

CHAPTER 13. SIGNS
(As Last Amended by Ordinance No. 4571, June 4, 2018)

ARTICLE I. IN GENERAL

Sec. 13-1. Definitions.

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

Awning sign means a permanent sign that is directly applied, screened or painted onto an awning and includes attachments that only extend above the front edge of an awning.

Bandit Sign means any sign, generally of a temporary nature, made of any material, when such sign is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, fences, property or other objects not owned and maintained by the owner of the sign.

Banner sign means a temporary sign hung on the exterior of a building, either with or without a frame, and possessing characters, letters, illustrations or ornamentations applied to paper, plastic or fabric of any kind; ~~excluding flags of political, professional, religious, education or corporate organizations.~~

Bay banner sign means a type of window sign constructed similarly to a banner and hung inside the building within 10 feet of a bay door through which vehicles enter the building for service.

Billboard sign means a sign adjacent to freeways and used for the purpose of off-premises advertising and conveyance of messages, utilizing a monopole sign structure.

Blade sign means a small pedestrian-oriented sign that projects perpendicular from a structure.

Board of Adjustment means the quasi-judicial board composed of members appointed by the City Council to hear and rule upon variances requested to this Chapter.

~~*Builder's directional sign* means a sign providing direction or instruction to guide person to sites where new homes are under construction.~~

Building Official means the officer or other persons with the City charged with the administration and enforcement of this Chapter.

Canopy display means a variant of a wall sign that is attached to the vertical face

of a hard canopy, roof or other covering of a free-standing structure, unenclosed on all sides, that shelters persons using and equipment incidental to a permitted outdoor service activity.

~~*Development sign* means a sign announcing or describing a legally approved subdivision.~~

Director means the Director of Planning and Development Services.

~~*District Gateway* means an area with boundaries prescribed by ordinance, which serves as a recognized entrance to an overlay, form-based or special use district.~~

Electronic video screen means a sign or portion of a sign that displays an electronic video which may or may not include text, including television screens, plasma screens, digital screens, flat screens, LED screens, tri-vision technology, video boards and holographic displays.

Electronic message center means a sign or portion of a sign that uses LED technology to form a sign message or messages in text form, with or without fixed images, wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes.

Erect means to build, construct, attach, hang, place, suspend or affix, and shall also include the painting of signs on the interior or exterior surface of a building or structure.

~~*Event sign* means a temporary sign erected by the City on public property notifying the public of a City-sponsored event, which may include an incidental acknowledgement of corporate sponsorship.~~

Extraterritorial jurisdiction means the unincorporated area that is contiguous to and located within five miles of the corporate boundaries of the City.

Freestanding Permanent on premise sign means a freeway oriented monument sign, gateway sign, ~~low clearance monument sign,~~ monument sign, or pole sign.

Freeway-oriented monument sign means a variant of a monument sign that is used exclusively within certain high-speed roadway corridors.

Gateway sign means an obelisk, stele, pylon, pillar, column or similar form of monummentation used to demarcate the boundaries of the City or a designated district.

Gross surface area means the entire area within a single continuous perimeter composed of a single rectangle enclosing the extreme limits of characters, lettering, illustrations, ornamentations or other figures, together with any material or color forming an integral part of the display or to differentiate the sign from the background to which it is placed. Structural supports bearing no sign copy shall not be included in gross surface

area; however, if any portion of the required structural supports become enclosed for decorative or architectural purposes, that portion will be included in the total gross surface area of the sign.

Illuminated sign means a sign in which an artificial source of light is used in connection with the display of such sign.

Inflatable sign means an air-filled device anchored or tethered to a building or the ground on a temporary basis.

~~*Low-clearance monument sign* means a variant of a monument sign that is supported by two short masonry columns or poles encased in masonry and which has a vertical clearance between the columns or poles of less than six feet from the bottom of the sign face to the adjacent grade.~~

Menu board means a sign erected in conjunction with a use that incorporates a drive-thru for patrons who remain in a vehicle or a walk-up window for pedestrian patrons who order food while standing on a sidewalk.

Monument sign means a freestanding sign constructed on a base that appears to rest flush with the adjacent grade and where the width of the sign structure does not exceed 120 percent of the width of the base.

Movable sign means a sign that is not permanently affixed to the ground, a building or other stationary structure but that is mounted on a support structure, which may be moved from place to place, including but not limited to swooper flags and teardrops.

Moving sign means a sign which revolves, rotates, swings, undulates or otherwise attracts attention through the impression of movement, including automatic electronically controlled copy changes, but not including flags, banners, ~~or~~ pennants or electronic message centers.

~~*Neighborhood designation sign* means a sign used only by the City to display the name and/or the logo or symbol announcing the name of a neighborhood, district or other recognized identifiable community area.~~

Noncommercial sign means any sign other than a sign relating to a service or business, or the sale of merchandise, or other activity for private benefit or gain. Noncommercial signs are deemed to be on-premise signs and are permitted wherever signs are otherwise permitted in accordance with and strictly subject to the objective criteria set forth in this Chapter.

Off-premise sign means a sign identifying a business, profession, product, service, or facility available at a location other than the premises where the sign is located.

On-premise sign means a sign identifying or advertising a business, person,

activity, product or organization available on the premises where the sign is located or a sign located on property on which the City Council may grant a variance pursuant to the provisions and criteria set forth in this Chapter in which case the sign may advertise or identify any business, person, activity, product or organization located and/or available in the designated area qualifying for such variance as described in the variance criteria.

On-site instructional sign means a sign that does not contain advertising and is limited to providing directions necessary or convenient for visitors or clients coming on to premises including signs marking entrances and exits, parking areas, loading zones or circulation directions.

Pennant means wind devices less than one square foot in size, usually triangular in shape and attached to a single cord.

Pole sign means a sign mounted on one or two freestanding poles and having no other support to the ground or to any structure other than the poles.

Political sign means a sign that contains primarily a political message and that is located on private real property with the consent of the property owner~~designed to attract attention or support for a particular candidate, political party, person or issue.~~

Portable sign means a sign that is designed to be easily transportable by trailer or on its own wheels and is designed to be displayed while mounted or affixed to the trailer or wheels by which it is transported or may be removed and temporarily attached to the ground.

Pre-order board means a sign used in conjunction with an approved drive-thru menu board.

Projecting sign means a sign, which is affixed to a building or wall and extends beyond the line of such building, wall or beyond the surface of that portion of the building or wall to which it is affixed by more than 16 inches.

~~*Real estate sign* means a sign, which is used to offer for sale, lease or rent the premises upon which such sign is placed.~~

Roof sign means a sign that is mounted on the roof of a building and which projects above the highest point of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.

Sign walker, also referred to as a sign twirler, sign holder or human billboard, means a person holding, waving or wearing a sign that directs customers to a business.

Small Profile Sign means a small temporary sign meeting the requirements of Section 13-73 of this Chapter. Small profile signs shall not include bandit signs.

Subdivision entry sign means a sign placed on a decorative structure such as a brick fence and located at entrances to subdivisions.

Swooper flag, also referred to as a feather flag or wind flag, means a temporary, freestanding, vertical sign consisting of a loose polyknit sign face that flutters in the wind from a harpoon-style pole or staff driven into the ground for support, or having a crossbar base suitable for standing or weighting the sign securely on a hard surface.

Teardrop sign, also referred to as a feather sail, means a temporary, freestanding, vertically-tapered sign consisting of a semi-rigid membrane sign face on a wire or metal rod frame and tipped with a ground spike, or having a crossbar base suitable for standing or weighting the sign securely on a hard surface.

Temporary sign means ~~a sign, which may be erected in accordance with the provisions of this Chapter on a temporary basis~~ sign described by this Chapter to be temporary, including banners, vertical banners, inflatable signs, small profile signs, movable signs (swooper flags and tear drop signs) and pennants or any other advertising display constructed of paper, cloth, canvas, plastic sheet, wallboard, plywood or other like materials and that appears to be intended or is determined by the Building Official to be displayed for a limited period of time. Temporary signs shall not include bandit signs.

Use (noun) means the purpose for which premises are occupied by a business, person or activity.

Vehicle, for the purposes of this Chapter, means any automobile, truck, camper, tractor, van, trailer, motorcycle, bicycle or any device capable of being transported and shall be considered a vehicle in both moving and stationary modes irrespective of state of repair or condition.

Vehicular sign means a sign painted on, attached to or upon a vehicle or trailer.

Vertical banner sign means a type of banner sign that is mounted to a light standard in a vertical orientation by a frame at two or more edges, and which is used on-premises or by the City in the public right-of-way of streets within a special district being promoted, an area in connection with an event being commemorated, or in gateways designated by the Director.

Wall sign means a sign attached directly to an exterior wall of a building or dependent upon a building for support.

Window sign means a sign attached to, placed upon or painted on the interior of a window or door of a building, or located inside the building within ten (10) feet of a door or window, which is intended for viewing or oriented to be seen from the exterior of such building by a person with ordinary vision.

Sec. 13-2. Purpose.

The purpose of the sign regulations contained in this Chapter is to:

- (a) -Balance the need to protect the public health, safety and welfare, the visual environment and economic base of the City with the need for adequate identification and communication of services, events and messages;
- (b) Protect the public health, safety and welfare by regulating the quality of materials, construction, erection, location, electrification, lighting, use and maintenance of signs and by insuring that all sign operators are properly qualified;
- (c) Make the city safer by reducing confusion or distractions to motorists and enhancing motorists' ability to see and react; and
- (a)(d) Preserve, protect and enhance aesthetic and economic/property values by establishing sign height, size, light, quantity and movement requirements.

Sec. 13-3. Scope.

The regulations and provisions of this Chapter shall apply within the City and its extraterritorial jurisdiction to the full extent such regulation is permitted by State law.

Sec. 13-4. Board of Adjustment variances.

- (1) *Board of Adjustment.* The Board of Adjustment (the "Board"), pursuant to the authority set forth in the Zoning Ordinance, may grant variances as to the height, size and location of permitted signs, except electronic video screens.
- (2) *Procedure.* A property owner or the owner's authorized representative may file with the Planning and Zoning Division of the City an application for variance to the height, size or location of a permitted sign. Such application shall be made on a form provided by the City. Upon filing of an application the Manager of Planning and Zoning will within 10 business days determine if the application is complete. If incomplete, the application shall be returned to the applicant noting the areas of deficiency. If complete, the application will be set on the next available Board agenda, in accordance with the preset schedule for such meetings, for a public hearing. In no event will the hearing date be more than 45 days from the date the application is deemed complete.
- (3) *Notice.* Notice of the variance hearing shall be by posting on the agenda for the Board in compliance with applicable law.
- (4) *Criteria.* A variance under this subsection may be granted if the variance is not contrary to the public interest, and, due to special conditions, the literal

enforcement of the provisions of this Chapter would result in unnecessary hardship and so that the spirit of this Chapter is observed and substantial justice done. Content may not be considered in granting a variance except as permitted by law.

- (5) *Votes required.* The concurring vote of four members of the Board is necessary to approve a sign variance under this Section.
- (6) *Minutes.* The minutes of the Board shall state the reasons for granting or denying a sign variance.
- (7) *Time limits.* Each determination of the Board granting a variance shall be conditional upon the privileges being utilized within 180 days after the date of the Board's decision. If a permit application is not filed within that time and carried on diligently to completion, the authorization shall become void and the variance granted by the Board shall be deemed to have lapsed.
- (8) *Appeal.* The decision of the Board under this Section shall be final.

Sec. 13-5. City Council variances.

- (1) *City Council authority.* The City Council is hereby given the authority to hear and grant variances to the provisions of this Chapter relating to the utilization of on-premise signs whose composition includes an electronic video screen which may also include variances to the provisions of this Chapter relating to the height, size and design of permitted signs.
- (2) *Procedure.* A property owner or the owner's authorized representative may file with the Director an application for variance to allow the placement of an electronic video screen in a location of a permitted sign. Such application may also include a request for variance relating to the height, size and design of a permitted sign and shall be made on a form provided by the City. Upon filing of an application, the Director will, within 10 business days, determine if the application is complete. If incomplete, the form shall be returned to the applicant noting the areas of deficiency. If complete, the application will be set on the next available City Council agenda, in accordance with the preset schedule for such meetings, for a public hearing. In no event will the hearing date be more than 45 days from the date the application is deemed complete.
- (3) *Notice.* Notice of the variance hearing shall be by posting on the agenda for the City Council in compliance with applicable law.
- (4) *Criteria.* A variance under this subsection may be granted in accordance with the following criteria:

- (a) The location of the proposed sign is on property zoned commercial or industrial whether or not the use is commercial or industrial.
- (b) The property on which the sign is proposed to be located has a structure or structures that contains a minimum of 440,000 square feet under one roof and consists of one use or, where there is more than one use, the uses are similar in nature, or the property is part of a recreation or amusement venue within a designated entertainment district.
- (c) The property on which the sign is proposed to be located must front an interstate highway or a public street that runs parallel to an interstate highway and that is visible from the highway.
- (d) The sign will not interfere with traffic so as to violate Section 13-72(5) of this Chapter.
- (e) The electronic video screen shall be a maximum of 500 square feet.
- (f) An electronic video screen shall not emit an audible sound.
- (g) Content may not be considered except as permitted by law.
- (h) No electronic video screen shall be approved within a two-mile radius of another electronic video screen.

Sec. 13-6. Nonconforming signs.

- (1) The use of a permanent on premise sign existing at the time of the adoption of this Chapter may be continued in nonconformance with the requirements of this Chapter, except that the nonconforming sign shall not be enlarged or increased in height. A nonconforming sign may be repaired to the extent necessary to maintain it in a safe condition and neat and orderly appearance. A nonconforming sign may be altered if neither the area nor the height of the sign is increased.
- (2) A nonconforming on premise sign structure may not be replaced by another nonconforming sign structure except where damage caused by weather or other unintentional occurrence beyond the control of the owner, warrants the sign's repair.
- (3) A nonconforming on-premise sign shall be removed or modified to conform to this Chapter upon the occurrence of both of the following:
 - (a) When the primary structure on the property is demolished; and

- (b) When the business, person or activity that the sign identifies or advertises has ceased to operate for more than one year on the premise on which the sign is located, or, if the premise is leased, two years after the date the most recent tenant ceased to operate on the premises.

Sec 13-7. Exemptions.

- (1) *Signs exempt from the provisions of this Chapter.* The provisions of this Chapter, except those regulations relating to safety, shall not apply to the following type signs:

- (a) Signs in the interior of premises not defined as window signs.
- (b) Official notices of any court or public office and legal notices posted.
- (c) Any sign required or erected by a municipal, state or federal government for the purpose of public instruction, location or direction, street or highway designation, control of traffic or similar use incidental to a public interest.

~~(d) Event signs erected by the City on public property for a period of time not to exceed thirty (30) days.~~

~~(de)~~ Street number signs not exceeding one square foot.

~~(f) Temporary holiday decorations or temporary seasonal displays.~~

- (2) *Signs exempt from permit and fee provisions.* The following types of signs shall be subject to the provisions of this Chapter, but no permit and no permit fee shall be required:

~~(a) Garage sale signs located on private property.~~ Small Profile Sign

~~(b) Real estate signs advertising the sale or lease of property upon which they are located.~~

(c) Signs not exceeding one square foot.

(d) Political signs ~~regulated under State law.~~

(e) Sign walkers.

(f) Small Profile Signs

(fg) Window signs, including bay banners.

~~(g) Temporary construction signs designating the architect, engineer or contractor and other facts relating to the structure under construction and permitted only as accessory to an approved building permit for the project. Maximum permitted size shall be 100 square feet; maximum permitted height shall be 15 feet. Signs may be erected and maintained for a period not to exceed 60 days prior to the commencement of construction and removed before issuance of a Certificate of Occupancy.~~

(h) ~~Flags, emblems and insignia of the United States and governmental agencies and offices, emblems and insignia of any state or local governmental body limited to a maximum of three (3) per lot.~~

~~(i) Occupational signs, not exceeding two square feet in area, denoting only the name and profession of an occupant.~~

~~(j) Memorial signs or Tablets, names of buildings and date of erection, when cut into any masonry surface of a building facade, or when constructed of bronze or other noncombustible materials.~~

Secs. 13-8 – 13-25. Reserved.

ARTICLE II. REGISTRATION

Sec. 13-26. Required; fee.

(1) Offenses.

a. ~~It shall be unlawful for any person who is not registered by the city as a sSign cContractor to secure sign permits as provided hereinA sign contractor shall register with the Building Inspection Division of the Planning and Development Services Department prior to engaging in such business within the City.~~

b. ~~It shall be unlawful for any person to represent himself or herself as a registered and licensed sign electrician, or to use falsely the words "sign contractor," "master sign electrician," "journeyman sign electrician," either verbally or in writing, unless such person is, in fact, registered and holds a valid license within the meaning of the words used and as provided in this articleNo person shall install, erect or maintain any sign, or contract for such service, or submit a sign permit application for approval unless such person holds a current registration to install, erect and maintain signs.~~

- (2) Method of registration. To register with the city as a sign contractor, application shall be made to the Building Official for a Sign Contractor Professional License along with a registration fee to cover administrative costs. The application shall be on a form provided by the city, and shall, at a minimum, show the contractor's name, local address and telephone number; state license number and such other information as may be reasonably required to properly identify the contractor, along with a current government issued identification and a current State of Texas issued Master Sign Electrician License. The annual fee for registration shall be \$100.00 per year, or any portion thereof, payable on the first of January of each year.

Sec. 13-27. Bond.

~~No registration for the installation, erection and maintenance of signs shall be issued to any person until such person has filed with the City Secretary a surety bond in the sum of \$5,000.00. Such bond shall be approved by the City Attorney and shall be conditioned for the installation and erection of signs in accordance with the ordinances of the City and the laws of the State, and shall provide for the indemnification of the City 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 sign, 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 maker of such bond. Such bond shall further provide for the indemnification of any person, firm or corporation who shall, while upon public property or in any public place, incur damage for which the principal named in the bond is legally liable.~~

Sec. 13-28. Revocation.

The Building Official may revoke the registration of any sign contractor for violating the requirements of this Chapter. Prior to revocation, the Building Official shall give written notice to the sign contractor of the type and location of such violations and afford the contractor not less than fifteen (15) days to correct the same. If the contractor fails or refuses to correct all such violations within the time allowed by the Building Official, the contractor's registration shall be revoked and neither the sign contractor nor anyone operating under the auspices of his or her shop business or control or supervision shall engage in such business within the City or be qualified to submit or maintain an application for a sign permit. Upon correction of the violations, the contractor's registration may be reinstated, ~~provided the contractor furnishes an additional bond in the amount of \$5,000.00 guaranteeing compliance, and that this compliance bond is renewed for two years following the renewal of the registration.~~

Secs. 13-29 – 13-45. Reserved.

ARTICLE III. PERMIT

Sec. 13-46. Required.

No sign shall be erected, relocated, posted, painted or maintained, and no advertising structure shall be erected, relocated or maintained by any person without first having a permit from the City, except as provided in Section 13-7. Electrical signs shall also require electrical permits.

Sec. 13-47. Submission of plans; issuance of permit.

- (1) The applicant for a sign permit shall submit a complete application consisting of the following information:
 - (a) Plans showing the sign location, size, type, height, construction materials, area and such other information as the Building Official shall require; and
 - (b) For freestanding signs and awning sign attachments, the plans shall be prepared by and bear the seal of a registered professional engineer; and
 - (c) The name and contact information of a registered sign contractor and all other contractors who shall perform the work; and
 - (d) If the permit application is filed concurrent with the construction, rehabilitation or redevelopment of a building or site, the anticipated date that the owner or occupant of the premises expects to receive a certificate of occupancy.
- (2) The Building Official shall examine or cause to be examined a complete application for a sign permit within ten (10) days after submittal. ~~If the Building Official is satisfied that the proposed work conforms to the requirements of this Chapter and that the ~~ordinances-regulations~~ prohibiting off-premise signage shall be observed, the Building Official shall issue a permit as soon as practicable.~~

Sec. 13-48. Fee; late fee.

- (1) No permit shall be issued for a permanent sign until a permit fee and application review fee has been paid in accordance with Section 5-20 of Chapter 5. Fees for temporary signs shall be charged and collected according to the specific provisions in ~~of~~ this Chapter for each type of temporary sign. ~~All governmental entities shall be exempt from paying sign permit fees.~~

- (2) When a sign is erected, placed or maintained or work started thereon before obtaining a sign permit, there shall be a late fee equal to twice the amount of the sign permit fee. The late fee does not excuse full compliance with the provisions of this Chapter.

Sec. 13-49. Expiration.

A permit for a sign shall expire if the work is not started within 60 days from issuance nor completed within 120 days after the work is commenced, and a new permit shall be required before beginning or completing the work.

Sec. 13-50. Void permits.

Any permit is void if it is issued in conflict with the provisions of this Chapter.

Sec. 13-51. Sign permits independent of all other approvals.

Permits for the construction, erection or installation of signs are ~~issued~~ independent of all other permits and approvals for the use and occupancy of the premises to which they pertain, and neither the owner nor occupant of the premises is required to obtain a sign permit in order to initiate, continue or complete a project on the premises or receive a certificate ~~of~~ ~~occupancy~~.

Sec. 13-52. Inspections.

The Building Official shall prepare and publish a schedule of required inspections for signs as he deems necessary and proper to ensure compliance with the provisions of this Chapter and other laws and ordinances of the City. ~~The permittee shall not install, erect, cover or construct any part, component or appurtenance of a sign until the permittee has requested an inspection in accordance with such schedule and the Building Official has inspected or caused to be inspected the part, component or appurtenance for compliance with the terms and conditions of the approved sign permit.~~

Sec. 13-53 – 13-~~64~~63. Reserved.

ARTICLE IV. SPECIFICATIONS; STANDARDS; USE

Sec. 13-64. Signs Displaying Noncommercial Messages.

- (1) Notwithstanding any other provision of this code, any sign that may display a commercial message may also display a noncommercial message, either in place of or in addition to the commercial message, so long as the sign complies with other requirements of this article or other ordinances that do

not pertain to the content of the message displayed.

- (2) Notwithstanding any other provision of this code, or other ordinance, any sign that may display one type of noncommercial message may also display any other type of noncommercial message, so long as the sign complies with other requirements of this article or other ordinances that do not pertain to the content of the message displayed.

Sec. 13-65. Number of Signs.

- (1) Permanent Signs. In any non-residential zoning district, one freestanding permanent on-premise sign is allowed per 300 linear feet of street frontage, or portion thereof; except where otherwise regulated by this Code. Multiple freestanding permanent on-premise signs on the same property must be a minimum of 60 feet apart.

- ~~(1)~~(2) Temporary Signs. No business shall have more than one temporary sign on the business premises at any time, except that a business may have two swooper or teardrop signs ~~may be on the property, provided that they are in compliance with Section 13-73(16) of this Chapter~~ and or vertical banners when in compliance with Section 13-73(22) of this Chapter.

Sec. 13-66. Measurement.

- (1) *Measurement of area.* The measurement of sign areas shall be as follows:
- (a) Square or rectangular signs are length times height of sign.
 - (b) Irregular shaped signs are the area of rectangles, triangles or combination thereof necessary to enclose the sign face.
 - (c) Signs composed of individual cutout letters are the sum of the area of rectangles or triangles necessary to enclose all letters.
- (2) *Measurement of distance.* Whenever minimum distance between signs is indicated, this means horizontal distance measured from the points as if each sign touched the ground.

Sec. 13-67. Use of wooden poles.

Wooden pole structures are limited to temporary signs only.

Sec. 13-68. Identification.

Every permanent sign erected after November 7, 1988, shall have painted in a conspicuous place thereon, in letters not less than one inch in height, the date of erection,

the permit number, voltage and name of maker or erector.

Sec. 13-69. Design.

All permanent signs shall be designed and constructed to wind pressures as outlined in the building code of the City, and engineered designs are required by the Building Official to bear the seal of a registered professional engineer.

Sec. 13-70. Maintenance.

All signs and advertising structures shall be maintained in good and safe structural condition, shall be painted on all exterior parts, unless coated or made of rust-resistant material, and shall be maintained in good condition of appearance. If, upon inspection by the Building Official, a sign is not found to conform to the above, written notice shall be given to the owner, giving the owner 30 days to either put the sign in acceptable condition or remove the sign.

Sec. 13-71. Removal of obsolete signs.

All signs relating to a product no longer available for purchase by the public and all signs relating to a business which has been closed for at least six months or has moved away shall be termed obsolete. All advertising copy or sign faces shall be immediately replaced to advertise an available product, or a new business once the premises are reoccupied, and painted wall signs shall be immediately painted over with a color that resembles or matches the wall. If the owner of, person responsible for the sign or the tenant closing the business fails to replace or paint over the sign, the owner of the premises shall be responsible and the work shall be done within 30 days following the date of obsolescence, ~~or the obsolete sign and sign structure shall be removed.~~

Sec. 13-72. Prohibited signs.

- (1) *Signs prohibited by law.* It shall be unlawful for any person to display upon any sign any misrepresentation, illegality or any other matter prohibited by law.
- (2) *Signs obstructing doors, windows or fire escapes.* It shall be unlawful to erect, relocate or maintain a sign, which prevents free ingress to or egress from any door, window or fire escape.
- (3) *Signs attached to standpipe or fire escape.* It shall be unlawful to attach any sign to a standpipe or fire escape.
- (4) *Certain illuminated signs.*
 - (a) No sign shall be illuminated to such intensity or in such a manner as to cause a glare or brightness to a degree that it constitutes a hazard

or nuisance.

- (b) No lighted sign shall be erected within 150 feet of a residential district unless the lighting is shielded from view of the residential district.
- (c) A sign in a residential district, where allowed by this Chapter, shall be illuminated in such a manner so as not to produce intense glare or direct illumination across the bounding property line.
- (d) No electronic video screen shall be erected except by City Council variance pursuant to the criteria set forth in Section 13.3.5.
- (e) No sign may emanate a luminance greater than 0.25 foot candles at the property line of any residential zoning district.

(f) No sign may emanate a luminance greater than 0.3 foot candles at a distance of 100 feet from the sign face.

(g)
For building or window illumination that does not contain a message or logo, refer to section 10.3 of the Community Appearance Manual.

- (5) *Signs interfering with traffic.* It shall be unlawful to erect, relocate or maintain any sign in such a manner as to obstruct free and clear vision at any location whereby, by reason of position, size, movement, shape, color, flashing, manner or intensity of illumination as such sign may interfere with vehicular or pedestrian traffic. – Further, it shall be unlawful to erect or maintain any sign in such a manner as to interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device. Accordingly, no sign shall make use of the words “Stop,” “Go,” “Look,” “Slow,” “Danger” or any other similar word, phrase, symbol or character, or employ any red, yellow, orange, green or other colored lamp or light in such a manner as to cause confusion to or otherwise interfere with vehicular or pedestrian traffic.

- (6) *Vehicular signs.*

- (a) It shall be unlawful to attach any sign to a trailer, skid or similar mobile structure, where the primary use of such structure is to provide a base for such sign or constitute the sign itself. This provision does not restrict the identification signs on vehicles used for bona fide transportation activity.
- (b) Signs attached to or upon any vehicle shall be prohibited where any such vehicle is allowed to remain parked in the same location or in

the same vicinity at frequent or extended periods of time, where the intent is apparent to be one of using the vehicle and signs for purposes of advertising an establishment, service or product. Vehicles operating under a City franchise shall be excluded from this provision.

- (c) Signs placed on or affixed to vehicles and/or trailers which are parked on public right-of-way, public property or private property so as to be visible from a public right-of-way, where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby property, are prohibited.
- (7) *Painting, marking streets, sidewalks, utility poles.* No person shall attach any sign, paper or other material, or paint, stencil or write any name, number (except house numbers) or otherwise mark on any sidewalk, curb, gutter, street, utility pole, public building, fence or structure except as otherwise allowed by this Chapter.
- (8) *Attaching to fences, utility poles, etc.* No person shall paste, stick, tack, nail or otherwise place any placard, printed or written matter or thing upon any fence, fence post, railing, sidewalk, public telephone, electric or other utility pole or any other public property, including trees thereon or knowingly cause or permit the same to be done for his benefit.
- (9) *Signs on or over public property.* No portion of any sign shall be erected on or over public property unless the same is erected by the City or with permission of the City for public purposes.
- (10) *Billboard signs.* It shall be unlawful for any person to own, erect, use, benefit from, maintain or permit any billboard sign with the exception of those billboard signs installed within the City prior to October 17, 1989, or within the City's extraterritorial jurisdiction prior to June 20, 2005, and meeting the guidelines and specifications set forth in this Chapter.
- (11) *Off-premise signs with electronic video screens.* No person shall use an electronic message center or an electronic video screen in conjunction with any off-premise sign, including billboards.
- (12) *Partially constructed signs.* No person or permittee shall cease work once commenced on an open sign permit for more than ten (10) days, with exceptions for inclement weather, nor allow, cause or suffer any sign permit to expire without fully completing the construction, erection and installation of a sign according to the terms, plans and drawings of the approved permit therefor.
- (13) In addition to all other signs prohibited in this Section, the following signs

shall be prohibited:

- (a) *A-frame signs.*
- (b) *Roof signs.*
- (c) *Movable signs, except as expressly permitted in this Chapter.*
- (d) *Portable signs, ~~provided that portable signs with a valid permit on or before October 2, 2007, may continue until such permit expires, after which time the permit shall not be reissued, renewed or extended.~~*
- (e) *Garage sale signs on public property.*
- (f) *Pennants in poorly maintained condition.*
- (g) *Sign walkers on public property or not on the premises of the business to which customers are directed.*
- (h) ~~Off-premise and other signs not expressly permitted in this Chapter or otherwise under law.~~
- (i) ~~Bandit signs. Bandit signs are abandoned trash at the time of posting and may be removed and discarded without notice. The following regulations apply unless in conflict with state law for bandit signs placed on right-of-way of a road or highway in the state highway system, the removal of which is generally regulated by Chapter 393 of the Texas Transportation Code, as amended. Bandit signs shall be deemed both illegal signs and litter and may be treated as such.~~
 - (1) ~~Nuisance/confiscation. Any bandit sign placed in the public right-of-way or public property is hereby declared a nuisance to the public health, safety and welfare and may be confiscated and disposed of immediately without notice.~~
 - (2) ~~No liability for removal. Any citizen removing a bandit sign shall do so at his or her own risk and neither the city nor any public utility exercising control of the right-of-way, pole or fixture shall be liable for damage, loss or injury due to such independent acts.~~
 - (3) ~~Offense for placement. A person commits an offense if the person places a bandit sign in the public right-of-way or on public property. Placement of multiple bandit signs constitutes a separate and distinct violation for each sign.~~

Sec. 13-73. Specifications by type of sign.

(1) *Awning signs.*

- (a) An applied, screened or painted awning sign shall not exceed four (4) feet in height as measured on the slope of the awning nor exceed an area equal to two times the length of the awning side.
- (b) The width of an awning sign shall not exceed seventy-five percent (75%) of the length of the awning side.
- (c) An awning sign attachment shall not be used in conjunction with any other signage that is applied, screened or painted onto the awning. An attachment shall not extend beyond the front edge of the awning. An attachment shall not exceed two (2) feet in height nor exceed forty (40) square feet in area; provided that an attachment may extend up to four feet in height when no other wall signage in text form is used on the same building face.

(2) *Banner signs (temporary).*

- (a) Banner signs are to be used as supplemental signs only. Permanent signs are required prior to issuance of a banner permit, except that new occupants may place a banner sign for a maximum of 75 days while waiting on a permanent sign to be manufactured.
- (b) Banner signs may be displayed a total of four, 30-day periods per year.
- (c) The permit fee for banners will be \$75.00 per display period or any part thereof.
- (d) The number of banner signs allowed is one (1) per business.
 - 1. ~~One sign per business in multi-tenant buildings.~~
 - 2. ~~Two signs for a business located in its own freestanding building.~~
- (e) Banner signs shall have a certificate of flame resistance when placed over combustible materials.
- (f) Banner signs shall not impede the use of doors, windows, exits or interfere with pedestrian traffic on public or private walkways. The bottom edge of a banner shall not be hung between columns or below a soffit or top of an arcade, gallery, portico, colonnade, or

other pedestrian passageway.

(g) Banners shall be secured at all four corners to the building face, hung taut and evenly, and maintained in good condition. Sagging, tattered, torn, dirty or faded banners are not permitted.

(g)(h) Maximum banner size shall be 30 square feet.

(3) *Bay banner signs.*

- (a) Bay banners are limited to one sign per bay.
- (b) The bottom edge of a bay banner shall be at least eight (8) feet above finished floor.
- (c) Each Bay banners are-is subject to the area limitations prescribed for window signs limited to 25 percent of the bay door in which it is placed.
- (d) Bay banners are prohibited on the same street frontage where banners are in use.

(4) *Billboard signs.*

- (a) Billboard signs shall be allowed only at those locations within the City where they were in existence on or before October 17, 1989, and in the extraterritorial jurisdiction ("ETJ") of the City where they were in existence on or before June 20, 2005. No new billboard signs shall be permitted to be constructed or installed within the City or its ETJ.
- (b) Billboard signs may be a maximum of 400 square feet on each face.
- (c) No billboard sign shall exceed 42½ feet in height as measured from the highest point of the sign to the grade level of the highway from which it is to be viewed.
- (d) Billboard signs shall be set back a minimum of five feet from all property lines.
- (e) Billboard signs shall be of all steel pole construction. Design and specifications shall bear the seal of a registered professional engineer.
- (f) Removal of an allowed existing billboard sign structure shall result in the permanent abandonment of the site as an allowed billboard

~~location; provided that nonconforming detached billboards located on or overhanging a parcel of land acquired by a government entity may be relocated subject to the restrictions in this section.~~

- ~~i. Application. The owner of the sign and the governmental entity must sign the application for relocation of the sign. The sign owner must submit the application within one year after the sign is removed from the parcel. The relocation must be completed within one year of the relocation application.~~
- ~~ii. Relocation: All relocated signs must be relocated on the remainder of the tract from which the parcel of land was acquired unless relocating to the remainder is not possible because:~~
 - ~~a. There is no remainder; or~~
 - ~~b. The remainder is not of sufficient size or suitable configuration to allow the relocated sign to be as visible as the original sign from the nearest main traveled thoroughfare.~~
- ~~iii. A relocated sign may not have a greater height or area than it had at its original location.~~
- ~~iv. All relocated signs must comply with the building code in effect at the time of the permit for the relocated sign.~~
- ~~v. A sign may not be relocated until demolition of the sign it is replacing has been completed.~~
- ~~vi. A sign may not be relocated within 500 feet of a historic district or city park.~~
- ~~vii. No new properties such as electrical, mechanical or LED may be added to a relocated sign.~~
- ~~i-viii. All billboard relocations must be along a freeway.~~

~~(f)(g)~~ The copy on the face of a billboard sign may not be changed without first obtaining a permit. The fee for such permit shall be \$100.00.

- (5) *Blade signs.* Blade signs are permitted only within form-based zoning districts in accordance with the specifications thereof.
- (6) ~~*Builder's directional signs (temporary).* To encourage home development in the City, homebuilders may erect temporary off-site directional signs as follows:~~

~~(a) —Weekend directional signs.~~

- ~~1. —Homebuilders desiring to direct traffic to projects under~~

~~construction in the City by use of weekend directional signs must first obtain a permit to do so. It shall be unlawful and an offense to place or permit the placement of a sign without a permit. The cost of that permit shall be \$250.00 per quarter per calendar year.~~

~~2. The regulations for placement of the weekend directional signs will be printed on the permit. Violation of the regulations will result in the following penalties:~~

~~a. Signs found in violation will be collected by the City and kept for redemption for a period of three days. Thereafter, the signs will be destroyed. The fee for redeeming these signs shall be \$5.00 per sign.~~

~~b. Three violations in a 45-day period constitute grounds for revocation of the permit. Any number of violations occurring in one weekend constitutes one violation.~~

~~3. The following regulations apply to weekend directional signs:~~

~~a. The signs may not be illuminated and may be placed on public right of way between the hours of noon on Friday and until noon on the following Monday.~~

~~b. Signs may not exceed five square feet in area and may not exceed 40 inches in height.~~

~~c. The edge of signs shall be placed no closer than three feet from the street curb or edge of the pavement.~~

~~d. Signs for any one homebuilder must be separated by at least 300 feet or one city block, whichever is less.~~

~~e. No sign may be placed closer than 25 feet from an intersection.~~

~~f. Temporary directional signs shall not obstruct the vision of traffic on the roadway and never shall be placed in the median.~~

~~g. Signs may be placed in front of or alongside of any occupied residence only with the prior written permission of the occupant.~~

~~h. Signs may not be dented, faded, punctured or~~

~~unclean.~~

- ~~i. Signs may only direct traffic to projects located within the city limits.~~

~~(b) Thirty two square foot off premise directional signs.~~

- ~~1. The permit fee for off premise directional signs will be \$250.00 per sign, per period of approval. The initial approval period will be for one year. Renewals may be granted in six month increments as long as the homebuilder has lots remaining to be developed.~~
- ~~2. The permit will contain regulations for placement of such signs. Violation of any regulation will constitute a violation of this Chapter and, in addition to other penalties, may result in revocation of the permit.~~
- ~~3. Specifications for such signs are as follows:~~
 - ~~a. Maximum size is 32 square feet.~~
 - ~~b. Maximum height is 10 feet.~~
 - ~~c. A 30 foot separation shall be maintained from all other 32 square foot signs.~~
 - ~~d. Signs may not be illuminated.~~
 - ~~e. Signs shall not obstruct traffic visibility.~~
 - ~~f. If such a sign is located within 660 feet of an interstate highway, it must conform to applicable State law.~~
 - ~~g. Signs may not be erected in excess of a three mile radius of the project to which they are directing traffic.~~
 - ~~h. A homebuilder may place only one sign at a given location. A maximum number of five homebuilders' signs may be placed at a location.~~
 - ~~i. Back to back signs on the same support constitute one sign. V-shaped or L-shaped signs are not allowed.~~
 - ~~j. Signs for any one homebuilder along a straight route must be separated by at least one half mile. A homebuilder may place a sign at less than one half~~

~~mile when the route to a location makes a change of direction.~~

~~k.e. All temporary directional signs shall be removed upon the completion of the sale of 90 percent of the homebuilder's lots. Final inspection for the last dwelling will not be completed until all such signs have been removed.~~

- (7) *Canopy displays.* A canopy display shall have a maximum height of three and one-half feet. The total area of all canopy displays on a canopy face shall not exceed 50 percent of the area of the canopy face, or fifty square feet, whichever is less. The maximum wall sign area for the principal building on the premises shall be reduced by the aggregate area of all canopy displays. A canopy display may include an electronic message center consisting of no more than five numbers or letters or combination thereof which do not change more rapidly than once every 12 hours. Each electronic message center shall constitute a separate sign.

~~(8) *Development signs (temporary).*~~

- ~~(a) A sign announcing or describing a legally approved subdivision may be temporarily erected for each subdivision. An approved subdivision is one that has been accepted by the City for which building permits can be issued. Such signs shall not exceed 25 feet in height or 200 square feet in area. One development sign shall be allowed for each side of the subdivision exposed to arterial or major streets at a location approved by the Building Official. Where there are multiple homebuilders within a subdivision, only one such development sign will be allowed for each homebuilder with 50 or more developable lots in the subdivision.~~
- ~~(b) All development signs shall be removed upon the completion of the sale of 90 percent of the homebuilder's lots or dwellings in the subdivision or, at the homebuilder's option, the homebuilder may post a \$500.00 performance bond with the City insuring that their sign(s) will be removed 30 days after Building Inspection's final inspection of the last dwelling.~~

- (9) *Electronic video screen.* An electronic video screen may be permitted only by City Council variance pursuant to the procedure and criteria set forth in Section 13-5.

- (10) *Electronic message center.*

- (a) An electronic message center with a maximum area of fifty (50) square feet may be permitted as a component of a monument sign,

pole sign, freeway-oriented monument sign, or a gateway sign. An electronic message center shall be included in the calculation of the maximum area for any sign. Except as expressly provided herein, electronic message centers shall not be used as a component of any nonconforming sign.

- (b) Messages displayed shall not change more rapidly than once every five seconds.
- (c) An electronic message center shall be equipped with an auto-dimming sensor. The Building Official shall promulgate and enforce brightness standards that are deemed necessary and proper to prevent excessive illumination in violation of Section 13-72(4).

(11) ~~Garage sale signs (temporary). One sign announcing a garage sale may be displayed on the premises where the garage sale is being conducted. A maximum of six signs giving the location of or direction to a garage sale shall be allowed to be displayed on private property other than the premises where the garage sale is being conducted. In addition, the following restrictions apply to garage sale signs:~~

- ~~(a) Signs must be removed within four hours of completion of the sale.~~
- ~~(b) Placement of signs on overpasses, utility poles, trees, medians, traffic signs or other such public property is expressly prohibited.~~
- ~~(c) The sign may be a maximum size of five square feet and a maximum height of 40 inches.~~
- ~~(d) Signs shall not be placed in such a way as to create a traffic hazard. The edge of signs shall be placed no closer than three feet from the street curb or edge of the pavement.~~
- ~~(e) Signs must be securely anchored and may not be mounted on or placed in vehicles.~~

(12) *Gateway sign.*

- (a) Gateway signs shall be located only on public property or private property zoned as Planned Development – Gateway.
- (b) The obelisk, stele, pylon, pillar, column or other form of monumentation shall be a minimum of eight feet in width and a maximum of 50 feet in height. The Director may approve a reduced width when deemed necessary to scale the sign to the amount of public property available. The sign shall be constructed of granite,

marble, limestone or comparable high quality architectural stone.

- (c) Placemaking logos, symbols and text shall be etched or fabricated into the monumentation or attached separately to the surface without background. The area of the sign face shall not exceed 50 square feet per side and shall not extend outside the edge of the monumentation.

(13) *Inflatable signs (temporary).* Inflatable signs are permitted with the following restrictions:

- (a) A permit must be obtained prior to placement of an inflatable sign. The fee for such permit shall be \$75.00 for each period of placement.
- (b) The sign must be set back a minimum of 10 feet from any property line.
- (c) A permit holder will be allowed to place one sign for three, 10-day periods per calendar year. Periods may not run consecutively.
- (d) Placement of signs on City right-of-way is prohibited.
- (e) Signs and their anchors or attachments shall not be placed in such a way as to create a traffic hazard.
- (f) Signs must be securely anchored.

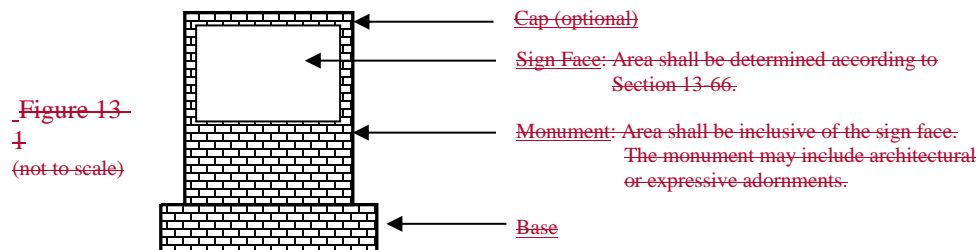
(g) Signs shall be prohibited on roofs.

(14) *Menu boards and Pre-order boards.*

- (a) In addition to any other permitted sign, ~~When~~ a drive-thru facility is permitted by zoning, a use may have a maximum of ~~one-two~~ (+2) pre-order boards and ~~one-two~~ (+2) menu boards.
- (b) Drive-thru menu boards and pre-order boards shall not exceed six (6) feet in height. The maximum area of a menu board shall be fifty (50) square feet, and the maximum area of a pre-order board shall be twenty-four (24) square feet.
- (c) The design, material and finish of drive-thru menu boards and pre-order boards shall match those of the principal structure.
- (d) One (1) walk-up menu board not exceeding six (6) feet in area is allowed for a walk-up facility.

(15) *Monument sign.*

- (a) ~~A monument sign shall consist of a base, a monument, and the sign face, as illustrated in Figure 13-1.~~



- (b) Monument signs are allowed as follows;

1. A sign face may have a maximum area of fifty (50) square feet. The area of the base shall not exceed 50 percent of the area of the monument. The area of the monument shall not exceed two times the area of the sign face.
2. A sign shall not create a traffic visibility hazard.
3. The sign shall have a base. The sign face shall be affixed to, mounted upon, or encased by a monument, ~~with an exterior frame or side margin of not less than six inches.~~ The base and monument (exclusive of architectural or expressive adornments) shall consist of a non-faux veneered unitized masonry using the same material combination and color as the principle façade of the primary structure.
4. A sign may have a maximum height of ten (10) feet, including the base, above the adjacent grade; provided that in residential districts or on a parcel with a primary residential use, a sign may have a maximum height of six feet. Creating a grade by berming or adding fill to increase the height of the sign is prohibited.
5. An irrigated landscaped area consisting primarily of bushes, shrubs and ornamental grasses that is equal to or greater in size than the total surface area of the monument sign shall be installed around the base of the sign.

- (e) The number, ~~size area, or~~ height or appearance of monument signs may be adjusted as follows under the following circumstances:

For parcels with a street frontage greater than 150 feet and occupied by a multi-tenant building exceeding 25,000 square feet, in a Planned Development office/industrial park, or on a street frontage

that abuts the right-of-way of a highway with a legal posted speed limit of 55 m.p.h. or greater one of the monument signs for the parcel may be erected to the following specifications: the area of the sign face may be increased to 100 square feet, and the height of the sign may be increased to 20 feet, including the base, above the adjacent grade. If the sign is greater than 10 feet in height, the width of the monument shall not exceed two-thirds the height of the sign. The area of the base shall not exceed 25 percent of the area of the monument.

(16) *Movable signs (temporary).* No movable sign shall be erected or maintained on any premises except in conformance with the following standards:

- (a) Sign types are limited to swooper flags and teardrop signs.
- (b) Swooper flags and teardrop signs shall have a maximum size of thirty (30) square feet and shall not exceed fifteen (15) feet in height above grade
- (c) Movable signs are prohibited in the public rights-of-way.
- (d) Each business may display a maximum of two (2) movable signs per street frontage, regardless of the size of the premises. Such signs may be displayed only on the days of Friday through Sunday and on official holidays.
- (e) Movable signs are prohibited ~~on-at~~ the same ~~street frontage business~~ where ~~banners are in use~~ any other temporary sign is located.
- (f) A movable sign shall be located a minimum of ten (10) feet from any other movable sign.
- (g) The permit fee for movable signs is \$200 annually per business and shall be subject to renewal on October 1 of each year. Said permit is not transferrable.
- ~~(h)~~ (h)—Movable signs shall be maintained in good condition. Sagging, tattered, torn, dirty or faded signs are not permitted and shall be promptly removed or replaced.
- (i) Movable signs are permitted in the General Retail, Light Commercial, Commercial and Mixed Use zoning districts only.

(17) *On-site instructional signs.* On-site instructional signs are permitted with the following restrictions:

- (a) Size shall be a maximum of four square feet.
- (b) Height shall be a maximum of 10 feet.
- (c) Number and location shall be approved by the Building Official.

(18) *Pennants (temporary).*

- (a) Pennants are permitted only in conjunction with a Special Promotions Permit and shall be used as supplemental signs only. Permanent signs are required prior to issuance of a pennant permit.
- (b) Pennants may be displayed a total of four, 15-day periods per year.
- (c) The permit fee for pennants shall be \$25.00 per display period or any part thereof and shall be paid in addition to any Special Promotions Permit fee.

(19) *Pole Signs.*

- (a) One pole sign per lot shall be permitted on parcels with non-residential zoning.
- (b) Pole signs shall have a maximum height of:
 - 1. Thirty-five (35) feet or twenty-five (25) feet above grade at the nearest point of the nearest highway lane for a sign placed in a lot that abuts the right of way of any of the following freeways: Interstate Highway 20, Interstate Highway 30, Interstate Highway 635 or U.S. Highway 80.
 - 2. Twenty (20) feet at all other locations.
- (c) Maximum area
 - 1. Maximum area shall be 200 square feet for a sign on a lot that abuts the right of way of any of the following freeways: Interstate Highway 20, Interstate Highway 30, Interstate Highway 635, or U.S. Highway 80.
 - 2. Maximum area shall be 60 feet for all other pole signs.
 - 3. If the pole sign is not located on a lot that abuts the right of

way of any of the following freeways: Interstate Highway 20, Interstate Highway 30, Interstate Highway 635 or U.S. Highway 80, the pole shall be encased with a cover which cover shall consist of brick, stone or metal.

- (d) Pole signs shall be setback a minimum of 30 feet from interior side and rear property lines.
 - (e) Pole signs shall be setback from any residential zoning district boundary by a minimum distance equal to the height of the sign.
 - (f) Any visible part of the pole portion of a sign structure and any encasement of a pole shall meet the following requirement:
 - 1. Colors shall be one solid color and limited to earth tones, black or white, or;
 - 2. If the pole is encased with brick or stone, the natural color of the masonry shall be maintained.
- (19) *Political signs (temporary).* Political signs shall be permitted as follows:
- (a) To the extent regulation of political signs is preempted and controlled by Texas Local Government Code Section 216.903, that section applies herein as if fully set forth. To the extent political signs are not subject to such statutory regulation, they shall be regulated as provided herein.
 - (b) Sign shall be located on private property with the permission of the owner.
 - (c) Sign shall not be located in the public right-of-way or on other public property, except on an election day or early voting days at designated early voting locations. Such sign may be located at the polling places within the specified proximity as permitted by State election laws.
 - (d) Sign shall not exceed 36 square feet per side and eight feet in height, except where such sign is erected in place of another sign permitted at the location where it is placed, then it shall be permitted to be the same size and subject to the same conditions as such sign.
- (20) *Projecting signs.* One projecting sign is allowed per building provided it does not extend over public property and meets the following restrictions:
- (a) No part of any projecting sign shall be less than nine feet above the

sidewalk immediately below or extend out to where it is closer than one foot from the back of the street curb.

- (b) The sign shall be hung at an angle of 90 degrees with the face of the building to which it is attached, except when a sign is placed at the corner of a building so as to be seen from both streets meeting at the corner.
- (c) The sign shall measure a maximum length of seven feet from face of the building to the outer edge of the sign.
- (d) The height of the sign shall not exceed the height of the building to which it is attached.

~~(21) *Real estate signs (temporary, on site).* Temporary signs advertising the sale or rental of property shall be permitted as follows:~~

- ~~(a) *Generally.* Except for property described in the following paragraph, signs advertising the sale or rental of property shall be a maximum size of 32 square feet in area. One such sign is permitted on the site of the property being advertised for sale or rent and shall be removed by the agent or owner immediately upon the completion of the sale or rental of the premises.~~
- ~~(b) *Interstate frontage or five-acre site.* Temporary signs advertising the sale of property fronting on interstate highway or property consisting of five or more acres may be a maximum size of 200 square feet. One such sign shall be permitted on the site of the property being advertised for sale and shall be removed by the agent or owner immediately upon the completion of the sale or rental of the premises. Signs allowed under this subsection shall be deemed a privilege of ownership and the right to erect such sign shall be the owner's right rather than a sales agent. Authorization by the owner to an agent to erect a sign shall be dated and signed by the owner.~~

(17) *Small profile signs.* Small profile signs shall be permitted in all zoning districts with the following restrictions:

- (a) Size shall be a maximum of eight (8) square feet.
- (b) Height shall be a maximum of four (4) feet.
- (c) Maximum number shall be of one small profile sign per lot.
- (d) There can be no other freestanding or temporary sign on the parcel except during a period where a property is for sale or lease and meets

one of the following criteria:-

- i. The property is offered for sale or lease by a licensed real estate agent or is listed for sale or lease by owner and is advertised in a newspaper of general circulation. The small profile sign may remain on the property for up to 15 days following the date on which a contract for sale has been executed or-in when all lease spaces are full; or
- ii. The property is an active construction site with a permit from the City of Mesquite. The sign may remain on the property until construction is complete or ceases for a period of more than 15 days.

(22) *Vertical banner signs (temporary).* Vertical banners may be installed on-premises or erected by the City in the public right-of-way, subject to the following restrictions:

- (a) Vertical banner signs shall be mounted only to permanent, working light standards in the approved parking lot of the premises or to standards in the public right-of-way. Vertical banners mounted to any tree or other structure, including but not limited to, buildings, poles, signs, canopies, columns, utility or power poles, cellular towers, guy-wires, signal masts or mast arms, or traffic control devices shall be prohibited.
- (b) The number of on-premise vertical banners is limited to one vertical banner for every two light standards on the premises.
- (c) The maximum area of a vertical banner shall be 20 square feet. Dual banners of equal size mounted to opposite sides of the same light standard and not exceeding a total of 20 square feet shall count as the equivalent of one banner.
- (d) All vertical banners on the premises shall be set at a uniform height. The minimum height above grade to the bottom edge of a vertical banner shall be 10 feet; provided that the minimum height of a vertical banner erected entirely above a raised and landscaped parking lot divider, median or island or other landscape bed may be reduced to nine feet above grade. The outer edge of the vertical banner shall not extend more than the width of the banner plus six inches, but in no case farther than 36 inches, from the face of the light standard.
- (e) Vertical banners shall be constructed of a minimum 13-ounce, heavy duty vinyl material or a material approved by the Building Official

with equivalent characteristics of strength and durability.

- (f) Vertical banners shall be mounted using approved hangers and hardware specifically manufactured or listed for hanging vertical banners from light standards. Banners shall be secured to hangers at the top and bottom edges of the banner, hung taut and evenly, and maintained in good condition. Sagging, tattered, torn, dirty or faded banners, or broken or rusted mounting hangers or hardware shall be promptly removed or replaced. Hangers and hardware shall be removed from a light standard when a vertical banner is not in use.
- (g) Vertical banners may be displayed for a 120-day period. All vertical banners authorized on the premises shall be covered by a single permit and have a common expiration date. Adding new vertical banners while a permit is active shall not extend the display period. No waiting time is required between display periods.
- (h) The permit fee shall be \$100 per display period or any part thereof. An applicant may obtain a permit for three successive display periods (one-year) for \$250.

(23) *Wall signs.* Wall signs are permitted with the following restrictions:

- (a) Sign shall not be larger than 40 square feet or the product of two times the lineal footage of the building or store frontage for which such signs are intended, whichever is greater.
- (b) Sign shall not have a vertical height which exceeds one-third the height of the wall, with a maximum height of 10 feet, nor exceed 75 percent of the width of such building or store frontage.
- (c) Sign shall not extend above the wall to which it is attached, and placement is limited to the exterior wall of the tenant space served.
- (d) If an electronic message center is located on the parcel, the maximum wall sign area, height and width specified in this subsection shall be reduced by twenty-five percent (25%).

~~(e)~~ —The maximum wall sign area shall be reduced by the total area of all awning signs on the same building face.

(e) Businesses in multi-tenant structures that do not have direct pedestrian access to their business location from outdoors shall not have a wall sign.

(f) Multi-tenant buildings that have two or more stories may have one wall

sign per street frontage in addition to any other permitted wall signs.

(g) Wall signs shall only be permitted on building facades that face a public street or above a customer entrance.

(24) *Window signs.* Window signs, including bay banners, are permitted with the following restrictions:

(a) Window signs inside the building that are located greater than five (5) feet but less than ten (10) feet from a door or window shall not cover more than ten (10) percent of the area of any window or door when viewed unobstructed from a point outside the building and directly in front of the window or door.

(b) All window signs, inclusive of window signs located inside the building, shall not cover more than ~~fifty (50)~~twenty-five (25) percent of the area of any window or door when viewed ~~unobstructed~~ from a point outside the building and directly in front of the window or door.

(c) ~~Twenty-five (25)~~Fifty (50) percent visibility shall be maintained for the total window area on the façade of the premises and any side facing a street or sidewalk.

(d) Window signs shall be prohibited on any door or window above the first floor of a building.

Sec. 13-74. Reserved.

Sec. 13-75. Guidelines to sign use within zoning districts.

(1) *Residential Districts R and D (single-family; duplex).*

(a) ~~Builder's directional sign (temporary).~~ One Square foot sign – maximum of two on any property

~~(b) Development sign (temporary).~~

~~(c) Political sign (temporary).~~

(d) Small Profile Sign~~Real estate sign (temporary).~~

(e) *Exception.* Permitted nonresidential uses in this district may have the following signs:

1. Monument, wall, banner sign or vertical banners.
2. Maximum number per ownership is one sign type per street frontage, except vertical banners.

(2) *Residential District A (multi-family).*

(a) *Banner sign (temporary).*

(b) ~~*Development sign (temporary).*~~

Monument sign. One sign per street frontage is permitted.

~~*Political sign (temporary).*~~

~~(e)~~ ~~*Real estate sign (temporary).*~~ *Small Profile Sign*

~~(d)~~ *Wall sign.* One sign per street frontage per ownership is permitted.

(3) *Residential Districts*

A monument sign within a Residential district shall not include an electronic message center unless the parcel abuts an arterial street and the sign is oriented to be viewed from said arterial.

(4) *Nonresidential districts.*

(a) *Banner sign (temporary).*~~;~~

1. ~~One sign per business in multi-tenant buildings is permitted.~~

2. ~~Two signs per business in freestanding buildings are permitted.~~

(b) ~~*Builder's directional sign (temporary).*~~

(c) *Canopy displays.*

(d) ~~*Development sign (temporary).*~~

(e) *Inflatable sign (temporary).* ~~One sign per permit holder for up to three, 10-day periods per year (nonconsecutive) is permitted.~~

(f) *Movable signs (temporary).* ~~Movable signs are permitted, except within the Office, Civic, Industrial and form-based zoning districts.~~

(g) *Monument signs.*

(h) *On-site instructional signs.* ~~Instructional signs are permitted on parking lots.~~

~~(h)~~(i) Pole sign.

(j) ~~Political sign (temporary or permanent).~~

(k) *Projecting signs.* One sign per building may not extend over public property ~~is permitted.~~

(l) *Small Profile Sign*

(m) Vertical banners (temporary).

(n) Wall signs.

(o) Window signs, including bay banners.

(5) *Zoning — Form-based districts.* Notwithstanding any other provision in this Chapter, all signage in form-based districts shall be governed by the regulations of the applicable form-based code. ~~—Provided except,~~ that electronic message centers and electronic video screens are prohibited within all form-based districts and historic districts.

(6) *Planned Development districts.* All signage in planned development districts shall be governed by this Chapter unless otherwise specified the conditions established in the applicable planned development ordinance ~~and in conformance with this Chapter.~~

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