall be maintained in good repair and clean condition. Deficiencies such as chipped paint, broken plastic, missing letters and exposed light bulbs shall be evidence of a lack of maintenance.
- D. Lighting of signs shall meet the requirements specified in Section 19-613;
- E. Signs located within a public or private street right-of-way shall comply with the following:

1. No permanent or temporary sign or advertising device shall be erected or maintained within a street right-of-way without the approval of the city council or SCDOT;
  2. New signs announcing a subdivision or neighborhood existing at the time of the adoption of this section may be allowed within street rights-of-way upon approval by the city council provided that:
    - a. Such signs shall be hung from a bracket or arm mounted on a pole, not exceeding six (6) square feet in area;
    - b. The location of the signs shall be preapproved by the zoning administrator in coordination with the city engineering, police, and public works departments; and
    - c. Signs shall be limited to no more than two (2) signs per entrance. Subdivisions or neighborhoods with more than one (1) entrance shall be limited to no more than four (4) signs.
  3. Subdivision or neighborhood signs existing at the time of the adoption of this ordinance and within a street right-of-way may be replaced upon approval by the city council provided that:
    - a. Location of the signs shall be preapproved by the zoning administrator in coordination with the city engineering, police, and public works departments; and
    - b. The replacement signs do not exceed the total number and square footage of the original signs and any other structures directly related to the signs.
- H. Free standing signs and signs on walls or buildings shall be limited to the use, business, or profession conducted on the premises;
- I. Nonresidential uses within commercial districts may apply for a permit for a temporary banner to be displayed for a total period of fifteen (15) days not more than two (2) times per calendar year. Such banners shall be subject to all other applicable provisions of this division;
- J. Signs shall be located in relation to other building elements and sidewalks so as to comply with the following:
1. No part of any sign attached to a building in any manner shall extend above the uppermost point of a building, however, signs may be allowed on parapet walls no higher than two (2) feet above the base of the abutting roof.
  2. No changeable copy or electronic message boards in conjunction with wall

signs are allowed on any building.

3. No roof mounted signs shall be allowed.
4. Marquee signs shall not extend more than two (2) feet below nor more than four (4) feet above the marquee or canopy.
5. Projecting signs may be permitted provided:
  - a. They are at least eight (8) feet above the sidewalk and a minimum of two (2) feet from to the curb line;
  - b. Any projecting sign or awing sign shall not project more than forty-two (42) inches over a public right-of-way, except that no part of the sign shall encroach within a vertical plane measured four (4) feet from the edge of the adjacent street pavement.
  - c. The bottom edge of the sign must maintain a clearance of at least nine (9) feet from the finished grade level below the sign when extended over public right of way.

K. Sign size shall be determined as follows:

1. Maximum sign area for wall signs:
  - a. For buildings adjacent to or within 35 feet of a sidewalk or public right of way shall be calculated only on the first 20 feet of height of façade front facing a public right of way and shall not exceed 10 percent the calculated façade area or tenant space.
  - b. For buildings farther than 35 feet from a sidewalk or public right of way shall not exceed 10 percent of the surface of the building facing the street.
  - c. For buildings greater than 24 feet in height the main identification sign shall be calculated on one half (1/2) of the height of the façade and shall not exceed 15 percent of that calculated facade area.
  - d. On those surfaces not directly facing a public street or side walk and directly fronting on a parking lot containing five or more spaces and shall not exceed 10 percent of the surface of the building or tenant space.
  - e. Unless otherwise specified lettering on wall signs shall be limited to three (3) feet in total height.
  - f. Logos on buildings shall be limited to no more than five (5) feet in

total height.

- g. The total area of signs on awnings shall be deducted from any wall sign with the installed awning on the same face of the wall.
  2. Freestanding signs for properties with one (1) business shall be limited to a maximum size of 36 square feet.
  3. Freestanding signs for properties with multiple tenants shall be limited to no more than one-half (1/2) square foot of sign face for each one (1) foot of linear road frontage on which the sign will be located up to a maximum of 120 square feet, however, no such sign shall be required to be less than 36 square feet in area;
  4. Projecting signs shall be no larger than nine (9) square feet;
  5. Signs on awnings shall be no larger than 25 percent of the area of the awning; and
  6. Window signage may encompass no more than 25 percent of the surface area of the window.
- L. Calculation of the surface area of signs shall be calculated as follows:
1. The area of a free standing sign shall be calculated using the entire sign structure including all sign faces, supports, columns, or other architectural amenities including the base of the sign;
  2. A vertical cross section of the sign assembly using the largest possible area to include the entire area within a regular geometric shape or combination of regular geometric shapes enclosing all elements of information or matter displayed, including blank masking or any surface shape intended to convey ideas, information, identity, or meaning;
  3. Sign area shall not include any decorative fence or wall when such fence or wall otherwise meets these zoning regulations and is clearly incidental to the display itself;
  4. The area of a wall sign shall be computed by means of the smallest square, circle, rectangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display intended to convey ideas, information, identity, or meaning, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed;
  5. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one (1) point at

the same time, however, when only one sign face is visible from any direction and the sign faces are not more than 42 inches apart, the sign area shall be computed by the measurement of one (1) of the faces;

6. When wall signs are for individual business within the same building the maximum size shall be determined by the exterior perimeter of the tenant space facing a public right of way or parking area of more than five spaces.
- M. Any sign installed or placed on or over public property or a public right-of-way of any kind, except in conformance with the requirements of this ordinance, is hereby declared a public nuisance and shall be forfeited to the public and be subject to confiscation and disposal;
- N. The placement of all signs in all zoning districts shall comply with the following:
1. Signs must be located entirely on private property, unless otherwise permitted by this ordinance;
  2. A minimum three (3) foot setback shall be maintained between any part of a freestanding sign and a property line unless otherwise specified;
  3. Unless otherwise specified all wall mounted signs shall only be allowed when facing a public right-of-way or a parking lot with at least five (5) parking spaces on the same lot;
  4. In the case of multi-tenant buildings the wall mounted sign shall be located within the exterior perimeter of the tenant space facing the right-of-way or a parking lot with at least five (5) parking spaces on the same lot;
  5. Wall signs shall be limited to the first floor of any building;
  6. Buildings greater than twenty-four (24) feet in height shall be allowed a maximum of two main identification signs on the building and the sign(s) shall **located at or above** twenty-four (24) feet as measured on the front of the building;
  7. Projecting signs shall be located along a pedestrian corridor or in the case of buildings with multiple floors they may be located on a corner of the building no higher than 50 percent of the height of the building and perpendicular to a sidewalk or right-of-way.
- O. Freestanding or Monument Sign height shall be measured from the base of the sign at normal grade to the highest point of the sign support structure, or sign face, whichever is higher.

1. For the purposes of this subsection, “normal grade” shall mean the newly established grade after construction, not including any filling, berming, mounding, or excavating solely for the purpose of locating the sign;
  2. Where such occurs it shall be included in the measurement for sign height.
  3. When a sign’s base is located below the grade of a road that is adjacent to the property and to which it is oriented, the sign height shall be measured from the grade of that road.
- P. If the purpose for which a sign is created is no longer valid, such sign shall be considered as obsolete and shall be fully removed (including support structures) within ninety (90) days of the termination of the event, issue, business, or activity resulting in the abandonment or obsolescence. It shall be the responsibility of the owner of the land to remove all such signs.

### **Sec. 19-432. Prohibited Signs**

- A. The following signs are expressly prohibited:
1. Off-premises signs, including billboards, other than those located on the premises of the business or profession to which they refer, except as otherwise permitted.
  2. Flashing and scrolling signs. Unless otherwise specified any exterior sign which displays intermittent or flashing illumination or lights of changing degrees of intensity, flashing or pulsating signs on the interior side of window glass; except, a sign indicating time and/or temperature with changes alternating on not less than a five (5) second cycle is not prohibited. Such prohibition shall include the use of strobe lighting in signs, illuminated or highly reflective signs.
  3. Any sign which violates architectural review standards.
  4. Animated and moving signs, including any sign or device designed to attract attention, all or any part of which moves by any means, such as fluttering or rotating. This prohibition shall include, but is not limited to, banners, pennants, flags, propellers or discs, whether or not such device has a written message or how secured unless otherwise specifically permitted by this chapter. Exceptions: balloons not exceeding two (2) feet in diameter.
  5. Unless otherwise permitted by the Board of Architectural Review, any perimeter lighting using illuminated tubing or strings or lights to outline property lines or open sales areas, rooflines, doors, windows or wall edges of any building; except that perimeter lighting for illuminating open

sales areas or parking areas may be used if shielded so that no direct light will shine on abutting properties or in normal line of vision of the public using the streets or sidewalks.

6. Any sign attached to or painted on a fence, over pass, utility pole, tower, tree, stone or any other object, except those signs specifically permitted on walls or fences by this Division.
7. Any temporary sign except those temporary signs specifically permitted by this Division.
8. Portable signs, except those specifically permitted by this ordinance;
9. Obsolete signs. Any sign identifying a previous use or activity on a site for more than 90 days after the use or activity has ceased.
10. Signs on public property or within streets, except traffic control signs and signs specifically permitted by action of the city council.
11. Any sign which imitates an official emergency or traffic sign or signal, or contains words or symbols displayed in a manner which might distract, mislead, or confuse operators of vehicles in using public streets.
12. Any sign mounted on any roof of a building.

### **Sec. 19-433. Permanent Signs Exempt from Permit Requirement**

A permit is not required for the following types of permanent signs in any zoning district, except where specifically required in an architectural review district:

- A. Signs or plates on residential property giving the name and address of the occupant;
- B. Signs of public bodies approved by the city administrator, including, but not limited to, traffic regulatory devices, directional signs, emergency warning, bus stop, taxi stand, legal notice and railroad crossing;
- C. Signs within the exterior footprint of a building to include covered patios and stairwells;
- D. Traffic direction signs not exceeding five (5) square feet in area within a permitted parking lot, with no advertising;
- E. One (1) directory of occupants not exceeding ten (10) square feet in area on a single building wall, with no logo or advertising;

- F. Sign(s) on a business vehicle or trailer capable of and being used for the purposes of transport that indicate identity, address, and telephone number of the business. In no case shall a vehicle sign extend beyond the normal vehicle body dimensions:
- G. Sign displaying menu, services, or merchandise items on the premises are permitted in C districts, provided that the following conditions are met:
  - 1. Maximum number of signs: One (1) sign for main entrance to the establishment;
  - 2. Maximum sign area: Six (6) square feet;
  - 3. Maximum height: Seven feet (7) above grade;
  - 4. Location: Sign shall be mounted securely on a building wall;
  - 5. Design: Sign shall be completely enclosed and shall not extend more than six (6) inches from the face of the building; and
  - 6. Illumination: Internally with maximum 40 watt light source.
- H. Traffic control signs on private property, the face of which meet department of transportation standards.

#### **Sec. 19-434. Temporary Signs Exempt from Permit Requirement**

A permit is not required for the following types of temporary signs in any zoning district, except where specifically required in an architectural review district:

- A. Temporary unlighted sign describing construction project, identifying participants, and not exceeding 48 square feet in area, provided, however, such signs are removed within three (3) days following completion of construction;
- B. Lighting and banners installed as part of a community decoration program or event approved by the city council;
- C. Sign displaying menu, services, or merchandise items on the premises are permitted in RLC, C, CP-1, CP-2, CP-3, and OC districts if the following conditions are met:
  - 1. Maximum number of signs permitted shall be one (1) sign for the main entrance to the establishment;
  - 2. Maximum sign area shall not exceed six (6) square feet per side with a maximum of two (2) sides per sign;
  - 3. Maximum height shall not exceed four (4) feet;

4. Sign shall be located on private property, within five (5) feet of the main entrance door to the business, and not interfere with pedestrian or vehicular safety;
5. Sign shall be made of durable materials;
6. Sign illumination is not permitted;
7. In C, General Commercial District, a business may have either a wall-mounted reader board or a portable sign.

E. Flags displaying noncommercial message, provided that the following conditions are met:

1. One (1) flag per twenty-five (25) linear feet of building wall where the flags are mounted;
2. Maximum area of flags shall be limited to nine (9) square feet per flag;
3. Flags shall be attached to a secured pole mounted on the building and shall not interfere with pedestrian or vehicular safety;
4. Flags shall not be roof mounted or mounted to extend over the parapet or roof line; and
5. Flags displaying the official corporate symbol of a business on the property are permitted, provided that the following conditions are met:
  - a. Maximum of one (1) flags per parcel of land shall be permitted; and
  - b. Such flags shall have a maximum area of fifteen (15) square feet.
6. Flag shall be attached to a secured pole mounted on the building or into the ground;
7. Flag shall not interfere with pedestrian or vehicular safety; and
8. A flag mounted on the building shall be included in the maximum number of decorative flags allowed.

F. Temporary freestanding signs placed in, but not obstructing, the public right-of-way during city festivals, street events, or other sanctioned events approved by the city council subject to location, time limits for display, and other related restrictions placed upon the temporary sign by the council;

G. Other temporary signs that do not require a permit include:

1. Non-illuminated noncommercial ground sign not exceeding nine (9) square feet in area which is located on private real property containing a

residence with the consent of the owner or possessor of the private real property, provided however, each sign shall be separated by at least four (4) feet in all directions.

2. Non-illuminated ground sign not exceeding 32 square feet which is located on private real property containing a business with the consent of the owner or possessor of the private property, except however, any sign that displays any advertisement for any commercial business or activity shall not be permitted. Each sign shall be separated by at least four (4) feet in all directions.

### **Sec. 19-435. Signs Permitted in Residential Districts**

In R and RM districts, the following signs shall be permitted unless restricted by architectural review overlay district regulations:

- A. Permanent freestanding signs used to identify a public use such as a permitted church, school, or semi-public use; provided that:
  1. Such sign shall be a freestanding sign of berm or solid base design;
  2. Such sign shall be located on the premises of the public use to which it refers;
  3. Such sign shall not exceed thirty-six (36) square feet in area;
  4. Such sign shall be no higher than six (6) feet;
  5. Such sign shall be set back at a minimum of ten (10) feet from the property line;
  6. Such sign shall be limited to one (1) sign per street frontage;
  7. A changeable letter area of up to sixteen (16) square feet may be included within the maximum allowable area and the leading edge shall be no higher than 70% of the height of the sign as measured from the base of the sign and below the main identifier on the sign. Electronic message boards may be used in lieu of the changeable letter area provided:
    - a. The sign shall be of a solid base design and conform to the ordinance regarding size and location.
    - b. Reader Board Sections of such signs shall be subject to the following conditions:
      1. Shall not contain or display flashing, intermittent or moving

lights nor shall there be any scrolling, animation or pulsation of any lights, script or any other symbols.

2. Each message displayed shall remain fixed for a minimum of thirty (30) seconds.
  3. Illumination for such signs shall not exceed 0.3 foot candles over ambient lighting conditions.
  4. The sign shall have an automatic mechanism to turn off the electronic message board between the hours of 10 p.m. and 6 a.m.
  5. The sign shall have a default mechanism that with either stop the sign in one position, or turn off the sign should a malfunction occur.
  6. The sign company responsible for installation of the sign shall certify the illumination specifications for the message board and the default mechanism is functional. The owner of the sign shall also certify knowledge of the requirements of this ordinance.
- B. Wall-mounted identification, public use signs identifying a permitted church, public, or semi-public use shall be permitted provided such sign complies with the following:
1. Located on the premises of the public use to which it refers;
  2. Limited to one (1) sign on the front façade of the principal use structure;
  3. Have individual channel letters not exceeding eighteen (18) inches in height;
  4. Not be illuminated; and
  5. Located no higher than twenty (20) feet above the grade of the front the building facade.
- C. One (1) illuminated sign identifying a bed and breakfast inn may be permitted provided;
1. The sign is located on the premises;
  2. Is not more than nine (9) square feet in area; and
  3. Is not closer than 15 feet to a property line.

- D. Permanent monument or berm signs, freestanding or on a fence or wall, identifying a subdivision or multi-family complex, shall be permitted subject to the following:
1. Shall be limited to two (2) signs at each principal entrance to the subdivision or multi-family complex;
  2. Such sign shall not exceed 42 square feet in area;
  3. Such sign shall be on private property no closer than 15 feet to the paved portion of the street; and
  4. The freestanding sign assembly shall not exceed 42 square feet in area and be no higher than eight (8) feet.
- E. Any sign exempt from permitting requirements by Section 19-533 shall be permitted.

**Sec. 19-436. Signs Permitted in C, CP-1, CP-2, CM, OP, RIL, and PD Districts**

The following signs shall be permitted unless restricted by individual architectural review overlay district regulations:

- A. Signs permitted in R and RM districts;
- B. Wall sign: shall be mounted flat against or painted on the surface of a building wall;
- C. Projecting sign: attached to and extending from a building,
- D. All freestanding signs, provided:
1. Signs shall be of berm or solid base design;
  2. An application for a berm design sign shall be accompanied by a landscape maintenance plan;
  3. A solid base sign shall be ground-mounted, solid all the way to the ground, and constructed of brick, masonry or similar durable materials.
  4. The sign face shall be encased in a sign assembly in at least seventy (70) percent of its perimeter;
  5. Unless provided otherwise in Architectural Review Overlay Districts, the length of the sign base shall be at least 3/4 of the length of the total sign structure; and
  6. All freestanding signs shall be situated in a manner which will not interfere

with required bufferyards, landscaping, or street trees.

7. Signs serving a single business or use on one (1) parcel shall be limited to the following:
  - a. Be limited to one (1) freestanding sign per parcel;
  - b. Be no higher than eight (8) feet above the finished grade of the abutting edge of the sidewalk;
  - c. In addition, fuel service stations may attach, on or immediately above each fuel pump, one sign, not more than one and one-half (1.5) square feet; and
  - d. Drive-in and drive-through eating and drinking establishments may locate vehicle-oriented menu signs behind the front building line.
  - e. A changeable letter area of up to 16 square feet may be included within the maximum allowable area and the leading edge shall be no higher than 70 percent of the height of the sign as measured from the base of the sign and below the main identifier of the sign. Electronic message boards may be used in lieu of the changeable letter area provided:
    - 1) The sign shall be of a solid base design and conform to the ordinance regarding size and location.
    - 2) The leading of the sign shall be a minimum of 100 feet from any R-20, R-12, RM-1 or RM-2 zoning district.
    - 3) Reader Board Sections of such signs shall be subject to the following conditions:
      - 4) Shall not contain or display flashing, intermittent or moving lights nor shall there be any scrolling, animation or pulsation of any lights, script or any other symbols.
    - 5) Each message displayed shall remain fixed for a minimum of 30 seconds.
    - 6) Illumination for such signs shall not exceed 0.3 foot candles over ambient lighting conditions.
    - 7) The sign shall have an automatic dimmer control incorporating a photo cell mechanism to produce a distinct illumination change from a higher illumination level to a lower level for a time period between one half hour before sunset and one half hour after sunrise.

- 8) The sign shall have a default mechanism that with either stop the sign in one position, or turn off the sign should a malfunction occur.
  - 9) The sign company responsible for installation of the sign shall certify the illumination specifications for the message board and the default mechanism is functional. The owner of the sign shall also certify knowledge of the requirements of this ordinance.
8. Signs serving multiple business uses on one parcel may be permitted provided:
- a. They are limited to one freestanding sign per parcel;
  - b. They are no higher than eight (8) feet above the finished grade of the abutting edge of the sidewalk;
  - c. In addition, fuel service stations may attach, on or immediately above each fuel pump, one sign, not more than one and one-half (1.5) square feet; and
  - d. Drive-in and drive-through eating and drinking establishments may locate vehicle-oriented menu signs behind the front building line.
  - e. A changeable letter area of up to twenty-four (24) square feet may be included within the maximum allowable area and the leading edge shall be no higher than seventy (70) percent of the height of the sign as measured from the base of the sign and below the main identifier on the sign. Electronic message boards may be used in lieu of the changeable letter area provided:
    - 1) The sign shall be of a solid base design and conform to the ordinance regarding size and location.
    - 2) If more than one sign is located on the parcel there shall be a physical separation of at least two hundred fifty (250) feet as measured along property lines.
    - 3) The leading of the sign shall be a minimum of one hundred (100) feet from any R-20, R-12, RM-1 or RM-2 zoning district.
    - 4) Reader Board Sections of such signs shall be subject to the following conditions:
    - 5) Shall not contain or display flashing, intermittent or moving lights nor shall there be any scrolling, animation or pulsation

of any lights, script for any other symbols.

- 6) Each message displayed shall remain fixed for a minimum of thirty (30) seconds.
  - 7) Illumination for such signs shall not exceed 0.3 foot candles over ambient lighting conditions.
  - 8) The sign shall have an automatic dimmer control incorporating a photo cell mechanism to produce a distinct illumination change from a higher illumination level to a lower level for a time period between one half hour before sunset and one half hour after sunrise.
  - 9) The sign shall have a default mechanism that with either stop the sign in one position, or turn off the sign should a malfunction occur.
  - 10) The sign company responsible for installation of the sign shall certify the illumination specifications for the message board and the default mechanism is functional. The owner of the sign shall also certify knowledge of the requirements of this ordinance.
9. For multiple business uses on one or more parcels of at least twenty-five (25) acres developed as a unified park or development within the RIL District with a designated entrance(s) to the development that serves all business, signs shall be permitted subject to the following:
- a. Signs shall be limited to one (1) freestanding sign at each entrance within the unified park or development;
  - b. Signs shall be no higher than eight (8) feet above the finished grade of the abutting edge of the sidewalk for properties with less than five (5) business spaces and no higher than twelve (12) feet for properties with six (6) or more business spaces;
  - c. A changeable letter area of up to twenty-four (24) square feet may be included within the maximum allowable area and the leading edge shall be no higher than seventy (70) percent of the height of the sign as measured from the base of the sign and below the main identifier on the sign. Electronic message boards may be used in lieu of the changeable letter area provided:
    - 1) The sign shall be of a solid base design and conform to the ordinance regarding size and location.

- 2) If more than one sign is located on the parcel there shall be a physical separation of at least two hundred fifty (250) feet as measured along property lines.
  - 3) The leading of the sign shall be a minimum of one hundred (100) feet from any R-20, R-12, RM-1 or RM-2 zoning district.
  - 4) Reader Board Sections of such signs shall be subject to the following conditions:
    - 5) Shall not contain or display flashing, intermittent or moving lights nor shall there be any scrolling, animation or pulsation of any lights, script or any other symbols.
    - 6) Each message displayed shall remain fixed for a minimum of thirty (30) seconds.
    - 7) Illumination for such signs shall not exceed 0.3 foot candles over ambient lighting conditions.
    - 8) The sign shall have an automatic dimmer control incorporating a photo cell mechanism to produce a distinct illumination change from a higher illumination level to a lower level for a time period between one half (1/2) hour before sunset and one half (1/2) hour after sunrise.
    - 9) The sign shall have a default mechanism that with either stop the sign in one position, or turn off the sign should a malfunction occur.
    - 10) The sign company responsible for installation of the sign shall certify the illumination specifications for the message board and the default mechanism is functional. The owner of the sign shall also certify knowledge of the requirements of this ordinance.
10. Banner(s) for a special event or sale, directly associated with the business located on premises, provided that the following conditions are met:
- a. Maximum size: thirty (30) square feet;
  - b. Material: vinyl, nylon, canvas, or cloth;
  - c. One (1) banner per building per street frontage;
  - d. Banners permitted under this section may not coincide with banners permitted elsewhere in this section;

- e. Banners shall be durable, of professional appearance and constructed in such a manner as to not create any safety issue;
  - f. Banners shall be securely attached on wall of a building where the business is located;
  - g. Banners may not be located on roof of building or attached to landscaping or poles;
  - h. A permit label issued by the zoning administrator, including the expiration date shall be attached to each banner on display'
  - i. Banner may be displayed for up to two periods per year, not to exceed a total of fifteen (15) calendar days per year.
  - j. A separate permit is required for each period a special event banner is displayed.
  - k. Banners shall be non-illumination; and
  - l. The special event banner applicant shall be responsible for the removal of the banner upon expiration of the time limit.
11. Grand opening sign(s) calling attention to a new business on the premises where the business is located shall be permitted subject to the following:
- a. Signs may be displayed for a period not exceeding seven (7) consecutive days within thirty (30) days of the issuance of a business license;
  - b. Signs must be of a durable material; and
  - c. Signs must be permitted through the planning and codes administration prior to installation.
12. Where permanent signage has not been erected for a new business, temporary signs, professional in appearance, are allowed by a staff-approved temporary sign permit only after a permanent sign permit has been approved subject to the following conditions:
- a. Temporary sign shall not be displayed for more than sixty (60) days after the permit is approved
  - b. Business identification banner may be used as a temporary sign if securely attached to front of the building or previously approved freestanding sign structure;
  - c. Such sign shall comply with applicable district requirements,

including, but not limited to, dimensions and number of signs

- d. Sign must identify a licensed business; and
- e. Temporary signs permitted by this section are exempt from review by the board of architectural review.

### **Sec. 19-437. Sign Program for AR Architectural Review Overlay Districts**

In architectural review (AR) districts, a coordinated plan for signage for an individual building or a group of buildings is required for any new building or group of buildings that contain multiple businesses or for new public uses with more than two signs.

### **Sec. 19-7438. Nonconforming Signs**

- A. The lawful use of any permanently mounted sign existing at the time of the enactment of this chapter may be continued, with the exception of signs or conditions noted in subsection 19-639(A).
- B. A nonconforming sign shall not be moved, enlarged, or replaced, except to bring the sign into complete conformity with this division.

### **Sec. 19-439. Conformity or Removal of Signs**

- A. Under the following conditions, nonconforming signs for single business uses shall be removed or brought into conformity within thirty (30) days after written notice by the zoning administrator if:
  - 1. There is a change in use of the property, or the business is discontinued;
  - 2. There is a change in business name;
  - 3. There is a change in the principal product or service advertised;
  - 4. The sign is abandoned for three months;
  - 5. The sign is declared unsafe by the city building official;
  - 6. The zoning administrator determines that the sign is deteriorated or damaged to the extent of fifty (50) percent of the reproduction cost;
  - 7. The sign is prohibited by Section 19-432; or
  - 8. There is a change that requires a new sign permit and/or certificate of approval.

- B. Under the following conditions, nonconforming freestanding signs for multiple business uses shall be removed or brought into conformity within thirty (30) days after written notice by the zoning administrator if:
1. The project identification name is changed;
  2. The sign is abandoned for three months;
  3. The sign is declared unsafe by the city building official;
  4. The zoning administrator determines that the sign is deteriorated or damaged to the extent of fifty (50) percent of the reproduction cost;
  5. The sign is prohibited by Section 19-632, except for Subsection 19-632 A.;
  6. There is an enlargement of any existing sign faces within the sign assembly.
- C. No new sign for a business shall be approved until all nonconforming signs pertaining to that business are removed or modified to comply with all regulations prescribed in this division.
- D. Temporary signs shall be removed within three (3) days following completion of the event or project for which displayed.

**Section 19-440. Reserved.**