

CITY OF BLANCO

ORDINANCE No.

AMENDMENT TO SIGN REGULATIONS

AN ORDINANCE AMENDING THE BLANCO CODE OF ORDINANCES; MODIFYING REGULATIONS FOR SIGNS AND SIGN STRUCTURES IN THE CITY LIMITS AND ETJ; PROVIDING FOR THE FOLLOWING: RULES; STANDARDS; PROCEDURES; INCLUDING CRIMINAL FINES AND CIVIL PENALTIES, REPEALER AND SEVERABILITY

- WHEREAS**, the City Council of the City of Blanco (“City Council”) seeks to promote the community’s historic aesthetic, and scenic vistas; and
- WHEREAS**, the City Council strives to promote reasonable and prudent development, including the use of signage to promote area businesses, events and activities, provide the signage is consistent with land use and development principles annunciated in the Comprehensive Master Plan; and
- WHEREAS**, the City Council finds that signs erected, modified or maintained in violation of the City’s regulations are a threat to the public health, safety, and welfare, and constitute a public nuisance to be prevented and abated in accordance with Chapter 217 of the Texas Local Government Code; and
- WHEREAS**, the City Council has received public input by and through the Planning and Zoning Commission, the Blanco Historical Preservation Commission, and the Blanco Chamber of Commerce; and
- WHEREAS**, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and
- WHEREAS**, pursuant to Chapter 216 of the Texas Local Government Code, the City has the authority to regulate signs; and
- WHEREAS**, the City Council finds that it is necessary and proper for the good government, peace or order of the City of Blanco to amend the City’s sign regulations in accordance with this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Blanco City Council:

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. AMENDMENT

City of Blanco Code of Ordinances is hereby amended in its entirety, and after such amendment, shall read in accordance with *Attachment "A"*, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

3. REPEALER

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication.

7. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

CITY OF BLANCO:

by: _____
Mayor Chuck Homan

ATTEST:

Bobbie Mowery, City Secretary

APPROVED AS TO FORM:
Eddy Rogers, City Attorney

ATTACHMENT “A”

City of Blanco

CODE OF ORDINANCES

SIGNS

Proposed 9/8/17

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ARTICLE 26.01 GENERAL PROVISIONS

Sec. 26.01.001 Popular Name

This Chapter shall be commonly cited as the “Sign Ordinance.”

Sec. 26.01.002 Purpose

This Chapter provides standards for the erection, repair, maintenance and removal of signs within the City of Blanco and its Extraterritorial Jurisdiction (“ETJ”). All signs not exempted as provided in this Chapter shall conform to these standards. The general objectives of these standards are to promote health, safety, welfare, convenience and enjoyment of the public, and to achieve the following:

(1) **Safety**

To promote the safety of persons and property by providing that signs do not:

- (A) Create a hazard due to collapse, fire, decay or abandonment;
- (B) Obstruct firefighting effort, EMS response, or police surveillance;
- (C) Create traffic hazards by confusing or distracting pedestrians, obstacles or other vehicles or to read traffic signs; or
- (D) Become obstacles that hinder the ability of pedestrians or motorists to read traffic signs.

(2) **Communications Efficiency**

To promote the efficient transfer of information in sign messages provided that:

- (A) Those signs providing public safety messages are given priority;
- (B) Businesses and services may identify themselves;
- (C) Customers and other persons may locate a business or services;
- (D) No person or group is arbitrarily denied the use of the sight lines from the public rights-of-way for communication purposes;
- (E) Persons exposed to signs are not overwhelmed by the number of messages presented and are able to exercise freedom of choice to observe or ignore such messages, according to the observer's purpose; and
- (F) Preserve the right of free speech exercised through the reasonable and safe use of signs.

(3) **Landscape Quality & Preservation**

To protect the public welfare and maintain the appearance and economic value of the landscape, by providing that signs:

- (A) Do not interfere with scenic views;
- (B) Do not create a nuisance to persons using the public rights-of-way for transportation;
- (C) Do not create a nuisance to occupants of adjacent or nearby property due to brightness, size, height, or movement;
- (D) Are not detrimental to land or property values;

- (E) Do not contribute to visual blight or clutter; and
- (F) Are architecturally compatible and harmonious with the structure to which they pertain and to neighboring structures.

(4) **Balance**

The purpose of this Chapter is to create the legal framework for a comprehensive and balanced system of signs that will preserve the right of free speech and expression, provide an easy and pleasant communication between people and their environment, and avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance. With these purposes in mind, it is the intent of this Chapter to authorize the use of signs that are:

- (A) Compatible with their surroundings;
- (B) Appropriate to the activity that displays them;
- (C) Expressive of the identity of individual activities and the community as a whole; and
- (D) Legible in the circumstances in which they are seen.

Sec. 26.01.003 Geographic Scope

This Chapter applies to all property within the incorporated municipal boundaries (i.e., “city limits”) and the Extraterritorial Jurisdiction (“ETJ”) as they exist at the time this ordinance is adopted and as may be modified in the future.

Sec. 26.01.004 Exemptions

The following signs are exempt from regulation under this Chapter:

- (1) Any sign wholly within the confines of a building, and oriented so as to be out of view from outside the building.
- (2) Commemorative plaques and historical markers, flags mounted on the face of a building or erected on a site as a freestanding monument, when placed by a governmental entity, or historical society to commemorate a person, event or other matter of historical interest.
- (3) Any sign erected or required to be erected by any governmental entity or public utility to give information, directions, or warnings to the general public, regardless of the sign's location on public or private property.
- (4) Signs required by law.
- (5) A political sign that is carried by a person or is a bumper sticker on a vehicle.

Sec. 26.01.005 Definitions

(a) **Rules of Interpretation**

Words and phrases used in this Chapter shall have the meanings set forth in this section. Terms that are not defined below, but are defined elsewhere in the City’s Code of Ordinances, shall be given the meanings set forth in the Code. Words and phrases not defined in the Code of Ordinances shall be given their common, ordinary meaning unless

the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense; words in the plural number shall include the singular number (and vice versa); and words in the masculine gender shall include the feminine gender (and vice versa). The words "shall" and "must" are always mandatory, while the word "may" is merely advisory. Headings and captions are for reference purposes only. Signs that fit more than one definition under this Chapter shall be regulated under the definition with the more restrictive provisions.

(b) **General Terminology**

Applicant: The person or entity requesting sign permit approval(s) from the City. Typically, to obtain status of an applicant, the person must be the property owner, tenant, or an authorized agent of the property owner or tenant. The City may require documentation of a person's authority to act as an applicant before processing a request.

BISD: The Blanco Independent School District.

Building: Any structure intended for shelter, occupancy, housing or enclosure for persons, animals or chattel.

City: The City of Blanco, an incorporated general rule municipality located in Blanco County, Texas.

City Council: The governing body of the City of Blanco.

City Limits: The incorporated municipal boundary of the City.

Day: A calendar day.

ETJ: The Extraterritorial Jurisdiction of Blanco of the City, which is the unincorporated area contiguous to and surrounding the City that is established by law, particularly Chapter 42, Texas Local Government Code, as being the area in which the City may exercise certain authority, including sign regulation, in order to promote and protect the general health, safety, and welfare of persons residing in and adjacent to the City, the size of which is determined by the number of inhabitants residing in the City.

Hill Country Style: Buildings of simple design, using native materials, incorporating wide overhangs, porches, and tall windows.

Install, Installation: The process of creating, placing, and using a sign or sign structure. This term includes construction, erection, painting, attaching, or otherwise creating and displaying a sign or sign structure. The term also includes repairing, replacing, relocating or altering a sign or a portion thereof, such as a sign structure. The term does not include

normal maintenance and cleaning.

Natural Colors (earth tones): Colors that are muted and flat in an emulation of the natural colors found in dirt, moss, trees and rocks, including browns, tans, grays, greens, oranges, whites, blues and some reds.

P&Z: The Planning & Zoning Commission for the City of Blanco.

Permittee: A person receiving a permit from the City pursuant to the provisions of this Chapter.

Person: Any human individual, firm, partnership, association, corporation, company or organization of any kind, and its agents, representatives, or employees. For purposes of determining liability for actions taken in violation of this Chapter, the term person shall include the owner, lessor, lessee, and tenant of the property upon which the sign is located.

Right of Way: The area on, below, or above a public roadway, highway, street, public sidewalk, alley, waterway, or utility easement in which a governmental entity has an interest.

Sign: A lettered, numbered, symbolic, pictorial, or illuminated visual display designed to identify, announce, direct, or inform.

The term “sign” includes banners, non-governmental flags, pennants, streamers, moving mechanisms, three dimensional objects/representations, logos, and lights.

Sign Administrator: The officer appointed by the City Council with the authority to enforce this Chapter. In the absence of further action by the City Council, the City Code Enforcement Officer shall serve as the Sign Administrator. The term also includes any person designated to act on behalf of the Sign Administrator.

Structure: A building, fence, wall, or other combination of materials permanently affixed to the ground.

(c) **Sign Terminology**

Architectural Detail: Any projection, relief, cornice, column, change of building material, window, or door opening on any building.

Architectural, Historic, or Scenic Area: An area that contains unique architectural, historic, or scenic characteristics that require special regulations to ensure that signs displayed within the area enhance its visual character and are compatible with the area.

Athletic Sponsorship Signs: Signs on field fences, at swimming facilities and scoreboards that are leased by BISD and the Blanco Youth Sports Association. Other signs of support related to athletic events, such as those put up by booster clubs, are Special Event signs as defined by this Chapter.

Awning: A cloth, plastic, or other nonstructural covering that either is permanently attached to a building or can be raised or retracted to a position against the building when not in use. This term does not include canopies.

Balloon Signs: Any inflatable, three-dimensional sign, with or without letters, symbols, or numbers, that is either expanded to its full dimensions or supported by gases contained within the sign at a pressure greater than atmospheric pressure.

Banner: A sign composed of a lightweight material (such as cloth, canvass, or vinyl), that is not permanently affixed to a rigid frame constructed of wood or metal.

Billboard: A sign that is freestanding, attached to, or part of a building, and is an off-premise sign that is designed for a change in copy, so that the characters, letters or illustrations can be changed or rearranged within a fixed sign face which advertises a business, organization, event, person, place or thing.

Business: The physical location, or storefront, of an enterprise engaged in by an entity, partnership, or sole proprietor. In the context of multi-unit complexes, each tenant is a separate business. For an enterprise with multiple locations within the city limits, for the purposes of this Chapter, each location is treated as a separate business.

Canopy: A structure at the entrance to a building made of cloth, metal, or other material with frames affixed to a building and carried by a frame that is supported by the ground. This definition also includes a fuel station canopy, which is a framed structure used to shield fuel pumps from the rain and/or sun. This definition does not include awnings.

Changeable Copy Sign: A sign on which message copy is changed manually through the utilization of changeable letters, numbers, symbols, and other similar characters or

pictorial panels.

Community Service Sign: A sign that solicits support for or advertises a non-profit organization, public service organization, or social institution. Such signs may include, but shall not be limited to, holidays, school activities, charitable programs, religious activities, sports boosters, or events of community interest. Such signs shall be placed only by: units of local, state, or federal governments; registered non-profit organizations; schools; the chamber of commerce; or religious organizations.

Construction/Development Sign: A sign placed on a piece of property advertising planned construction and providing related information, including but not limited to the name of the contractor, the name of the owner, the planned date of completion, and information indicating the future use or occupation of the site (e.g., “Future home of...”).

Copy: The text, symbols, letters, or numbers used to form the informational portion of a sign.

Corner Lot: A non-residential property that has frontage on two streets (regardless of whether the streets intersect). Frontage on a shared access driveway is not considered street frontage for purposes of determining whether a property is included under this term.

Direct Illumination: Light sources that make up the text, symbols, letters, or number used to form the informational portion of a sign, including but not limited to: Light Emitting Diodes (LEDs), neon tubes, krypton tubes, argon tubes, and light bulbs.

Directory Sign: A type of monument sign that serves as a directory of individual occupants/tenants in a multi-unit complex.

Electrical Sign: Any sign for which the text, letters, numbers, pictures, or symbols forming the informational portion of the sign consists of flashing, intermittent, or moving lights, including any LED screen or any other type of video display. This definition does not include signs that have internal or indirect illumination that is kept stationary or constant in intensity and color at all times when such sign is in use. This definition excludes open/closed signs and any sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Texas Manual on Uniform Traffic Control Devices (TMUTCD).

Feather Banner: A sign that is constructed of lightweight material (such as cloth, canvas, or vinyl) affixed to a pole or building which is similar to a flag, except that it is longer than it is wide. A feather banner resembles a feather, in that it is tall and narrow, having more surface area vertically than horizontally when fully extended.

Flag: A piece of cloth, usually rectangular, used as the symbol, standard, or emblem of a nation, state, or organization, that is typically flown from a pole.

Flag, Government: An official flag of the United States of America, the State of Texas, or a political subdivision located in the City Limits or ETJ.

Frontage: The width of the perimeter of a piece of property measured along the public street right-of-way.

Governmental Entity: A political subdivision or agency of the United States of America or the State of Texas. The term specifically includes, but is not limited to, the City, Blanco County, and BISD.

Hand-Held Sign: Any sign, banner, flag, poster, or outfit held, carried, or worn by a person. This term specifically includes outfits (e.g. chicken suit, clown suit, etc.) for the purpose of drawing attention to a business, but specifically excludes logos, slogans, or trademarks on clothing that is worn in the ordinary course of business.

Hanging Sign: A sign that is affixed to the underside of a roof, canopy, awning, or porch.

Height:

- (1) As applied to a sign, height refers to the vertical distance between the highest attached component of the sign or of its supporting structure (whichever is higher) and the natural grade of the ground at the point where the sign is located.
- (2) If a monument sign sits on property that is adjacent to a public right-of-way, and the natural grade of the property is lower than the average grade of the public right-of-way, the responsible party may raise the grade of the property on which the sign is located up to four (4) feet, in accordance with zoning and all other ordinances, and height will be measured from the highest attached component of the sign or of its supporting structure (whichever is higher) and the increased grade. The responsible party may only increase the grade an amount equal to the difference between the average grade of the right-of-way and the natural grade of the property on which the sign is located.
- (3) If a pole sign sits on property that is adjacent to a public right of way, and the natural grade of the property is lower than the average grade of the public right of way, the responsible party may erect a sign that is an additional three (3) feet in height with a maximum height of fifteen (15) feet on the property on which the sign is located.

Historic District: The business and residential area designated by the Historic District Ordinance.

Home Occupation Sign: A sign placed on a residence that is used to identify a business or enterprise that is conducted out of that residence.

Illumination or Lighting: A source of any artificial or reflected light, either directly from a source of light incorporated in, or indirectly from an artificial source, so shielded that no direct illumination from it is visible elsewhere than on and in the immediate vicinity of the sign.

Indirect Illumination: A light source not seen directly. The term includes a source of illumination which is not a part of the sign or the sign structure, that provides light for the sole purpose of making the sign visible when natural light is not sufficient.

Ingress/Egress Signs: Small signs that designate the exit or entrance of a property that has one (1) or more driveways. This definition includes signs directing traffic to drive-thru service lanes.

Internal Illumination: A light source that is concealed or contained within the sign and becomes visible in darkness through the sign's translucent surface. This definition includes reverse channel letters with a light source that creates a "halo" effect.

Legal Non-Conforming Sign: A sign that was lawfully installed prior to the adoption of this Chapter, and was in compliance with all of the provisions of this Chapter then in effect, but which does not presently comply with this Chapter.

Menu Boards: A sign adjacent to a drive-through lane displaying the product choices and prices available for purchase at that location.

Mobile Concession Stand: A readily-moveable structure utilized by mobile food vendors, which is mounted on wheels, self-propelled, towed, or hauled by another vehicle, and used for short-term human occupancy, carrying of materials, goods, or objects, or as a temporary eating establishment.

Mobile Service Provider Sign: A sign announcing the services offered and operating hours of a vendor who frequently travels to varied locations within the City Limits or ETJ to provide services on-site temporarily without establishing an actual place of business. Examples of a Mobile Service Providers may include (but are not necessarily limited to) massage therapists, automobile windshield repairers, farmers and gardeners.

Monument Sign: A sign permanently affixed to the ground at its base, supported entirely by a base structure, and not mounted on a pole or part of a building.

Multi-Unit Complex: A grouping of two (2) or more business establishments that either share common parking on the lot where they are located, or that occupy a single structure or separate structures that are physically or functionally related or attached. This term

also includes multi-unit residential complexes, including apartment complexes, garden homes, and retirement communities as defined by the zoning ordinance.

Noncompliant Sign: A sign that is placed, constructed, installed, and/or used in violation of this Chapter, and which was not in place before the provisions of this Chapter went into effect. This term also refers to a sign that does not comply with this Chapter and was also in violation of the City's previous sign ordinance.

Non-governmental Flags: Flags representing a corporation, or other business entity, that incorporates a logo and/or trademark belonging to the corporation or entity. Specifically excluded from this definition are flags that are purely decorative, or have a non-commercial message.

Occupants: Proprietors or tenants using or occupying a building or parcel of land to which a sign or proposed sign refers.

Off-premise Sign: Any sign that advertises a business, person, activity, goods, products, or services not located on the property where the sign is installed, or that directs persons to a location other than the property where the sign is located.

Peak: The highest point on a roof or the highest point on another architectural element.

Pole Sign: A sign that is permanently supported in a fixed location by a single pole, structure of poles, posts, uprights, or braces from the ground and not supported by a building, fence, vehicle, base structure, or other support.

Political Sign: A sign upon which the content is primarily related to notice of or advocacy for an election of a person to public office, a political party, a primary election, a proposition to be voted upon at an election called by a public body.

Portable Sign: A sign not permanently attached to the ground or a building, which is designed to be easily transported or conveyed to different locations. This term includes, but is not limited to: sandwich boards, folding A-frame signs, sidewalk signs, signs affixed to trailers, mannequins, or signs on metal stands with skids or wheels.

Projecting Sign: A sign attached to and projecting from the wall of a building, and not on the same plane as the wall (i.e. not flush with wall surface). This includes but is not limited to channel letter signs, flexface signs with secured to a return, plaques, shingles and adhesive signs/lettering.

Property: A tract of land including its buildings or other appurtenances. With respect to a tenant in a multi-unit complex, the term property refers only to the leased space.

Real Estate Sign: A temporary sign erected by the owner of the real property on which

the sign is located, or his agents, advertising the property for lease or sale.

Responsible Party:

- (1) The owner/operator of the business being identified on the sign;
- (2) The owner of the property upon which the sign or sign structure is located;
- (3) The owner of the sign or sign structure; and/or
- (4) The person who installs a sign or sign structure, or contracts with a third party to accomplish the installation.
- (5) The person who retrieves a sign from the impound.

Roof Sign: A sign that is displayed above the eaves and under the peak of a building. This term includes a sign painted, erected, constructed, or maintained on the roof of a building.

Signable Area: An area:

- (1) Enclosed by a box or outline, or
- (1) Within a single continuous perimeter composed of a single rectangle, circle, triangle, or parallelogram enclosing the extreme limits of characters, lettering, illustrations, ornamentations, or other figures.

Because projecting signs and awnings have flat surfaces, it is not necessary to select an area free of architectural detail. Signable area for wall signs are free of architectural details on the facade of a building or part of a building, which shall include the entire area:

- (1) Enclosed by a box or outline, or
- (2) Within a single continuous perimeter composed of a single rectangle, circle, triangle, or parallelogram enclosing the extreme limits of characters, lettering, illustrations, ornamentations, or other figures.

When referring to area limitations of monument, pole, and directory signs, area and signable area refers to an area within a continuous perimeter that includes the sign structure as well as the lettering, illustrations, ornamentations, or other figures.

Except as regarding wall signs, area limitations have no relationship to the size of the building in which the business is located.

Sign Structure: The supports, mounts, poles, braces, or base with or without a sign thereon, situated upon or attached to the property, upon which any sign is or is intended to be installed. This definition does not include a building, fence, wall, or earthen berm.

Special Event Sign/Temporary Sign: Signs for specific occasions with a predetermined date, duration, and end point. Examples include but are not limited to: Sale, Clearance, Athletic Events, Garage Sale, Yard Sale, Open House, and Farmers Market signs. This

term also includes events hosted by community civic organizations.

Town Center District: The central business district designated by the Code of Ordinances.

Traffic Control Sign: A sign, other than an ingress/egress sign, that is used to direct or prohibit pedestrian or vehicle traffic within a parking lot or private street.

Vehicular Sign: A sign painted on or attached to a motor vehicle, or on a trailer. This definition includes, but is not limited to, billboard trucks, billboard trailers, vehicle wraps, and vehicles with logos or other information related to the identification of a business or its products or services. This definition does not include bumper stickers, legally required vehicular inspection or registration information, or information identifying of the make and model of the vehicle.

Vending Machine Sign: Any sign integrated into or placed on a coin, cash, credit card or debit card operated self-service machine that dispenses such goods or services as propane cages, ice, DVDs, or cash automated teller machines (ATMs).

Wall Sign: A sign painted on, or otherwise made an integral part of a wall. Typically a wall sign is on the same plane as the wall (i.e. flush with the wall surface). The term does not include a sign that can be removed from the wall and remain substantially intact (e.g., banners or projecting signs as they are defined in this Chapter).

Warning Sign: Signs whose purpose is to limit permissible uses of private property, including but not limited to signs prohibiting trespassing, hunting, fishing, or loitering.

Window Sign: Signs that are painted on, etched in, or visible through a window or transparent door of a building that are oriented in a manner establishing an intent to be comprehensively viewed off-premises or from public roadways. This term excludes: (a) small business related signs as described in 26.02.001(2)(L); (b) signs displayed inside of buildings primarily for patrons on the premises; and (c) decorative window painting.

Sec. 26.01.006 Noncompliant Signs Prohibited

The installation, maintenance, repair, alteration, or relocation of a sign within the City Limits or ETJ, except in accordance with the provisions of this Chapter, is prohibited. No owner of real property in the City or its ETJ shall have any sign located on such property, except in accordance with the provisions of this Chapter.

Sec. 26.01.007 Address Signs

Address signs shall be required to be visible from an adjacent right-of-way for the primary structure on each piece of property, including residential and non-residential property. The letters, numbers, and symbols that make up these signs must be six inches (6”) in height.

Sec. 26.01.008 Dilapidated Signs

Signs and sign structures are required to be maintained in a good and sound condition as determined by the Building Official in accordance with the International Building Code. Responsible parties must repair or replace signs and sign structures that are rotting, peeling, rusting, fading, becoming discolored, covered in dirt, or filled with holes. Responsible parties shall not allow signs or sign structures to become dangerous, within the meaning of the International Building Code, as a result of inadequate design, construction, repair, or maintenance. The City can seek to compel immediate removal of signs that are in such a state of disrepair as to constitute an imminent threat to public health, safety and welfare.

Sec. 26.01.009 Discontinued Signs

The responsible party shall remove any sign that advertises a business or project that has ceased operations in excess of one (1) year, unless the property is leased, in which case the sign shall be removed after two (2) years. The responsible party shall remove any sign and/or sign structure that has not been used for advertising or promoting a going concern for at least one (1) year. For the purposes of this section, a business or project has ceased to operate when it is no longer engaged in the sale of products or services in the normal course of business.

Sec. 26.01.010 Obstructions to Passageways

No sign shall be installed so as to prevent free ingress to or egress from any door, window, or fire escape. No sign of any kind shall be attached to a standpipe or fire escape.

Sec. 26.01.011 Traffic Hazards

No sign or sign structure shall:

- (1) Obstruct free and clear vision at any street intersection.
- (2) Interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device because of its position, shape or color.
- (3) Use illumination resembling an emergency signal.
- (4) Be the cause of a recurring traffic slow down, whether because of its positioning, content, visual impact, or a combination of these or other factors.

Sec. 26.01.012 Street Right-of-Way Protected

- (a) A person shall not install a sign on the right-of-way of a street or highway maintained by the City unless explicitly authorized by this Chapter.
- (b) Signs installed in violation of this Chapter are hereby declared a public nuisance, and may be removed and disposed of by the City without notice and without compensation to the sign owner.

Sec. 26.01.013 Utility Right-of-Way Protected

The installation of a sign or sign structure shall not inhibit access to or interfere with a utilities or drainage easement.

Sec. 26.01.014 Trash Receptacles

Signs are prohibited on trash receptacles except for signs that are required by law, provide direction on the trash receptacle's use, provide safety instructions, or are otherwise customarily found on trash receptacles as a means of identifying the trash collection company.

Sec. 26.01.015 Signs on Trees

Signs are prohibited from being installed on any trees.

Sec. 26.01.016 Signs on Utility Poles

Signs are prohibited from being installed on utility poles except for signs that are required by law, provide safety instructions, or are otherwise customarily found on utility poles.

Sec. 26.01.017 Reflective Surfaces

Signs with reflective surfaces are prohibited except for purposes of traffic control or safety.

Sec. 26.01.018 Building & Electrical Codes

Signs and sign structures will be installed, repaired, replaced, and maintained in compliance with all applicable building and electrical codes adopted by the City.

Sec. 26.01.019 Encouraging Violations By Others

It shall be an offense under this Chapter to encourage another person to violate specific provisions of this Chapter.

ARTICLE 26.02 PERMITS

Sec. 26.02.001 Regulated Signs

The signs listed in this section are permissible within the city limits and the ETJ, in accordance with all applicable requirements of this Chapter.

(1) Permit Required

The following signs require a permit:

- (A) Awning signs.
- (B) Banners – Non-residential property, not including property owned/leased by BISD.
- (C) Canopy signs.
- (D) Changeable Copy signs that are nonconforming uses proposed to be altered.
- (E) Community Service signs.
- (F) Concession Trailers.
- (G) Construction/Development signs over six (6) square feet.
- (H) Directory Signs
- (I) Hanging signs.
- (J) Ingress/Egress signs.
- (K) Menu Boards.
- (L) Mobile Service Provider signs.
- (M) Monument signs – Multi-unit.
- (N) Monument signs – Single.
- (O) Monument signs – Subdivision.
- (P) Non-governmental flags.
- (Q) Pole signs
- (R) Private Traffic Control signs.
- (S) Projecting signs.
- (T) Real Estate signs over six (6) square feet.
- (U) Special Event signs.
- (V) Wall Signs.
- (W) Window Signs

(2) Permit Not Required

The following signs do not require a permit:

- (A) Address signs.
- (B) Athletic event and sponsorship signs.
- (C) Balloon signs on residential property.
- (D) Banners on BISD property.
- (E) Construction/Development signs under six (6) square feet.
- (F) Governmental or Political Flags.
- (G) Political signs.

- (H) Private street, road name, and residence signs.
- (I) Real Estate signs under six (6) square feet.
- (J) Seasonal Decorations to include temporary decorations that are clearly incidental to and are customarily and commonly associated with any national, local, or religious holiday or celebration.
- (K) Signs or notices issued by any Court or governmental entity.
- (L) Small, business related signs on or visible through doors or windows indicating: store hours, security systems, trade organization memberships, credit cards accepted, no solicitation, and open/closed. These signs will not count towards the cumulative signable area limits of Article 26.07 so long as their total cumulative signable area does not exceed five (5) square feet.
- (M) Vehicle Signs.
- (N) Vending machine signs.
- (O) Warning signs.

Sec. 26.02.002 Application

Prior to installing a sign requiring a permit or a non-conforming sign, a person must obtain a permit from the City. The permit application must be accompanied by the fee, the illustration, the master sign plan (if applicable), and must contain the following:

- (1) Name, address, and telephone number of the owner of the sign;
- (2) Name, address, and telephone number of occupant sponsoring the sign;
- (3) Name, address, and telephone number of the contractor, if any, installing the sign;
- (4) Name, address, and telephone number of the property where the sign is to be installed;
- (5) Date on which it is to be installed;
- (6) Zoning district in which the proposed sign will be located; and
- (7) Any variance that will be requested or has been approved.

Sec. 26.02.003 Illustration

An applicant proposing to install a sign shall file with the City an illustration to scale that shows:

- (1) All existing signs displayed on the property;
- (2) The location, height, and size of any proposed signs;
- (3) The items of information proposed to be displayed;
- (4) The percentage of the signable area covered by the proposed signs;
- (5) Specifications for the construction or display of the sign, including the materials to be used in the construction of the sign or sign structure; and
- (6) Specifications for any internal or indirect illumination of the sign.

Sec. 26.02.004 Inspections

(a) **Illustration Inspection**

At the discretion of the Sign Administrator, each applicant may be required to submit the illustrations listed above to the City’s Building Inspector for approval before a permit may issue. The Sign Administrator may require the submission of illustrations pursuant to this section when the size, materials, or electrical components of the sign and/or sign structure warrant review by the City’s Building Inspector. Refusal to submit illustrations when requested pursuant to this subsection is grounds for denial of a sign permit.

(b) **Follow-up Inspection**

Each applicant required by the above subsection to submit illustrations for review by the City’s Building Inspector may be required by the Sign Administrator to submit to a physical inspection of the sign and/or sign structure after the completion of the construction phase. Refusal to allow access for an on-site inspection constitutes a violation of this Chapter.

Sec. 26.02.005 Review & Time Limits

The Sign Administrator shall promptly review the application upon the receipt of a complete permit application and upon payment of the permit fee by the applicant. The Sign Administrator shall grant or deny the permit application within twenty (20) days from the date the complete application, including all required documentation and permit fee, was filed with the Sign Administrator. Failure to act within twenty (20) days constitutes a denial of the application.

Sec. 26.02.006 Approval

The Sign Administrator shall approve a permit for the sign if it complies with the building, electrical or other adopted codes of the City, and with:

- (1) The regulations for signs contained in this Chapter; and
- (2) Any variance that has been granted from these regulations; and
- (3) Any special regulations that have been adopted for a type of sign or for signs located in a district established under this Chapter; and
- (4) The master plan for signs, with regards to a multi-unit property or in a Planned Development District (PDD), which has been approved under this Chapter.

Sec. 26.02.007 Denial

If the Sign Administrator does not approve a permit for the sign, the Sign Administrator shall state the reasons for the denial in writing, and shall mail a certified copy of the reasons for denial to the address of the applicant stated on the application.

Sec. 26.02.008 Appeals

Any applicant who is denied a permit for the display of a sign may file a written appeal to P&Z within ten (10) days after receipt of the written copy of the denial provided by the Sign Administrator by certified mail. P&Z shall review the written appeal and make a

recommendation to the City Council. An appeal stays all proceedings in furtherance of the action unless the Sign Administrator determines in writing that a stay would cause imminent peril to life or property. The City Council can uphold, modify, or reject the recommendations of the Sign Administrator and P&Z.

Sec. 26.02.009 Duration & Expiration

(a) Commencement

The approval of a sign permit shall be effective for a period of six (6) months. If the authorized sign work has not commenced within six (6) months of the date the permit was issued, the permit shall be deemed to have automatically expired and shall become null and void, requiring the submittal of a new sign permit application.

(b) Completion

If the authorized sign work is not fully completed within nine (9) months of the date the permit was issued, the permit shall be deemed to have expired and shall become null and void.

(c) Extension

Prior to expiration of a sign permit, the applicant may request an extension in writing. The Sign Administrator may grant an extension under the following circumstances:

- (1) The applicant has adequately demonstrated weather delays; or
- (2) The applicant adequately demonstrated delays due to market situations beyond the applicant's control.

Two (2) extensions of three (3) months each in length may be granted.

Sec. 26.02.010 Fees

The fees for permit applications and extensions shall be in conformance with the Fee Schedule adopted by the City Council, as may be amended. The fee charged for a permit to change the copy portion of a sign is reduced to the lesser amount set forth in the fee schedule.

ARTICLE 26.03 VARIANCES

Sec. 26.03.001 Variance Procedure

- (a) A responsible party that wants a variance from this Chapter must file a Request for Variance at City Hall with the Sign Administrator along with a variance fee, as stated in the City's most recent fee schedule. The Sign Administrator will indicate what documentation the responsible party must provide in support of the request. Such documentation shall meet the standardized requirements set forth by the city with input from the Planning and Zoning Commission.
- (b) Once the necessary documentation has been provided to the Sign Administrator, P&Z will review the request and make a determination based on the documentation provided by the responsible party as well as any opinions of the Sign Administrator.
- (c) Any decision made by P & Z must be reviewed by City Council. Applicant is responsible for securing an item on the Council's agenda at which time the Council may affirm, deny, or modify the Commission's recommendation.
- (d) If either the Sign Administrator or the responsible party disagrees with a decision by P&Z to deny or modify a variance request, they can submit a written request that the City Council review the request, the supporting documents, and P&Z's decision. The request for variance shall clearly state why the applicant's case is unique and why granting the request for variance would not set a precedent for future variance requests. The City Council can affirm, reverse, or modify the decision of P&Z.
- (e) The City Council has final authority to approve a variance.

Sec. 26.03.002 Design Standards for Variances

When considering granting a variance in accordance with this section, the following considerations may be considered by P&Z and the City Council.

- (1) Special or unique hardship because of the size or shape of the property on which the sign is to be located.
- (2) Hardship claim based on the exceptional topographic conditions or physical features uniquely affecting the property on which a sign is to be located.
- (3) The proposed sign is not listed in subsections 26.02.001(1) or 26.02.001(2), but is determined by the City to be an acceptable alternative design to what is permitted by the Code.
- (4) Proposed sign location, configuration, design, materials and colors are harmonious with the hill country setting.
- (5) The proposed sign does not visually dominate the structure to which it belongs or call undue attention to itself.
- (6) Visible sign materials for permanent signs are predominantly natural such as

native stone, granite, wood, bronze, or other rustic metals (non-reflective). This section does not apply to portions of the sign or sign structure that is not readily visible once construction has been completed.

- (7) The sign and its supporting structure should be in architectural harmony with the surrounding structures.
- (8) Natural colors (earth tones) and muted colors are favored. Color schemes must be compatible with the surrounding structures.
- (9) Landscaping, where required, should be designed to harmonize with the building and surrounding natural landforms and native plants, and be maintained in a neat, clean, and healthy condition. The City may take into consideration an applicant's plan to provide for tree preservation, open space, or landscaping that exceeds the mandates of the City's Code of Ordinances.
- (10) The City may take into consideration the demonstrated and documented correlation between the variance and protecting the public health and safety.
- (11) The City will be more inclined to consider a variance request when it is sought during an earlier stage of the construction approval process, for instance when the Responsible Party is submitting/obtaining a: Plat, Planned Development District, Development Agreement, or Site Plan.

Sec. 26.03.003 Financial Hardship

A showing that the display of a sign would be more profitable or the sign would be more valuable is *not* a special or unique hardship as required by this section.

Sec. 26.03.004 Conditions

The City Council may impose conditions upon the granting of a variance under this Chapter. Such conditions must be related to the variance sought, and be generally intended to mitigate the adverse effects of the sign on neighboring tracts and the general aesthetic ambiance of the community. A Responsible Party's failure to comply with conditions placed on a variance may result in the City Council voiding the variance and authorizing all available code enforcement actions and other remedies available in equity or at law.

ARTICLE 26.04 LEGAL NONCONFORMING SIGNS

Sec. 26.04.001 Legal Nonconforming Signs

In addition to signs within the definition of legal nonconforming signs found in Section 26.01.005 of this Chapter, any sign lawfully existing in an unincorporated area prior to annexation by the City, but which does not conform with the provisions of this Chapter upon annexation, is hereby deemed to be a legal nonconforming sign.

Sec. 26.04.002 Modification

- (a) A legal nonconforming sign or sign structure shall be brought into conformity with this Chapter if the city code enforcement officer determines that more than fifty percent (50%) of the nonconforming sign or sign structure is modified, meaning blown down, destroyed, dismantled, reconstructed, or replaced for any purpose other than maintenance operations or changing letters or symbols. A nonconforming sign or sign structure shall be brought into conformity with this Chapter if the sign or sign structure is relocated. A change in copy on a changeable copy sign is not a modification for purposes of this Subsection.
- (b) Modification of a legal nonconforming sign solely in the form of changes within the existing sign area to identify new occupants of the premises can be approved by a waiver issued by the sign administrator. In determining whether to grant a waiver to a specific applicant, the Sign Administrator shall evaluate the safety and design specifications in light of the general criteria and purposes of this Chapter. The City will not impose a permit fee or waiver fee for approvals sought under this subsection, 26.04.002(b).
- (c) Notwithstanding the modification provision (b) above, there shall be no waivers granted to the lighting requirements for signage as otherwise stated in this ordinance. Requests for a waiver of lighting requirements shall be addressed separately and must include full justification for the degradation of the night sky due to ambient light.

Sec. 26.04.003 Removal

- (a) Removal of a legal nonconforming sign, or replacement of a legal nonconforming sign with a conforming sign is required when a legal nonconforming sign, or a substantial part of a legal nonconforming sign, is blown down, destroyed, or for any reason or by any means taken down, altered, or removed.
 - (1) As used in this subsection, “substantial” means fifty percent (50%) or more of the entire sign structure as determined by the city code enforcement officer.
 - (2) As used in this subsection, the term “substantial” also applies if the city code enforcement officer determines that the cost of reconstruction or replacement of the sign, sign structure, or building exceeds fifty percent (50%) of the value of the sign, sign structure, or building prior to the event that necessitated its reconstruction or

replacement.

(3) Nothing contained in this section is intended to prevent the routine repair and maintenance of a nonconforming sign.

- (b) Removal of a nonconforming sign, or replacement of a nonconforming sign with a conforming sign is required when the condition of the nonconforming sign or nonconforming sign structure has deteriorated or has been damaged and the cost of restoration of the sign to its condition immediately prior to such deterioration exceeds fifty percent (50%) of the value of the sign or sign structure prior to its deterioration.
- (c) Removal of a nonconforming sign, or replacement of a nonconforming sign with a conforming sign, in accordance with this section, must be completed within sixty (60) days of the occurrence in which the nonconforming sign, or a substantial part thereof, was blown down, destroyed, or for any reason or by any means taken down, altered, or removed.

Sec. 26.04.004 Permits for Other Signs

Before any permit may be issued for a new sign under this Chapter, the responsible party shall modify or remove any of its own nonconforming signs and sign structures displayed or erected on the same property for which the permit is being sought, so that all the signs and sign structures they are responsible for on the property conform to the provisions of this Chapter. This provision does not apply to special event signs.

Sec. 26.04.005 Redevelopment Permit

Any building addition that increases the gross floor area of a property by fifty percent (50%) or more, or any exterior structural remodeling of a building façade of fifty percent (50%) or more on which a nonconforming sign is located, shall require all nonconforming signs and sign structures on the property to be brought into conformity with the provisions of this Chapter.

Sec. 26.04.006 Separation

No sign that is nonconforming solely because it violates a requirement for the spacing of monument signs shall be required to eliminate that nonconformity if compliance with the spacing regulation on the property is not practicable.

Sec. 26.04.007 Off-Premises Signs

All off-premises signs ordered to be removed shall be removed within 30 days of the issuance of a written notification to do so. Should the sign(s) not be removed within this time period, the city shall remove or shall contract to remove the sign and the owner of the sign shall be charged with the cost of the removal.

Sec. 26.04.007 Incentives for Compliance

(a) **Variance Incentive**

When considering granting a requested variance under this Chapter or any other chapter,

the City may take into consideration an applicant's commitment to bring pre-existing nonconforming signs into compliance with this Chapter, and/or remove pre-existing nonconforming signs.

(b) **Permit Incentive**

If a responsible party voluntarily elects to bring a pre-existing nonconforming sign into compliance with this Chapter, the Sign Administrator may waive the application fee for any required sign permits related to the specific property.

Proposed 9/8/11

ARTICLE 26.05 PROHIBITED SIGNS

Sec. 26.05.001 Prohibited Signs

No person shall install any of the following:

- (1) Banners on residential property.
- (2) Billboards.
- (3) Changeable copy signs.
- (4) Electrical signs.
- (5) Feather banners.
- (6) Hand-Held signs, other than political.
- (7) Off-Premises signs.
- (8) Pennants.
- (9) Portable signs
- (10) Roof signs. This prohibition includes signs that are otherwise allowed by this Chapter but are placed on roofs.
- (11) Signs that move or have moving parts.
- (12) Balloon signs.

Sec. 26.05.002 Exceptions

- (a) **Changeable Copy Exception:** Signs permitted under this section must be permanently fixed and in compliance with all sections of this code. The area of the changeable copy sign shall count toward the total allowable signage area.

The Changeable Copy sign prohibition does not apply to the following:

- (1) Governmental buildings.
- (2) Gas stations, however this exception is limited to gas prices.
- (3) Scoreboards for athletic fields owned, leased, and/or operated by the City, BISD, or an athletic-oriented nonprofit corporation.
- (4) Non-profit organizations
- (5) Businesses promoting an entertainment venue

- (b) **Electrical Sign Exception**

Scoreboards for athletic fields owned, leased, and/or operated by the City, BISD, or an athletic association are excepted from the Electrical sign prohibition. Scoreboards may only be powered when in use for a game, match, or event, and must be shut off at all other times. The power to the scoreboard may be on during the game, match, or event for one hour and a half before and for one hour after the conclusion of the game, match, or event.

- (d) **Off-Premises Sign Exception**

(1) Community service signs, directional signs related to religious or civic institutions, political signs, signs related to garage sales, yard sale signs, open house signs, farmers market signs, and athletic sponsorship signs are specifically excepted from the off premises prohibition. A responsible party that has moved from a property within the City

is allowed to install on that property, for no longer than sixty (60) days, a sign advertising that the responsible party has moved and providing the new location. Such a sign shall be governed in accordance with the rules applicable to special event signs.

(2) City owned or city approved signs designed and positioned for directional purposes. Such signs shall be uniform, consistent with design guidelines, and developed with input from local business organizations.

(e) **Feather Banners and Utility Poles Exception**

It is an exception to the prohibition against signs on utility poles in Section 26.01.016 and the prohibitions against banners and feather banners, if a subdivision places banners or feather banners on light poles that are located on privately owned streets and are not visible from a publicly owned right-of-way.

(f) **Portable Sign Exceptions**

Sandwich boards or sidewalk signs placed directly in front of a business during business hours only. Such signs shall be positioned so as not to impede pedestrian traffic or create a safety hazard. Signs shall not exceed eight (8) square feet.

ARTICLE 26.06 DESIGN STANDARDS

Division 1. General

Sec. 26.06.001 Lighting

All signage lighting must comply with the Blanco Outdoor Lighting Ordinance, Section 5.12 (1) and (2) and any applicable provisions of future lighting ordinances.

Sec. 26.06.002 Location

- (a) Athletic sponsorship signs shall only be located on City of Blanco property or BISD property, shall be located only on ball field fences and/or score boards facing the playing area, and shall be erected by the City or BISD.
- (b) Unless otherwise associated with such location, no sign shall be located nearer than twenty (20) feet to any church, cemetery, public building, historic site or district.

Sec. 26.06.003 Measurement of Surface Area

Only one (1) side of a double-faced, v-shape, back to back, or other similar type of sign shall be measured to determine the surface area of a sign.

Sec. 26.06.004 Setback from Right-of-Way

All signs and supporting structures shall be required to be setback at a minimum of eight (8) feet from the street right-of-way. The Sign Administrator can grant an administrative variance (without the need for payment of a variance fee) that will allow temporary signs, which are signs with a time limit, to be placed on the property line abutting the street right-of-way. An administrative variance may only be granted if it can be shown to the Sign Administrator that the placement of the sign will not cause a safety hazard or interfere with lines of sight for pedestrian or vehicular traffic.

Sec. 26.06.005 International Building Code

All sign installation commenced in accordance with this Chapter must be in compliance with the International Building Code, as adopted by the Blanco City Council.

Sec. 26.06.006-26.06.050 Reserved

Division 2. Types of Signs (see Appendix A – Summary Table)

Sec. 26.06.051 Athletic Sponsorship Signs

- (a) The maximum area of a sign shall not exceed thirty-two (32) square feet.
- (b) The maximum height for a sign shall not exceed the height of the fence, wall or scoreboard to which it is attached.
- (c) Athletic Sponsorship signs in City parks shall only be installed on fences, walls and scoreboards and must be facing the playing area.
- (d) Athletic Sponsorship signs for University Interscholastic League related events may be installed on fences, walls and scoreboards that are visible from public rights-of-way,

except when such events are being held in City parks.

Sec. 26.06.052 Awning Signs

- (a) One-third (1/3) of the area of an awning sign shall be counted toward the limit on the total area of wall signs on the wall to which the awning is attached.
- (b) Only one (1) awning sign is permitted per property, unless the property is a corner lot in which case two (2) awning signs are permitted.

Sec. 26.06.053 Banners on non-residential Property

- (a) Permits for banners can be issued either individually or on an annual basis. An annual permit authorizes placement of up to four (4) banners a year.
- (b) Banners must be securely attached to a permanently installed building, fence, or wall and they must be kept in good repair throughout the time of their display. Pipes, poles, posts or other materials may not be used solely to erect banners.
- (c) A single banner may not be erected for more than thirty (30) days in a calendar year. This time limit does not apply to banners on BISD property that are related to officially recognized academic achievement.
- (d) The responsible party must remove a banner within no more than three (3) days following any event to which they call attention.
- (e) Banners shall not be placed on any site more than four (4) times within a calendar year.
- (f) The maximum surface area for banners on non-residential property shall be thirty-two (32) square feet. Banners do not count towards total cumulative signable area limits.
- (g) Banners hung on non-residential property shall not exceed fifteen (15) feet in height.
- (h) Only one (1) banner at a time is permitted per non-residential property.
- (i) The Responsible Party must affix a copy of the permit to the back of the banner.

Sec. 26.06.054 Banners over Highway 281

- (a) The party responsible must obtain a banner permit from the TxDOT and provide the Sign Administrator with proof of the permit.
- (b) The permit applicant must submit a sign permit application including the dates for the banner to be hung. A banner may be hung for no more than thirty (30) days in a calendar year.
- (c) The sign permit application must be submitted to the Administrator at least five (5) working days before, but no more than ninety (90) days before the date requested for the banner to be hung.
- (d) Banners will be hung solely by the Pedernales Electric Co-op (PEC), pursuant to PEC policies.
- (e) Locations are to be determined by PEC.
- (f) Banners will be hung and removed on a first come first served basis.
- (g) Specifications for banners shall be confirmed with PEC and proof of such confirmation shall be provided to the sign administrator.
- (h) The maximum surface area for banners hung across Highway 281 shall be 144 square feet.
- (i) Banners hung across Highway 281 shall hang a minimum of eighteen (18) feet in height

Sec. 26.06.055 Canopy Signs

- (a) Only one (1) canopy sign shall be permitted per entrance to each business in a single or multi-unit complex.
- (b) No canopy sign shall extend beyond an edge of the canopy structure to which it is attached. Except at a street corner, no canopy sign shall be closer than five (5) feet from the end of the longer side of the canopy structure.
- (c) No canopy sign shall extend more than two (2) feet either above or below the horizontal underside of the canopy structure. No canopy sign shall be less than eight (8) feet from the ground.
- (d) The area of a sign shall not exceed twenty-four (24) square feet.
- (e) Fuel station canopy signs are exempt from the requirements of subsection 26.06.055(b).

Sec. 26.06.056 Community Service Signs

- (a) The area of a community service sign shall not exceed six (6) square feet in a residential zoning district.
- (b) The area of a community service sign shall not exceed thirty-two (32) square feet in a non-residential zoning district.
- (c) The height of a community service sign shall not exceed six (6) feet.
- (d) A community service sign that promotes any particular event shall not be installed more than thirty (30) days prior to the event and shall be removed by the responsible party not more than three (3) days after the event. The same or similar event shall not be advertised more frequently than four (4) times a year.

Sec. 26.06.057 Construction/Development Signs

- (a) The maximum area of a sign shall not exceed thirty-two (32) square feet.
- (b) The maximum height for a sign shall not exceed six (6) feet.
- (c) Construction/Development signs may only be erected on the land being developed upon the commencement of construction/development and shall be removed when eighty percent (80%) of the construction/development is completed or twelve (12) months after the sign is first installed, whichever comes first. The twelve (12) month term can be extended pursuant to the variance procedure of this Chapter.
- (d) If the Construction/Development sign is attached to stakes, posts, poles, uprights, or braces the height of the sign is measured from the average grade of the ground on which the sign is located.
- (e) Only one (1) Construction/Development sign is permitted per property.

Sec. 26.06.058 Directory Signs: Multi-Unit Complexes

- (a) The maximum height of a directory sign is three (3) feet.
- (b) The maximum area of a directory sign is fifteen (15) square feet.

(c) **Sec. 26.06.059 Flags**

- (a) One (1) non-governmental flag is allowed per property. Two (2) governmental flags are allowed per business.
- (b) The area of a governmental flag shall not exceed thirty (30) square feet. The area of a non-governmental flag shall not exceed twenty-five (25) square feet.
- (c) Flagpoles shall not exceed thirty (30) feet in height, and if governmental flags and non-governmental flags are to be flown on the same property, the responsible party must comply with the Texas Flag Code, found in Chapter 3100 of the Texas Government Code.
- (d) Flagpoles must be installed either: (1) on the ground at finished grade or (2) on the building. Flagpoles may not be affixed to rooftops.
- (e) The area of non-governmental flags will count towards the total cumulative signable area for a particular property.
- (f) The area of governmental or political flags will not count towards the total cumulative signable area for a particular property. With the exception of national or state holidays, there must be a distance of sixteen (16) feet between each flag, and the cumulative signable area of governmental or political flags may not exceed sixty-four (64) square feet per property.
- (g) Illuminated flags must utilize downward shining truck lighting.

Sec. 26.06.060 Hanging Signs

- (a) The maximum area of a hanging sign shall not exceed eight (8) square feet.
- (b) The clearance from the ground to the bottom of any hanging sign must be at least seven (7) feet.
- (c) Only one (1) hanging sign is permitted per property unless the property is a corner lot, in which case two (2) hanging signs are permitted.

Sec. 26.06.061 Ingress/Egress Signs

- (a) Each entrance to a property from a right-of-way and each exit from a property to a right-of-way may be appropriately designated as such.
- (b) The maximum area of each sign shall not exceed three (3) square feet. Ingress/Egress Signs do not count towards total cumulative signable area limits.
- (c) The maximum height for each sign shall not exceed six (6) feet.

Sec. 26.06.062 Monument Signs: Subdivisions

- (a) One (1) monument sign shall be permitted at each entrance to a neighborhood or residential subdivision from a public right-of-way.
- (b) The maximum area of a sign shall not exceed thirty-two (32) square feet.
- (c) The maximum height for a sign shall not exceed six (6) feet.

Sec. 26.06.063 Political Signs

- (a) A political sign shall not have an area greater than thirty-six (36) square feet.
- (b) A political sign shall not be more than six (6) feet in height.
- (c) A political sign shall not be lighted or have any moving elements.

- (d) Political signs may be installed on private property only with the consent of a property owner and may not be installed in, on or over any street or public right-of-way.
- (e) Political signs related to a particular candidate may be erected no earlier than one hundred eighty (180) days prior to the election or primary for which the sign is installed and must be removed no later than three (3) days after the victor is sworn in.

Sec. 26.06.064 Private Street, Road Name & Residence Signs

- (a) The maximum area of a private street, road name, or residence sign shall not exceed four (4) square feet.
- (b) The maximum height for a private street, road name, or residence sign shall not exceed eight (8) feet.

Sec. 26.06.065 Private Traffic-Control Signs

- (a) The maximum area of a private traffic control sign shall not exceed six (6) square feet. Traffic control signs do not count towards total cumulative signable area limits.
- (b) The maximum height of a private traffic control sign shall be eight (8) feet.
- (c) The maximum number of private traffic control signs shall be determined by the Sign Administrator in consultation with the City Engineer.
- (d) Special provisions shall be as follows:
 - (1) Signs may be either freestanding or wall mounted, with same size requirements;
 - (2) All traffic control signs shall be of uniform design approved by the Sign Administrator. No individual sign shall be approved unless it conforms to an overall sign master plan for the entire site, submitted by the applicant.
 - (3) No sign shall contain any advertising, but may identify the owner by name.
- (e) This sub-section does not apply to traffic control signs authorized, required, or placed by a governmental entity for use in a public right-of-way.

Sec. 26.06.066 Projecting Signs

- (a) Only one (1) projecting sign is permitted per business on each property, unless the property is a corner lot, in which case two (2) projecting signs will be permitted.
- (b) The signable area of the projecting sign for each business shall not exceed sixteen (16) square feet in a residential zoning district.
- (c) The signable area of the projecting sign for each business shall not exceed twenty-four (24) square feet in a non-residential zoning district.
- (d) No projecting sign shall extend, either above the roof of the building or beyond the wall to which it is attached by more than four (4) feet at the point of attachment. In no instance shall the height of the sign exceed the maximum building height established for the zoning district.
- (e) A projecting sign attached to a building on private property shall not extend over any public land except a sidewalk adjacent to the building.

Sec. 26.06.067 Real Estate Signs

- (a) Only one (1) non-illuminated (illuminated signs are prohibited) Real Estate sign shall be

permitted per lot, except that two (2) non-illuminated Real Estate signs shall be permitted if it is a corner lot.

- (b) The maximum area of a sign shall not exceed thirty-two (32) square feet.
- (c) The maximum height for a sign shall not exceed six (6) feet.
- (d) Real Estate signs advertising the sale or lease of property shall be removed at the completion of the transaction advertised or within twenty-four (24) months, whichever comes first, unless the twenty-four (24) month term is extended by the City Council.
- (e) If multiple units are available for lease on a single property or property ownership is structured as a condominium project, the property may have smaller signs [not to exceed six (6) square feet in area or six (6) feet in height] for each individual unit provided the individual signs are not legible from the public right-of-way (i.e., street). Neither a permit nor a permit fee is required for these smaller, individual signs.

Sec. 26.06.068 Signs: Multi-Unit Complexes

- (a) The area of a sign for a multi-unit complex in a non-residential zoning district shall not exceed sixty-four (64) square feet. The height shall not exceed twelve (12) feet for pole signs and (8) feet for monument signs.
- (b) One (1) sign is permitted every two hundred (200) feet along a public right-of-way for each multi-unit complex, and one (1) sign is permitted per building if there is more than one building in the complex.

Sec. 26.06.069 Signs: Use by a Single Business

- (a) The area of a monument sign for an apartment complex and/or town home complex in a residential zoning district shall not exceed thirty-two (32) square feet.
- (b) The area of a monument sign for a model home/sales office in a residential zoning district shall not exceed twenty-four (24) square feet.
- (b) The area of a sign for a property with a single business in a non-residential zoning district shall not exceed fifty (50) square feet.
- (c) The height of any monument sign in a residential zoning district shall not exceed six (6) feet, except for a monument sign for a model home/sales office, which may not exceed four (4) feet. The height of any monument sign in a non-residential zoning district shall not exceed six (8) feet. The height of any pole sign in a non-residential district shall not exceed twelve (12) feet.
- (d) Only one (1) sign is permitted for use by a single business, unless it is on a corner lot, in which case the business is entitled to one (1) sign per entrance to a public right-of-way, up to two (2) signs.

Sec. 26.06.070 Special Event Signs

- (a) Except as provided in section (d), the maximum area of a special event sign shall not exceed thirty-two (32) square feet in a non-residential area and twelve (12) square feet in a residential area. Special event signs do not count towards total cumulative signable area limits.
- (b) The maximum height for a special event sign shall not exceed six (6) feet.

- (c) Special event signs must be removed within three (3) days after the end of the event to which the sign refers, but in any case may only be installed for a period not to exceed thirty (30) days in a calendar year.
- (d) Garage Sale, Yard Sale, and Open House signs shall be installed only during the day of the event, during daylight hours, and the maximum area shall not exceed six (6) square feet.
- (e) Only one (1) special event sign is permitted per property.
- (f) Special Event Signs may not be erected more frequently than four (4) times a year.

Sec. 26.06.071 Vehicular Signs

- (a) The maximum area for vehicular signs is thirty-two (32) square feet.
- (b) Only one vehicular sign is permitted per property.
- (c) Vehicular signs that are related to a particular business are exempted from the prohibition against off-premises signs only when they are in use as means of transportation.
- (d) The signable area of a vehicle sign is not counted towards the cumulative sign limits of Article 26.07 if it is regularly and frequently used in the course of business and cannot reasonably be parked out of view from a public right-of-way.
- (e) There is a rebuttable presumption that the vehicle is not regularly and frequently used in the course of business if it is inoperable (e.g., flat tire) and/or if it does not have current license, registration, or inspection.
- (f) There is a rebuttable presumption that the vehicle can be parked out of view from a public right-of-way if there is a parking space that:
 - (1) Is of sufficient size,
 - (2) Is out of view from a public right-of-way,
 - (3) Is on land owned or leased by the responsible party; and
 - (4) Is on or near the property that contains the business to which the vehicle sign is related.

Sec. 26.06.072 Vending Machine Signs

- (a) Vending machine signs may not be in excess of the normal dimensions of the machine to which the sign is attached.
- (b) If the vending machine contains signage specific to the business where it is located, each side of the vending machine that has signable area which is visible from a public right-of-way gets counted towards the total amount of signable area for that property.

Sec. 26.06.073 Wall Signs

- (a) Only one (1) wall sign shall be permitted per business in a non-residential zoning district, unless the property is a corner lot in which case two (2) signs are permitted. Wall signs are not permitted in residential zoning districts.
- (b) The area of the wall sign, including the area of any awning signs which are required to be counted, shall not exceed ten percent (10%) of the area of the wall on which it is attached, or painted, but in no event may it exceed sixty-four (64) square feet.
- (c) The height of a wall sign is limited to the height of the wall to which the sign is affixed.

Sec. 26.06.074 Warning Signs

- (a) The maximum area of a sign shall not exceed two (2) square feet.
- (b) The maximum height for a sign shall not exceed six (6) feet.
- (c) The maximum number of signs shall not exceed two (2). The Sign Administrator is authorized to approve additional signs upon showing of the Applicant's legitimate safety concerns.
- (d) "No Trespassing" signs may be posted as close as one thousand (1,000) feet apart as necessary to provide notice in accordance with Texas Penal Code Section 30.05, as may be amended.

Sec. 26.06.075 Window Signs

- (a) Only one (1) window sign is permitted per business on each property, unless the property is a corner lot, in which case two (2) window signs will be permitted.
- (b) The signable area of a window sign, such as no solicitors, shall not exceed one (1) square foot in a residential zoning district.
- (c) The signable area of a window sign shall not exceed twenty-four (24) square feet in a non-residential zoning district.

Sec. 26.06.076 Mobile Concession Stands

- (a) Permit applications must be accompanied by written, notarized authorization from the property owner or manager verifying that the applicant has authorization to temporarily locate the Concession Trailer at that location.
- (b) A Permit will only be valid for a three (3) month period.
- (c) Permits are not required for seasonal activities or civic events that last less than one week.

Sec. 26.06.077 Mobile Services Providers

- (a) The maximum area of a Mobile Services Sign shall not exceed twelve (12) square feet. Mobile Services Signs do not count towards total cumulative signable area limits for the property.
- (b) The maximum height for a Mobile Services Sign shall not exceed four (4) feet.
- (c) Mobile Services Signs must be removed daily.
- (d) Mobile Services Signs may only be installed for a period not to exceed twenty-six (26) days in a calendar year.
- (e) Mobile Services Signs shall be installed only during the day services are provided at that location.
- (f) Only one (1) Mobile Services Signs is permitted per property.

ARTICLE 26.07 SIGN LIMITS

Sec. 26.07.001 Historic District

Should a conflict arise between the mandates of this code and the provisions of the design guidelines for the Historic District, the most stringent and restrictive regulations shall govern and be applied. Signs within the Historic District must have a Certificate of Appropriateness issued by the Blanco Historic Commission.

Sec. 26.07.002 Cumulative Sign Limitations

In addition to limits on the number of each type of sign permitted per property, with exception of properties in the Historic District, the following provisions shall apply to all other properties within the City.

(1) Single Unit Property.

- (A) The cumulative total signable area for a single unit property may not exceed the amounts set in this subsection. The cumulative total signable area for each property is determined by adding the signable area (as defined above) for each sign on the property.
- (B) The cumulative total signable area for a single property may not exceed thirty-two (32) square feet in a residential area.
- (C) The cumulative total signable area for a single property in a non-residential area may not exceed sixty-four (64) square feet, unless the property is a corner lot.
- (D) The cumulative total signable area for a corner lot in a non-residential area may not exceed ninety-six (96) square feet, provided that at least one third (1/3) of the cumulative total signable area is facing each right-of-way.

(2) Multi-Unit Property

- (A) Multi-unit properties in non-residential areas are limited to the number of monument signs permitted in accordance with Article 26.06 of this Chapter.
- (B) In addition to monument signs on public rights-of-way, one (1) directory sign is permitted per building in a multi-unit complex.
- (C) In addition to the above, and in accordance with the master sign plan, each unit in the multi-unit complex will be entitled to one (1) additional sign.
- (D) A master sign plan shall be required for all Multi-unit complexes and/or Planned Unit Developments before any signs for such development may be installed on the property. All owners, tenants, subtenants and purchasers of individual units within the development shall comply with the approved master sign plan. Heightened consideration by the City will be given to any sign variances for the property sought as part of the master sign plan.
- (E) Two (2) projecting signs may be permitted if a business: (a) is within a multi-unit property; (b) takes up an entire building; and (c) is on a corner,

or has two public entrances on different sides of the building in which it is located.

- (F) Notwithstanding other provisions of this Chapter applying to banners, multi-unit properties are limited to one-half (1/2) the units displaying a banner at the same time if those banners are visible from the public right-of-way. There is no limitation on the number of banners that may be displayed simultaneously at multi-unit properties if the banners are internal to the property and not visible from the public right-of-way.

Proposed 9/8/11

ARTICLE 26.08 ENFORCEMENT

Sec. 26.08.001 Complaints

- (a) Complaints alleging violations of this Chapter may be filed with the City by any person, including but not limited to City officials.
- (b) The Sign Administrator may, at the Administrator's discretion, notify the responsible party informally.
- (c) Sworn complaints shall be filed with the Municipal Court.

Sec. 26.08.002 Civil & Criminal Penalties

The City shall have the power to administer and enforce the provisions of this Chapter as may be required by governing law. Any person violating any provision of this Chapter is subject to suit for injunctive relief as well as prosecution for criminal violations. Any violation of this Chapter is hereby declared to be a nuisance. In addition to other available relief, the City shall be entitled to issue a stop work order on the construction of noncompliant signs.

Sec. 26.08.003 Criminal Offenses

- (a) Each violation of the following sections of this Chapter constitutes a separate criminal offense, punishable by a fine not exceeding five hundred dollars (\$500.00).
 - Section 26.01.006
 - Section 26.01.008
 - Section 26.01.009
 - Section 26.01.010
 - Section 26.01.011
 - Section 26.01.012
 - Section 26.01.013
 - Section 26.01.014
 - Section 26.01.015
 - Section 26.01.016
 - Section 26.01.017
 - Section 26.01.019
 - Section 26.02.002
 - Section 26.02.003
 - Section 26.02.004(b)
 - Section 26.04.002
 - Section 26.04.003
 - Section 26.04.004
 - Section 26.04.005
 - Section 26.05.001
 - Section 26.06.001
 - Section 26.06.002
- (b) Each day that a responsible party violates a provision of this Chapter by maintaining a sign contrary to this Chapter shall constitute a separate offense. An offense under this Chapter is a misdemeanor.

- (c) The culpable mental state required for conviction for a violation of this Chapter shall be knowingly.

Sec. 26.08.004 Civil Remedies

Nothing in this Chapter shall be construed as a waiver of the City’s right to bring a civil action to enforce the provisions of this Chapter and to seek remedies as allowed by law, including, but not limited to the following:

- (1) Injunctive relief to prevent specific conduct that violates the Chapter or to require specific conduct that is necessary for compliance with the Chapter, including removal of signs that violate this Chapter at the expense of the Responsible Party; and
- (2) A civil penalty up to one thousand dollars (\$1,000.00) a day when it is shown that the defendant was actually notified of the provisions of the Chapter and after receiving notice committed acts in violation of the Chapter or failed to take action necessary for compliance with the Chapter; and other available relief.

Sec. 26.08.005 Removal

Any sign violating this Chapter must be removed or brought into compliance within thirty (30) days of receipt of written notice from the City. If the Responsible Party fails to remove or alter the structure so as to comply with the standards set forth in this Chapter within thirty (30) days after such notice, the City may undertake such removal or alteration as is necessary to bring the structure into compliance and assess the costs to the Responsible Party. The City may cause any sign or other sign structure which presents an immediate peril to persons or property to be removed or altered immediately and without notice, and without compensation to the sign owner.

Sec. 26.08.006 Impoundment

- (a) The Sign Administrator shall have the authority to remove all signs, without notice to the owners thereof, placed within any street or highway right-of-way; attached to trees, telephone and utility poles, other natural features; or banners that do not have the permit affixed as required by subsection 26.06.053(i).
- (b) The Sign Administrator shall have the authority to impound such confiscated signs for a period of five (5) business days.
- (c) The owner of a sign impounded by the City may recover same upon payment of an impoundment fee for each sign, as established by the City Council. Payment of the impoundment fee must be rendered to the City prior to the expiration of the five (5) business days impoundment period. Upon expiration of the impoundment period, the Sign Administrator shall have authority to dispose of such sign at the Administrator’s discretion.

Sec. 26.08.007 Administrative Guidance

The City is authorized to promulgate one or more interpretive documents to aid in the administration of, and compliance with, this Chapter. Such interpretive documents shall be educational only and shall not constitute regulations, amendments, or exceptions.

ARTICLE 26.09 NO WAIVER

Sec. 26.09.001 **Liability**

The provisions of this Chapter shall not be construed as relieving or limiting in any way the responsibility or liability of any person that erects or owns any sign, from personal injury or property damage resulting from the placing of the sign, or resulting from the negligence or willful acts of such person in the design, construction, maintenance, repair or removal of any sign erected in accordance with a permit issued under the provisions of this Chapter. Nor shall it be construed as imposing upon the City or its officers, employees or agents any responsibility or liability by reason of the approval of any signs, materials, or devices under these provisions.

Proposed 9/8/17

APPENDIX A

Sign Design Standards Summary Table

Type of Sign	Maximum Area	Maximum Height	Maximum Number	Permit Required
Athletic Sponsorship	32 sq ft	See cond.	--	No
Awning	See conditions	--	1-2	Yes
Banners	32 sq ft	15 ft	1	Yes
Banners Hwy 281	144 sq ft	18 ft	6	Yes
Canopy	24 sq ft	8 ft	1-2	Yes
Community Service (residential)	6 sq ft	6 ft	--	Yes
Community Service (non-residential)	32 sq ft	6 ft	--	Yes
Construction/Development	6 sq ft	6 ft	1	No
Construction/Development	32 sq ft	6 ft	1	Yes
Directory	15 sq ft	3 ft	1/building	Yes
Flags (Non-Governmental)	25 sq ft	30 ft	1	Yes
Flags (Governmental)	30 sq ft	30 ft	--	No
Hanging	8 sq ft	7 ft clearance	1-2	Yes
Ingress/Egress	3 sq ft	6 ft	See conditions	Yes
Monument - Multi-unit	64 sq ft	8 ft	1/200 ft	Yes
Monument - Single (non-residential)	50 sq ft	8 ft	1-2	Yes
Monument - Single (Town Home/Apt.)	32 sq ft	6 ft	1-2	Yes
Monument – Single (Model Home)	24 sq ft	4 ft.	1-2	Yes

Type of Sign	Maximum Area	Maximum Height	Maximum Number	Permit Required
Monument – Subdivision	32 sq ft	8 ft	1/entrance	Yes
Pole Signs Multi Unit	64 sq ft	12 ft	1-2	Yes
Pole Signs Single Unit	50 sq ft	12 ft	1-2	Yes
Political	36 sq ft	8 ft	--	No
Private Street	4 sq ft	8 ft	--	No
Private Traffic Control	3 sq ft	8 ft	--	Yes
Projecting (non-residential)	24 sq ft	--	1-2	Yes
Projecting (residential)	4 sq ft	--	1-2	Yes
Real Estate	6 sq ft	6 ft	1-2	No
Real Estate	32 sq ft	8 ft	1-2	Yes
Special Event (garage, yard, open house)	6 sq ft	6 ft	--	Yes
Special Event (residential)	12 sq ft	6 ft	--	Yes
Special Event (non-residential)	32 sq ft	6 ft	--	Yes
Vehicular Sign	32 sq ft	--	--	No
Vending Machine	--	--	--	No
Wall Non residential	64 sq ft	--	1-2	Yes
Wall Residential	4 sq ft	--	1	Yes
Warning	2 sq ft	6 ft	--	No
Window (residential)	1 sq ft	n/a	1-2	Yes
Window (non-residential)	24 sq ft	n/a	1-2	Yes