

7.8. General Regulations

A. Additional Regulations by Type of *Sign*.

1. *Freestanding Signs*.

a. Landscaping of *Freestanding Signs*.

All *Freestanding Signs* shall be provided with a landscaped area at least equal to the *Sign Surface Area* of the *Sign* and be provided with at least 6 (six) evergreen shrubs of any height.

Landscaping may include any size or variety of annuals, perennials, ornamental grasses, *Hedge Plants*, or trees.

Plant materials used to satisfy this provision shall not be used to satisfy the calculation of *Plant Unit Value* required by any other provision of this Ordinance.

b. *On-Premise Freestanding Signs* (with exception of *Temporary Ground Signs*) as *Accessory Structures*.

On-Premise Freestanding Signs and *Sign Structures* are hereby declared to be *Accessory Structures*. As *Accessory Structures*, *On-Premise Freestanding Signs* and *Sign Structures* may not occupy a *Lot* without a *Primary Use* or *Primary Building* also being legally located on the *Lot*.

c. Removal of *On-Premise Freestanding Signs*.

Notwithstanding anything contained in Article IX to the contrary, *On-Premise Freestanding Signs*, including *Business Identification Signs* and *Incidental Signs*, and *Sign Structures*, shall be subject to the following removal provisions:

- i. When the *Building*, or any business, product, activity or service offered on the premise but not located in a *Building*, is removed, any *On-Premise Freestanding Sign* and *Sign Structure* located on the *Lot* to identify such *Building*, business, product, activity or service shall also be removed coincidentally with the removal of such *Building*, business, product, activity or service. Any new *On-Premise Freestanding Sign* or *Sign Structure* located after such coincident removal, shall be located in compliance with the provisions of this Ordinance.
- ii. When a *Legally Established Nonconforming Building*, or any business, product, activity or service offered on the premise but not located in a *Legally Established Nonconforming Building*, suffers a partial destruction in excess of two-thirds (2/3) of its the Fair Market Value (including the Fair Market Value of any *Sign* and *Sign Structure*) and such *Legally Established Nonconforming Building*, business, product, activity or service must be removed and brought into compliance with the terms of this Ordinance, any *On-Premise Freestanding Sign* or *Sign Structure* located on the *Lot* shall also be brought into compliance with the terms of this Ordinance.

2. *Pole Signs*.

If any support, upright, bracing or framework located between *Grade* and ten (10) feet above *Grade* is proposed to support a *Pole Sign* and has a width or diameter in excess of ten (10) inches in any dimension, said support, upright, bracing or framework shall be encased in an ornamental shell of stone, brick, ornamental metal or similar materials, or shall be constructed of an external support *Structure* including stone, brick, ornamental metal or similar materials, provided that the width of the ornamental shell or external support *Structure* does not exceed twenty-four (24) inches and the maximum number of supports, uprights, bracing or framework extending between *Grade* and ten (10) feet above *Grade* shall not exceed two (2).

3. *Illuminated Signs*.

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- a. No *Sign* within six hundred (600) feet of any residential *District* shall be illuminated between the hours of midnight and 6:00 a.m. unless the *Sign* is visibly obstructed from the residential *District*.
 - b. Lighting directed towards a *Sign* shall be shielded so that it illuminates only the *Sign Surface* and does not shine on, cause glare to or otherwise impair the vision of the driver of any motor vehicle traveling on a *Public Right-of-Way*.
 - c. Article 7.8, B., 3, a. and b. do not apply to *Signs* that do not exceed two (2) square feet in area.
4. *Awning Signs, Canopy Signs, and Marquee Signs.*

In any *District* in which *Building Identification Signs* are permitted in the form of *Wall Signs*, the use of an *Awning Signs, Canopy Signs, or Marquee Signs* shall be allowed subject to the following provisions:

- a. **Total Area** – The total area of the *Awning, Canopy, or Marquee* (i.e., the combined two dimensional surface area of all sides of the *Awning, Canopy or Marquee*) shall not exceed the *Sign Surface Area* allocated to the facade of the *Building* upon which the *Awning, Canopy or Marquee* is attached.

Sign Surface – The portion of the *Awning, Canopy or Marquee* which includes a *Sign Surface* shall not exceed fifty (50) percent of the total area of an *Awning or Canopy* or seventy-five (75) percent of the total area of a *Marquee*.

- b. **Clearance to Grade.**
 - i. The bottom edge of an *Awning or Canopy* shall not be less than eight (8) feet above *Grade* over a *Walkway or sidewalk* for any portion of a rigid framing and shall not be less than seven (7) feet above *Grade* over a *walkway or sidewalk* for any portion of a flexible cloth, vinyl, canvas or similar skirt, valence, or flaps which may be suspended below the rigid framing a maximum of one (1) foot;
 - ii. The bottom edge of a *Marquee* shall not be less than nine (9) feet above *Grade* over a *walkway or sidewalk*; or,
 - iii. An *Awning, Canopy or Marquee* shall not be less than fifteen (15) feet above *Grade* over a *Driveway, Interior Access Drive or Alley*.

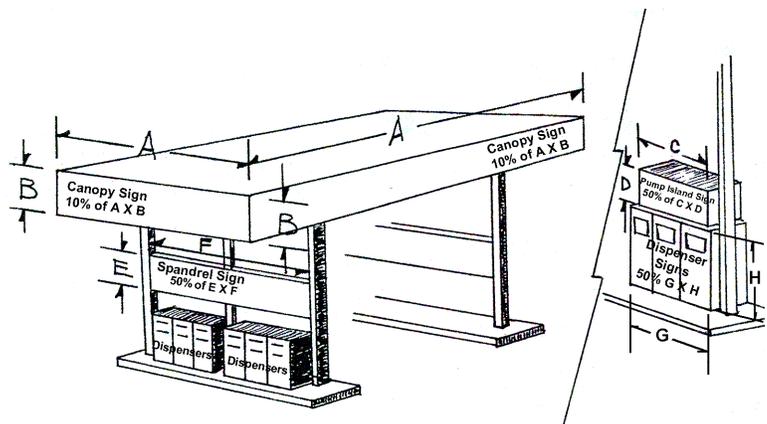
c. **Projection from Building**

An *Awning, Canopy or Marquee* shall not extend more than eight (8) feet from or beyond its supporting *Building* and shall not extend any closer to an imaginary perpendicular vertical plane located at the *Street* pavement line, curb or outside edge of sidewalk than three (3) feet.

An *Awning, Canopy or Marquee* is in compliance with the above regulations and may project into the air rights of a *Public Right-of-Way* if approval for such encroachment into the air rights of a *Public Right-of-Way* is obtained from the governmental authority having jurisdiction over the *Public Right- o-f Way* prior to the placement of the *Awning, Canopy or Marquee*.

5. *Gasoline Service Station Signs.*

- a. If a *Freestanding Business Identification Sign* is permitted at a *Gasoline Service Station*, such *Sign*



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may contain pricing information.

- b. *Business Identification Signs* may be located on a gasoline island *Canopy*, *Spandrel*, dispenser or pump islands, provided that such *Signs* do not exceed ten (10) percent of the surface area of the facade of the *Canopy* on which the *Sign* is located or fifty (50) percent of the *Spandrel*, dispenser or pump island upon which the *Sign* is located.

However, *Business Identification Signs* cannot be located on both a *Spandrel* and a pump island. *Business Identification Signs* must be located on either a spandrel and a pump island.

6. **Changeable Copy Signs.**

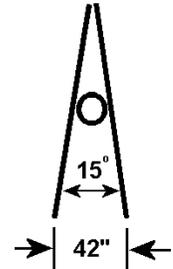
Changeable Copy Signs shall be permitted as part of an otherwise permitted *Sign*, provided that:

- a. At a *Single Use Site*, a maximum of one (1) *Changeable Copy Sign* shall be permitted which may be part of either a *Freestanding Sign* or a *Wall Sign*.
- b. At an *Integrated Center*, either one (1) *Changeable Copy Sign* shall be permitted as part of a *Freestanding Sign*, or each individual use within an *Integrated Center* shall be permitted one (1) *Changeable Copy Sign* as part of a *Wall Sign*.
- c. At a *Gasoline Service Station* or *Convenience Store*, up to two (2) *Signs* shall be permitted as individual *Changeable Copy Signs*.
- d. A *Changeable Copy Sign* may be used as part of either a *Freestanding Sign* or as part of a *Wall Sign*, but not both.

In the case of *Signs* at a *Gasoline Service Station* or *Convenience Store*, a *Changeable Copy Sign* is not required to be part of an *Identification Sign*.

- e. The *Changeable Copy Sign* shall not exceed forty (40) percent of the *Sign Surface Area* of the permitted *Sign*.

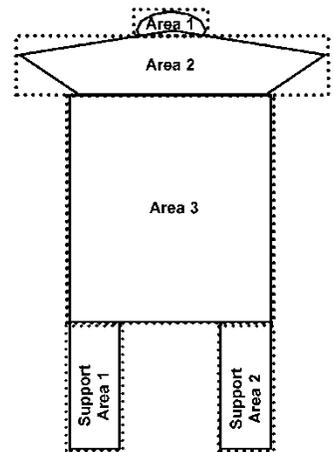
In the case of *Signs* at a *Gasoline Service Station* the *Changeable Copy Sign* shall not exceed forty (40) percent of the allowed *Sign Surface Area* as designated in Article 7.4 A., 3., Article 7.4 C., 3., or Article 7.4 D., 3. If located on a gasoline island *Canopy*, the *Changeable Copy Sign* may be the only *Sign* which is limited in size in Article 7.8 A., 5, b.



B. **Calculation of Sign Surface Area.**

1. **Multi-Faced Signs.**

The *Sign Surface Area* for a *Sign* with more than one (1) face shall be computed by adding together the *Sign Surface Area* of all *Sign* faces visible from any one point. When two (2) *Sign* faces are placed back to back, or at no greater than fifteen (15) degrees from one another, so that both faces cannot be viewed from any point at the same time, and when such *Sign* faces are part of the same *Sign Structure* and are not more than forty-two (42) inches apart, the *Sign Surface Area* shall be computed by the measurement of one (1) of the *Sign* faces.



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2. Pole Cover in Excess of Twenty-Four (24) Inches.

In the case of a *Freestanding Sign* with an ornamental shell or external support *Structure* in excess of twenty-four (24) inches, the ornamental shell or external support *Structure* shall be considered to be the background of the display used to differentiate the *Sign* from the backdrop and the area of ornamental shell or external support *Structure* shall be included in the calculation of *Sign Surface Area*.

3. *Sign Surface Area Determinations.*

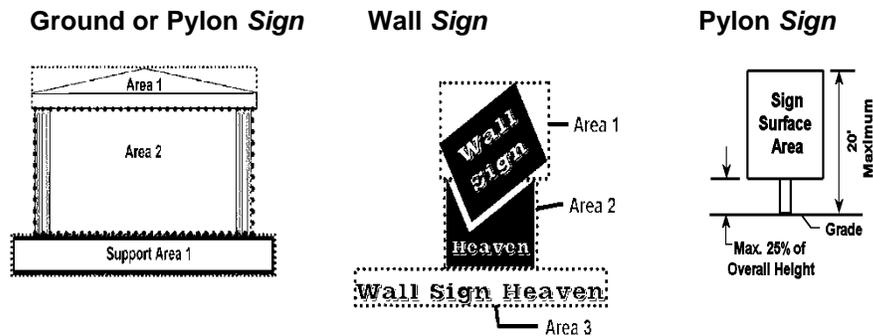
a. When calculating the *Sign Surface Area* of any *Sign*, in addition to the provisions identified in Articles 7.8, A., 1 and 2 above, a maximum of three (3) distinct and abutting “Areas” made up of circles, ovals, squares or rectangles may be used to encompass the extreme limits of the writing, representation, emblem, or other display, 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.

b. In the case of a *Freestanding Sign* with a base or pole cover in excess of twenty-four (24) inches in width, a maximum of two (2) “Support Areas” shall be permitted which shall not be included in the count of the maximum number of “Areas”. If three (3) or more “Support Areas” are used, regardless of width, such additional “Support Areas” shall be included in the count of the maximum number of “Areas.” Any such additional “Support Areas” or “Support Areas” in excess of twenty-four (24) inches in width shall be included in the overall calculation of *Sign Surface Area*.

c. In the case of a *Ground Sign* or *Pylon Sign*, an ornamental or decorative base of brick, stone or other similar material which is not in excess of two (2) feet in height above *Grade* or one-half the overall height of the *Ground Sign* or *Pylon Sign*, whichever is less, shall not be included in the overall calculation of *Sign Surface Area*, provided that no lettering, logo, text or other display of any kind shall be allowed on such base (except for a *Street* number placed in compliance with Fire Code requirements).

4. *Pylon Signs.*

Pylon Signs shall be designed so that the *Sign Surface Area* begins at a point no higher above *Grade* than twenty-five (25) percent of the overall height of the *Sign*.



5. *Ground Sign and Pylon Sign Exceptions.*

In order to encourage creativity in the design of *Ground Signs* and *Pylon Signs* which are harmonious with the built environment and the *Primary Buildings* on a *Lot*, a *Ground Sign* or *Pylon Sign* which complies with the following exceptions may be approved by the *Director*:



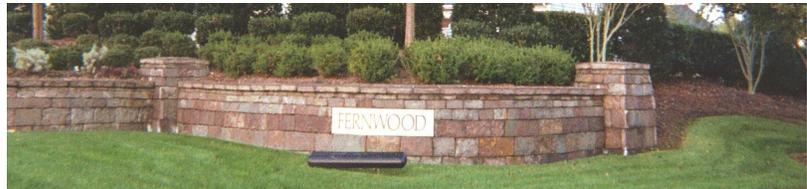
- a. The overall maximum *Sign Surface Area* of a *Ground Sign* or *Pylon Sign* with a permitted maximum *Sign Surface Area* of up to one-hundred and forty (140) square feet may be increased by twenty-five (25) percent beyond the maximum *Sign Surface Area* permitted on the *Lot*.
- b. The actual logo, text or message portion of the *Ground Sign* or *Pylon Sign* increased in size pursuant to paragraph (1) above, shall not exceed seventy-five (75) percent of the maximum *Sign Surface Area* permitted on the *Lot*.
- c. The primary material of the *Ground Sign* or *Pylon Sign* shall be brick or stone. Along a *Gateway Corridor* or within six hundred (600) feet of a residential *District*, other materials may be approved by the *Plan Commission* when requested as a waiver of this provision and such waiver request is filed as part of a *Development Plan* for Architectural and Site Design Review;
- d. The design of the *Ground Sign* or *Pylon Sign* shall be “free form” and designed to blend with the environment rather than a design which utilizes individual or multiple squares or rectangles.



- 6. *Signs* on Ornamental, Decorative Fence or Masonry Wall for Residential *Subdivisions*.
The *Sign Surface Area* of a *Sign* face located on an ornamental, decorative fence or masonry wall shall be limited to the area of the *Sign* face only if the fence or wall has a length of not less than three (3) times the width of the *Sign* or message element. If a fence or wall is less than three (3) times the width of the *Sign* or message element, the fence or wall shall be deemed to be part of the background of the display used to differentiate the *Sign* from the backdrop and the entire area of the fence or wall shall be considered part of the *Sign Surface Area*.

- 7. Architectural Embellishments Exception for *Freestanding Signs*.
Architectural embellishments which simply add to the design of a *Freestanding Sign* but which do not contain any logos, text or other form of message, may be added to an otherwise permitted *Freestanding Sign* provided they comply with the following regulations:

- a. *Ground Signs* – Architectural embellishments on *Ground Signs* shall not extend more than twelve (12) inches above or twenty-four (24)



Ornamental, Decorative Fence or Masonry Wall Greater Than Three Times Length of Sign

- inches in width to either side beyond the highest or widest point of any portion of a logo, text or other form of message.
- b. *Pylon Signs* – Architectural embellishments on *Pylon Signs* shall not extend more than twenty-four (24) inches in height above or twenty-four (24) inches in width to either side beyond the highest or widest point of any portion of a logo, text or other form of message.
- c. *Pole Signs* – Architectural embellishments on *Pole Signs* shall not extend more than thirty-six (36) inches in height above or twenty-four (24) inches in width to either side beyond the highest or widest point of any portion of a logo, text or other form of message.

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For the purposes of interpreting and applying this Architectural Embellishments Exception to *Freestanding Signs*, a base or pole cover of up to twenty-four (24) inches in width shall be considered an Architectural Embellishment.

C. Maintenance of *Signs* and Areas Around *Signs*.

1. Maintenance of *Signs*

Nothing contained in this Ordinance shall be construed to prevent the maintenance, repainting or posting of legally established *Signs*. Maintenance may include the replacement of *Sign Surfaces* within a *Sign Structure* provided that the *Sign Structure* is not removed or changed in any dimension.

2. Maintenance of Areas around *Signs*.

No person, for the purpose of increasing or enhancing the visibility of any *Sign*, shall damage, trim, destroy, or remove any tree, shrub or other vegetation located:

- a. Within any *Public Right-of-Way* unless the work is done pursuant to the express written authorization of the governmental department having jurisdiction over said *Public Right-of-Way*;
- b. On property that is not under ownership or control of the person doing or responsible for such work unless the work is done pursuant to the express, written authorization of the person owning the property where such trees or shrubs are located; or,
- c. In any area where such trees or shrubs are required to remain under a permit issued under this Ordinance.

D. Substitution.

Any *Sign* permitted under the *Sign Regulations* may be substituted with non-commercial copy provided that the *Sign* otherwise remains in compliance with the *Sign Regulations*.

E. Severability

The sections, paragraphs, sentences, clauses, and phrases of the *Sign Regulations* are severable and, if any such section, paragraph, sentence, clause, or phrase is declared unconstitutional or otherwise invalid by any court of competent jurisdiction in a valid judgment or decree, such unconstitutionality or invalidity shall not affect any remaining sections, paragraphs, sentences, clauses or phrases of the *Sign Regulations* because the same would have been enacted without the incorporation into the *Sign Regulations* of such unconstitutional or invalid section, paragraph, sentence, clause, or phrase.