

ORDINANCE # 758

AN ORDINANCE TO AMEND THE MAULDIN ZONING ORDINANCE ARTICLE 6, SIGN ORDINANCE IN ORDER TO ENHANCE THE APPEARANCE OF THE CITY OF MAULDIN AND TO CLARIFY THE ORDINANCE:

Whereas, The Zoning Ordinance, Article 6, Signs, has not foregone a comprehensive amendment since its adoption in 1999; and

Whereas, the proposed ordinance amendment reflects a more balanced approach to the signage needs in the community; and

Whereas, the proposed amendment promotes the goals of the City of being business friendly by providing a code with flexibility and options; and

Whereas, the proposed amendment addresses the goals of improving the aesthetics of Mauldin's streetscape and built environment which in turn enhances commerce for our existing businesses and promotes future growth and economic opportunities.

BE IT ORDAINED by the Mayor and City Council of the City of Mauldin, South Carolina, in council assembled and by authority thereof that the Mauldin Zoning Ordinance be amended to read as follows:

Section 1. Amendment. Remove Article 6, in part and replace it with the following:

**Section 6:11 SIGN REGULATIONS**

**6:11.1 Purpose and Intent.**

The purpose of this section is to create a comprehensive and balanced set of standards for the display of signs in the City of Mauldin that will protect the safety and orderly development of the community, preserve the right of free speech and expression, and provide signs that will enable the public to easily locate goods, services, and facilities within the City. With these purposes in mind, it is the intent of this Ordinance to allow signs that will:

- A. Promote and aid in the economic viability of businesses located in the City of Mauldin by providing an equal and fair opportunity to advertise and promote its products and services without discrimination;
- B. Promote traffic safety and protection of pedestrians, cyclists and motorists from injury and property damage caused by, or which may be partially attributed to cluttered, distracting, and/or illegible signage;
- C. Protect property values, the local economy, and quality of life by ensuring signs are constructed to be structurally sound, aesthetically pleasing, of appropriate scale, and are compatible with the buildings and landscape they identify;
- D. Promote the goals, policies, and objectives of the City of Mauldin's comprehensive plan; and preserve the public health, safety and welfare of the City.

**6:11.2 Sign Definitions.**

*Abandoned sign or sign structure:* A sign or sign structure which was erected on a property in conjunction with a particular use, said use having been discontinued for a period of one-hundred eighty (180) calendar days or more or a sign of which the contents pertain to a time, event, or purpose which no longer applies or which has occurred.

Signs on property shall be considered abandoned when there is clear evidence that a business or activity has vacated the building or grounds.

*Advertising device:* Any structure or device erected or intended for the purpose of displaying advertising or for which is designed to or attracts attention to the premises, situated upon or attached to real property. For purposes of this Code Section, an advertising device is a “sign.”

*A-frame Sign (also known as a Sidewalk or Sandwich Board sign):* A self-supporting, portable sign with one or two faces that are adjoined at the top and displayed at an angle, which is not permanently anchored or secured.

#### **A-Frame Sign Examples:**



*Alteration:* Any change to a sign or sign structure because of construction, repair, maintenance.

*Animated sign:* A sign with action, motion, sound, or changing colors which accomplishes such action, motion, sound, or changing colors with or without electrical energy. This includes signs with lights or other illuminating devices that blink, flash, fluctuate, or have a changing light intensity, brightness, or color. This definition does not include a time, date and temperature or electronic message signs as defined by this Code Section.

*Appurtenance:* An accessory, something added to the main structure or land.

*Area of sign:* The area within a continuous perimeter enclosing the limits of writing, representation, emblem, figure, or character together with any frame, other material, open space, or color forming an integral part of the display or used to differentiate such writing, representation, emblem, figure, or character from the background against which it is placed. For double-faced signs, only the largest display face shall be measured in computing the sign area, or only one face shall be measured in computing sign area if the display faces are the same size. The display of street address on a ground sign, wall, or window shall not be computed in determining the maximum allowable area of a ground, wall, or window sign.

*Attached sign:* Any sign attached to, applied on, or supported by any part of a building, including but not limited to, a wall, window, projecting sign, or a sign on a canopy or awning.

*Awning:* An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid or non-rigid materials and/or fabric on a supporting framework that may be either permanent or retractable.

*Awning sign:* An awning that contains letters, numbers, symbols, pictures, logos, or visual display, or other communication, attached, painted on, or made an integral part of an awning. For purposes of this Code Section, “awning signs” shall be considered “wall signs.”

*Banner:* A sign with or without characters, letters, illustrations, or ornamentation applied to cloth, paper, plastic, or natural or synthetic fabric of any kind with only such material for a backing. For purposes of this Code Section, a “banner” is a “sign.”

*Business Signs on Vehicles:* Signs displaying a business name, trademark, or other identifier shall be allowed provided they are moved periodically during the normal course of business and maintain a current and valid registration. When not in use, said vehicles are to be parked in such a manner so as to minimize their visibility from the street and other public property.

*Canopy:* A permanent attached structure which projects from and is supported by a building, which serves as a cover providing shelter or decoration and which extends beyond the building.

*Canopy, attached:* A multi-sided structure or architectural projection supported by attachment to a building on one or more sides and also supported by columns at additional points. Signs placed on attached canopies are considered “wall signs” for the purposes of this Code Section.

*Canopy, freestanding:* A multi-sided structure or architectural projection supported by columns. Signs placed on freestanding canopies are considered “wall signs” for the purposes of this Code Section.

*Canopy sign:* A sign on a canopy. For purposes of this Code Section, a sign on a canopy is a “wall sign” (see figure, “Types of Attached Signs”).

*Changeable Copy:* Any permanently unframed sign, illuminated or not which is principally devoted to and designed for changeable copy text and graphics, but which specifically excludes time/date/temperature signs and electronic message signs as herein defined. Changeable copy signs may involve either manual or automatic changeable copy. No changeable copy sign may have its copy changed more than two times in a 24-hour period. Any automatic changeable copy sign which changes more than two times in a 24- hour period shall be defined to be an electronic message sign. Portable or moveable signs are not considered changeable copy signs.

*Civic Event:* An event sponsored by government organization.

*Conforming sign:* A sign that is legally installed and is in compliance with all applicable local laws and ordinances.

*Construction Sign:* A sign whose message is limited to identification of architects, engineers, contractors, and other persons involved with the construction project or to the name of the building being constructed, the intended purpose of the building and the expected completion date.

*Derelict sign:* A sign that is dilapidated or in such condition as to create a hazard or nuisance, or to be unsafe or fail to comply with the Building or Electrical Codes applicable in the jurisdiction.

*Development Identification Sign:* A sign bearing only the name of the multiple tenant development.

*Dimensional Requirements:* Those measurements that contain the area, height and spacing requirements for signs.

*Directional Sign:* A sign or guide whose sole purpose is to direct pedestrian or vehicular traffic on the premises on which it is displayed. Examples include: “in” “out”, “entrance”, “exit”, and “driveway”.

*Directory sign for multi-tenant development:* A sign, distinguished from a project entrance sign, which is allowed on a premise with more than one tenant or occupants of a building. It may be freestanding or a building (wall) sign. Such signs are not usually visible from the public street right-of-way of a development that provides initial access to the property, but rather are located within the development, along a driveway, access way, or parking aisle.

*Double-faced sign:* A sign which has two (2) display areas against each other or where the interior angle formed by the display areas is sixty (60) degrees or less, where one face is designed to be seen from one direction and the other face from another direction. Only one face shall be used in computing allowable sign area.

*Electronic Message Board (EMB's):* A permanent sign consisting of text, symbolic imagery, or both, that uses an electronic display created through use of a pattern of lights in a dot matrix configuration allowing the sign face to intermittently change the image without having to physically or mechanically replace the sign face. An EMB message changes more than two times in a 24-hour period, and shall be visible for a minimum of 3seconds and shall be kept accurate. These will not be deemed to constitute changeable copy or animated signs.

*Erect:* To construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish, but it shall not include any of the foregoing activities when performed as an incident to the change of advertising message or the normal maintenance or repair of a sign structure.

*Façade:* The exterior wall of a structure or building exposed to public view or that wall viewed by persons not within the building, including parapets walls.

*Façade, Primary:* A primary façade is a building's principle or face elevation that typically fronts a street. On commercial buildings, the primary façade generally includes the storefront, principle entryway, prominent architectural features, a building cornice and window and door opening. Some commercial buildings may feature multiple primary façades, such as those structures located on a street corner.

*Façade, Secondary:* A secondary façade has limited architectural features and generally does not have a storefront or other openings. For the purposes of signage, a secondary façade must be architecturally finished with at least one opening (window or secondary entrance) and shall be constructed with similar materials and details as the primary façade.

*Flag:* A sign with or without characters, letters, illustrations, or ornamentation applied to cloth, paper, plastic, or natural or synthetic fabric of any kind with only such material for a backing. For purposes of this Code Section, except as otherwise provided herein, a "flag" is a "sign."

*Flashing Sign:* A sign illuminated by direct or indirect artificial light that flashes on and off in regular or irregular sequences, including, but not limited to strobe light.

*Freestanding Ground Sign, see also Monument Sign.* A freestanding ground signs is a sign that is mounted on a monument structure or monument base that is equal to or has a length of at least seventy-five percent (75%) of the width of the sign face and supporting structures combined.

*Frontage, building:* The width in linear feet of the front exterior wall of a particular building in which an establishment is located.

*Frontage, road:* The distance in linear feet of each lot where it abuts the right-of-way of any public street.

*Ground sign:* A permanently affixed sign which is wholly independent of a building for support (i.e., freestanding). A ground sign must be attached to a monument structure and may consist of more than one sign panel, provided all such sign panels are attached to or integrated into one sign structure.

*Handheld Signs or Devices (Also referred to as human signs, sign spinners, living signs and sign walkers:)* Signs that are carried, waved, or otherwise displayed by persons either on private or public right-of-way or in a manner visible from a private or public right-of-way and are prohibited.

*Height of sign:* The distance in vertical feet from the ground at normal grade to the highest point of the sign, whether that highest point is the frame of the sign face or panel or the support of the sign.

*Holiday decorations:* Displays erected on a seasonal basis in observance of religious, national, or state holidays, which are not intended to be permanent.

*Home Occupation Sign:* A sign used for a home occupation.

*Incidental Sign:* A single faced professional announcement sign that maybe free-standing or attached wholly to a building, window or door containing information relative to emergencies, store hours, credit cards honored, and other similar accessory information. Incidental signs may also bear limited advertising information when such sign is not visible to the public right-of-way or adjacent properties. Incidental signs do not count towards the sign allowance allotted for a business.

*Identification Sign:* A sign used to identify, indicate or advertise the name, logo or other identifying symbol of a building, business, profession, institution, service, or entertainment conducted on a lot upon which the sign is located.

*Inflatable sign:* Any sign that is or can be filled with air or gas.

*Internally illuminated sign:* Any sign designed to provide artificial light either through exposed lighting on the sign face or through transparent or translucent material from a light source within the sign.

*Joint Identification Sign:* A sign bearing the name of individual tenants located within a multiple-tenant (multi-tenant) development and which includes the name of the development.

*Local Government:* Any county, incorporated village, town or city, or any combination of counties, incorporated villages, towns, and cities, acting through a joint program pursuant to provisions of the Act.

*Logo:* A business symbol or trademark.

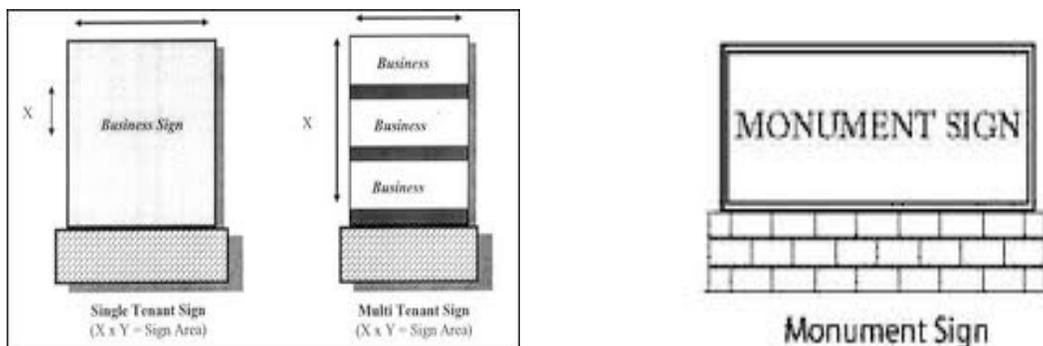
*Lot for sign regulations:* Any number of contiguous lots or portions thereof, upon which one or more main structures for a single use are to be erected.

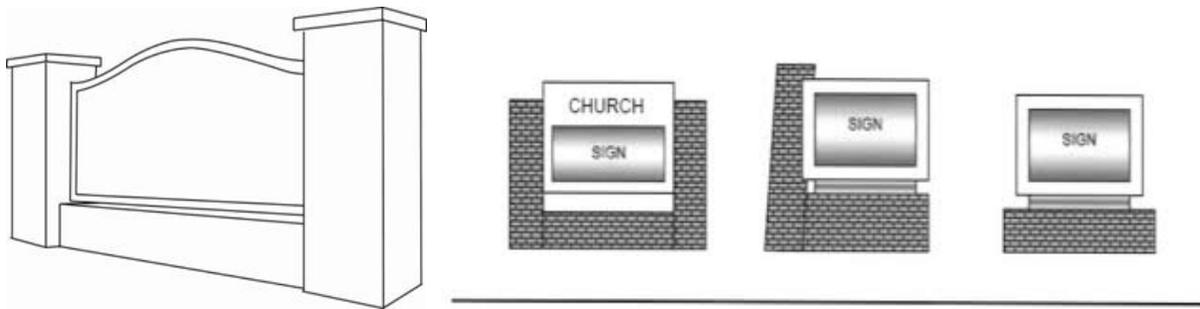
*Marquee Sign:* A sign painted in, attached to, or hung from a marquee. For purposes of this Code Section, a marquee shall be considered “wall sign”.

*Menu Board:* A freestanding or wall mounted sign primarily designed for the display of menu items and prices for the purpose of placing orders for such items in conjunction with a restaurant utilizing drive-through or walk up service.

*Monument sign:* A free-standing ground sign that is supported by a solid base (other than poles) and having no more than two (2) inches of air space visible within or between any portion of the sign display area and sign structure. All freestanding ground signs shall be mounted on a monument base that is equal to or has a length of at least seventy-five percent (75%) of the width of the sign face and supporting structures combined. Monument structures and sign supports shall not have any exposed poles and shall be constructed of durable architectural materials (i.e. brick, stucco, or stone) that are consistent with the design and features of the primary facade of the building on the site.

**Examples of a Freestanding Monument Ground Sign (monument structure):**





*Multiple message sign:* A sign, display, or device, which changes the message or copy on the sign electronically by movement or rotation of panels or slats.

*Multiple (Multi) Tenant Development (also referred to as Group Development):* A development in which there exists a number of individual and separate occupiable spaces and/or buildings and in which there are appurtenant-shared ancillary facilities (such as parking areas, driveways or pedestrian mall areas) with each space having a separate and operable public entrance opening onto or leading to the area of shared facilities.

*Nit:* A unit of illuminative brightness equal to one candle per square meter, measure perpendicular to the rays of the source.

*Nonconforming sign:* A legally established sign that does not conform to the minimum standards and provisions of the effective date of this article and/or are made nonconforming by subsequent amendments to this Chapter. Nonconformities include but are not limited to: sign type, sign height, sign copy size and location (both on-premise and off-premise). Non-conforming signs are often referred to as a sign that is grandfathered.

*Off-premises sign:* Any sign used for the purpose of displaying, advertising, identifying, or directing attention to business products, operations or services sold or offered at a site other than the site where such sign is displayed.

*On-premises sign:* Any sign used for the purpose of displaying, advertising, identifying, or directing attention to business products, operations or services sold or offered on the lot site where the sign is located.

*Parapet wall:* That portion of a building wall that rises above the roofline.

*Pennant:* A small, triangular or rectangular flag or multiples thereof, made of lightweight plastic, fabric, or other material, individually supported or attached to each other by means of a string, rope, or other material and meant to be stretched across or fastened to buildings, or between poles and/or structures, and which is designed to move in the wind. For purposes of this Code Section, pennants are “signs.”

*Pole or Pylon Cover:* An enclosure for concealing and/or for decorating poles or other structural supports of a ground sign.

*Pole or Pylon Sign:* A freestanding sign that is permanently supported in a fixed location by a structure of poles, uprights, or braces from the ground and not supported by a building, monument structure or base. Pole signs are further defined as a sign that is affixed, attached or erected on visible pole support structure(s) such that the bottom of the sign face is three feet or more above grade. Pole and Pylon signs are considered prohibited signs.

**Examples of Types of Pole Signs with out monument base:**



*Portable, Mobile and Moveable signs:* Any sign that is designed or is intended to be readily relocated and is not permanently affixed to the ground or to a building. This shall include signs on wheels, trailers, truck beds, or otherwise, devices which are designed to be transported from one place to another. It is characteristic of a portable sign that the space provided for advertising messages may be changed at will by the replacement of lettering or symbols (i.e., a changeable copy sign). Even if the wheels or supports of such sign are removed and the sign converted and attached, temporarily or permanently, to the ground or other structure, said sign shall remain a portable sign. In addition, signs mounted or painted upon a parked vehicle that is positioned for the primary purpose of advertising a business or business activity to the public not being used in the normal course of business shall constitute a portable, mobile and/or moveable sign. Portable, mobile and moveable signs shall also include: windblown or air blown devices, wind signs, streamers, snipe signs, animated motion signs, attention seizing devices, decorative flags, and handheld devices which are signs that are expressly prohibited.

*Principle Structure:* The main or predominant structure(s) in which the primary use occurs. Parcels may support more than one principal structure when said structure does not vary in gross floor area by more than twenty percent (20%).

*Principal use sign:* Any notice or advertisement, which is permitted in conjunction with (but not necessarily containing copy specifically related to) a single principal use or single principal building located on the property, and which may display a noncommercial, commercial, or other message, the content of which is not regulated by this Code Section.

*Projecting sign:* A sign projecting more than fourteen (14) inches from the outside wall or walls of any building, or canopy, portico, or awning, upon which it is located (see also figure, “Types of Attached Signs”).

*Public Agency:* Any governmental body (including city, county and state bodies or agencies, and special purpose districts such as fire, water, and sewer districts) that has jurisdiction over property or infrastructure within the City of Mauldin.

*Public Awareness Event:* An organized, systematic effort through various communications media to alert the general population of a given area to anything of significant interest or concern. Examples include: Paint the Town Teal, Cancer Awareness, Fire Prevention Month, Child Abuse Awareness.

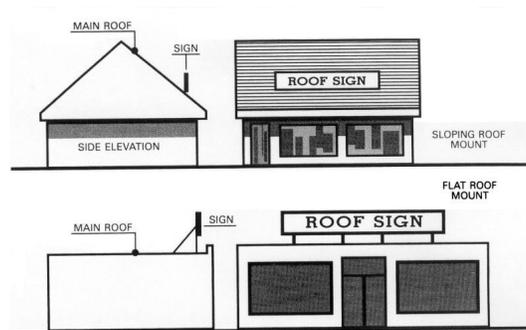
*Replacement Cost:* Cost of replacing a structure or building at current costs at the time of the loss, identical to the one that was destroyed or is being replaced, without application of depreciation.

*Residential Development:* A development consisting of buildings for residential uses such as attached and detached single-family dwellings, manufactured homes, apartment complexes, condominiums, townhouses, cottages, etc. and their associated outbuildings such as garages, storage buildings, gazebos, etc.

*Roof sign:* A sign projecting higher than the front building wall or any sign supported by or attached to said roof. Roof signs meeting this definition are considered prohibited.

*Seasonal Outdoor Sale event:* The display and sale of products outside of a building, typically located within a parking area, for a temporary period of time. The following events and similar uses shall qualify as a seasonal sales event: Christmas tree sales, garden sales, produce stands, and pumpkin sales.

### Examples of Types of Roof Signs:



*Second Tier Development:* A development that is located at least one (1) lot back from a major thoroughfare with no direct street frontage and having shared access with adjacent or adjoining parcels and the development consists of more than one (1) structure on the site or within the development. For purposes of signage, this option does not increase square footage allowances or render a single tenant property as a multi-tenant development unless such conditions are met under another definition in this section.

*Sign:* A lettered, numbered, symbolic, pictorial, illuminated, or colored visual display, device, or communication designed or used for the purpose of identifying, announcing, directing, informing, or bring to the attention of others the subject thereon, that is visible from the public right-of-way, a driveway or parking lot with access to a public right-of-way, or from an adjacent property, except as specifically noted otherwise in this Code Section. For purposes of this Code Section, the term “sign” includes but is not limited to “banners,” “balloons,” “flags,” “pennants,”

“streamers,” “windblown devices,” and “advertising devices.” Furthermore, the term “sign” includes the sign structure, supports, lighting system, and any attachments, ornaments, or other features used to draw the attention of the observers. This definition shall not include art or works of art provided that the art or works of art does not include logos in their traditional form or the name of the business at whose location the art or works of art are located. The art or works of art shall not be located on the sign or sign panel.

*Signable area:* In the case of a wall sign, signable area shall be the building face on which the sign is proposed, excluding windows and doors. In the case of canopies, signable area shall be the area of the marquee or canopy wall on which the sign is proposed. For window signs, signable area shall be measured and calculated on the basis of the proportion of area within each individual window frame, not the total window area of all building windows visible from a street.

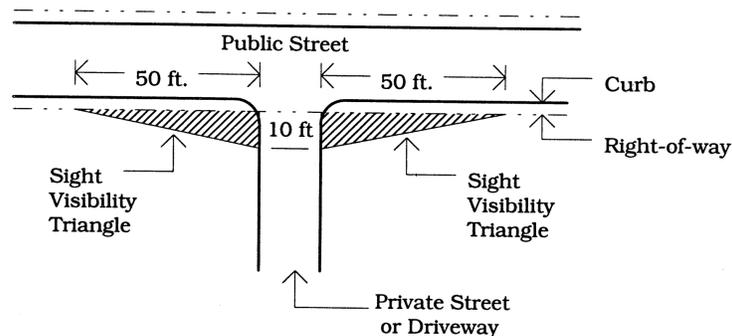
*Sign face:* That part of a sign that is or can be used for advertising purposes.

*Sign Structure:* Any structure that supports, has supported or is capable of supporting a signs, including any decorative cover for said sign structure.

*Single Tenant:* A single business establishment, or activity or use, which does not share any facilities, such as driveways, parking, storage areas, entrances, etc. with another use. For the purposes of the sign code, a single tenant may also include a use or business that is located on a leased site or individual parcel within a planned development that complies with all development and design codes that are applicable to a stand-alone business located on an individual parcel.

*Site visibility triangle:* An area that is measured from the curb or edge of pavement, the triangle area created by a line connecting points on the front and side for lines at a distance (as indicated below) from the intersection of said lines or the extensions of said lines.

#### Example of a Site Triangle:



*Snipe Sign:* A temporary sign which is not permitted or authorized under any provision of this code, and which is tacked, nailed, posted, pasted, glazed, or otherwise affixed to a tree, pole, stake, fence, traffic control device, or another other object or the ground.

## EXAMPLES OF SNIPE SIGNS:



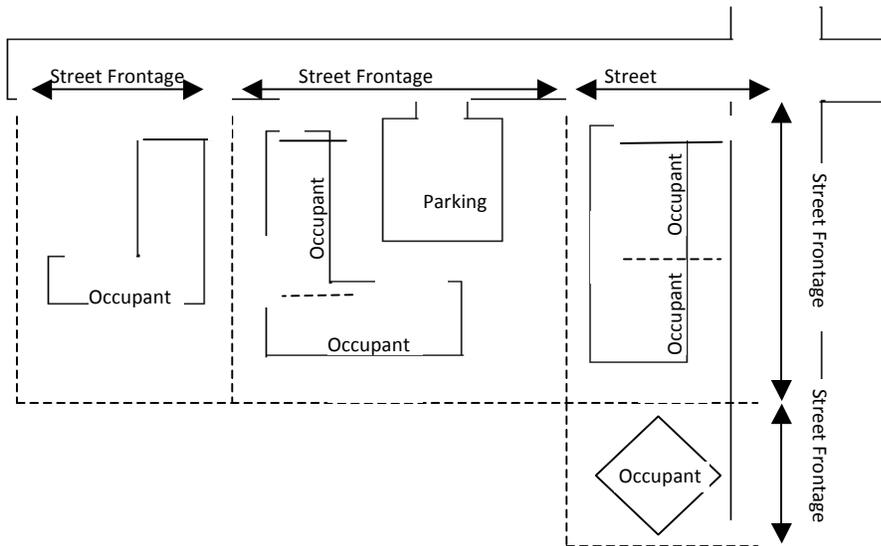
*Special Event:* Means a non-routine activity within the City of Mauldin that brings together a number of people including, but not limited to, a performance, exhibition, festivals, concerts, carnivals, arts and craft shows, religious revivals, political rallies, marches, demonstrations, and similarly recognized temporary activities. A "special event" shall not include weddings and funeral ceremonies, elections, private yard sales, charitable fund-raising such as car washes and other similar activities that are otherwise lawfully conducted and which are in accordance with the provisions of the City's Zoning Regulations. A "special event" shall not include minor fund-raising activities of public schools, churches, or other nonprofit organizations that have a minimal impact on surrounding properties. Any organization claiming nonprofit status shall possess a letter or other documentation from the Internal Revenue Service proving nonprofit status. General and temporary retail sales events shall not constitute a "special event".

*Static:* Characterized by a lack of movement, animation or progression.

*Streamers:* See "Pennants."

*Street frontage:* That portion of a lot that adjoins a public street right-of-way and is measured in linear feet. See example of street frontage below.

**EXAMPLE OF STREET FRONTAGE:**



*Temporary sign:* A sign(s) with or without a frame, not permanently affixed to a building or frame, not permanently attached to a building or structure or the ground and is intended to advertise or draw attention to a business or service of a business during a limited period of display. Such temporary signs shall only be permitted in conformance with the provisions set forth in *Section 6:11.12 B, Temporary Signs*.

**EXAMPLES OF TEMPORARY SIGNS AND TEMPORARY SIGNS WITH SUPPORT STRUCTURES:**



*Time, temperature and date signs:* A sign containing numerals or letters, which may be alternately displayed, and which alternating portion only shows the time, date and/or temperature. This sign shall not be considered a flashing or an animated sign.

*Trademark:* A name, symbol, or other device identifying a product that is officially registered and legally restricted to use by its owner.

*Visible:* Capable of being seen (whether or not legible) without visual aid by a person of normal visual acuity.

*Wall sign:* A sign painted or attached flat against and parallel to the exterior wall or surface of a building or other structure and/or which projects from that wall or surface. (see also figure, “Types of Attached Signs”).

*Windblown or air-blown device:* Any device not otherwise specifically defined in this Code Section, that is designed to inform or attract, whether or not such device carries a message, and which all or part of the device is set in motion by wind or mechanically compressed air. For purposes of this Code Section, windblown devices are a considered “signs.”

*Wind Sign:* A suspended or tethered sign (with or without characters or language) made of flexible material such as canvas, sail cloth, plastic or waterproof paper, including but not limited to, banners, pennants, spinners, streamers or balloons. For purposes of this Code Section, wind signs are a considered “signs.”

*Window sign:* A sign installed on or within two (2) feet of an exterior window or door and intended to be visible from the exterior of the building. Displays which show products or depict services sold on the premises and which are more than two (2) feet from an exterior window or door shall not be classified as window signs (see also figure, “Types of Attached Signs”).

### **6:11.3 Applicability**

- A. *Protection of First Amendment Rights.* Any sign allowed under this ordinance may contain, in lieu of any other copy, any otherwise lawful non-commercial message that does not direct attention to a business, activity conducted, or product sold or offered at a location not on the same premises where such business sign is located.
- B. *General.* Unless exempted in accordance with this ordinance, no sign allowed by this section shall be erected, repaired, altered, relocated, or displayed without first being issued a Sign Permit and complying with the relevant standards of this section.
- C. *Responsibility for Compliance.* Review for compliance with the standards is initiated upon submittal of an application for a Sign Permit, Zoning Permit, site plan review, subdivision review, planned development, or formal submittal of another type of application or permit, whichever is appropriate.
- D. *License Requirements.* When the cost of work for installation, repair of, or maintenance of a sign exceeds \$5,000 a General Contractor with a valid South Carolina State license will be required for the application. For signs that involve electrical work, an electrician with a valid State license is required for the application. All licensed contractors are required to obtain a City Business License.

### **6:11.4 Maintenance.**

- A. All signs shall be maintained in sound, structural condition at all times. Signs shall be maintained in accordance with the standards in this section and shall be kept free of weeds, grass or vegetation that obscures the view of the sign message.
- B. The painting and refinishing of the surface of a sign face or sign structure (whether conforming or non-conforming) for the purpose of maintaining an aesthetic appearance for an existing business that is in operation shall be allowed without a sign permit. This provision is not applicable to abandoned signs described in Section 6:11.5, Abandoned Signs.
- C. No sign shall be allowed to deteriorate to a condition in which it requires repairs or renovations in an amount that exceeds fifty percent (50%) of its current replacement cost as determined by a licensed sign company. Signs which are defaced, missing some or all illumination or characters, and whose finishes or facings are chipping, peeling, cracking, or broken in any way shall be deemed to be in disrepair.
- D. Signs that are in disrepair or deteriorate to such a condition that they are in violation of this ordinance shall

be either removed or replaced within thirty (30) calendar days of receiving notice from the City of Mauldin. If a sign is replaced, the new sign shall comply with the sign standards that are in effect when the sign is removed.

- E. All nonfunctioning bulbs or damaged panels associated with an illumination system shall be replaced or repaired within thirty (30) calendar days of receiving notice from the City.
- F. It shall be the responsibility of the sign owner to maintain the sign and ensure compliance with the provisions of this section. In the event a sign is no longer in use or is considered abandoned, the property owner shall be responsible for maintenance and/or removal of the sign as required in *Section 6:11.5, Abandoned Signs*.

#### **6:11.5 Abandoned Signs.**

- A. *Nonconforming Signs.* When a business vacates a site or a use is discontinued on a site for a period of more than one-hundred eighty (180) calendar days, all existing non-conforming sign(s) and/or off-premise sign(s) associated with the discontinued use shall be considered abandoned and such signs shall be fully removed (including non-conforming support structures) from the property within thirty (30) calendar days from when the site was vacated or upon receiving notification from the City.
- B. *Conforming Signs.* When a business vacates or discontinues the use of a site and the existing sign(s) are deemed to be conforming to the provisions of this section, all sign face(s) and messages used by the previous business shall be considered abandoned and shall be fully removed within thirty (30) calendar days from when the site was vacated or upon receiving notification from the City. The existing freestanding ground (monument) sign may be used to display general information such as “For Lease” or “For Sale” and may reference contact information to assist in leasing or selling the site.
- C. Abandoned signs shall not be leased, rented or sold for any off-site advertising.
- D. The property owner shall be responsible for maintenance and/or removal of an abandoned sign.

#### **6:11.6 Prohibited Signs.**

The following signs shall not be erected or maintained in any zoning district within the City of Mauldin. The Board of Zoning Appeals shall not have the authority or jurisdiction to grant variances so as to allow a prohibited sign to be installed or maintained.

- A. *Abandoned or Dilapidated signs.* Signs that are abandoned, dilapidated or deteriorated and not maintained in accordance with *Section 6:11.4 Maintenance* are prohibited.
- B. *Animated or Motion Signs.* Signs which employs motion in such a manner as to obstruct or interfere with a driver’s view of approaching, merging, or intersecting traffic, or traffic signs, device signs or a sign, which would otherwise interfere with a driver’s operation of a motor vehicle are prohibited.
- C. *Attention-seizing devices.* Costumes, characters, mascots, statues, or signs which emit sound, odor, or visible matter and which are displayed in a public or private right-of-way or in a manner visible from the public or private right-of-way, whose purpose is to draw attention to a business, or person for commercial purposes whether holding a sign or not are prohibited.
- D. *Decorative Flags (also known as Swooper Flags).* Flags that are decorative or otherwise, may not be used in conjunction with a commercial promotion or used as an advertising or attention-getting device for a commercial purpose, or as an integral part of a sign regulated under this section, except as provided for in *Section 6:11.12-B, Grand Opening Events*.
- E. *Handheld Signs or Devices. (Also referred to as human signs, sign spinners, living signs and sign walkers)* Signs that are carried, waved, or otherwise displayed by persons either on private or public right-of-way or

in a manner visible from a private or public right-of-way are prohibited. This provision is directed towards such displays intended to draw attention for a commercial purpose. It is not intended to limit the display of placards, banners, flags or other signage by persons participating in non-commercial demonstrations, political rallies and other similar non-profit fundraisers or events.

- F. *Obscene Materials.* Any sign that exhibits statements, words, or pictures of obscene, pornographic or immoral subjects is prohibited.
- G. *Off-premise signs.* All off-premises signs are prohibited, except as provided for in Section 6:11.7, L and M, *Temporary Real Estate Signs* and Section 6:11.18, *Nonconforming Signs, Billboards*.
- H. *Portable, Mobile and Moveable signs.* Any sign that is portable or not securely attached to a building or to the ground is prohibited as defined, except for such signs that are permitted under the provisions of *Section 6:11.12 B, Temporary Signs*.
- I. *Pylon and Pole Signs.* Pylon or pole-mounted on-premises or off-premise freestanding signs are prohibited. (Only freestanding monument signs are permitted.)
- J. *Roof signs.* Signs that are not an integral part of the building design but fastened to and supported by (or on) the roof of a building, or projecting over or above the roofline or parapet wall of a building is prohibited.
- K. *Signs or Advertisements on Vehicles not Used in the Normal Course of Business.* Signs or advertisements placed on vehicles or trailers that are parked or located for the primary purpose of displaying a sign or advertisement of a business or business activity are prohibited. This shall not include permitted overnight or weekend parking of regularly used marked company vehicles in parking lots.
- L. *Signs or devices Employing Confusing, Distracting or Intense Illumination.* No sign shall be permitted which utilizes intense flashing or strobe-type lights, spot lights, flood lights, flashing or blinking lights, or any types of pulsating or moving lights which may impair the vision, causes glare, or otherwise interfere with any drivers' operation of a motor vehicle.
- M. *Signs located in or projecting over a public right-of-way.* Signs, whether temporary or permanent, within or projecting over any public right-of-way are expressly prohibited.
- N. *Signs Resembling Traffic Signals, and Emergency Lights.* No sign shall be permitted which imitates an official traffic sign or signal, or which displays intermittent lights customarily used in traffic signals or on emergency vehicles or on law enforcement vehicles. Nor shall any sign use the word "stop", "danger", or any other words or phrase, or symbol, or character in a manner, which might be misconstrued as a public safety warning or traffic sign.
- O. *Signs on roadside appurtenances.* On-premise or off-premises signs located on roadside appurtenances, including but not limited to benches, planters, utility poles, street signs, trees, parking meter poles, and refuse containers, are prohibited.
- P. *Snipe Signs.* Snipe signs, bandit signs or other temporary signs that are attached to posts, trees, utility poles, fences or similar support structures for the purpose of advertising an event or product that is not located on the property for which it is advertising or is located within a public or private right-of-way or located in a manner that is visible to a public or private right-of-way are prohibited. This provision shall exclude such signs that are permitted in accordance with *Section 6:11.12 B, Temporary Signs*.
- Q. *Wind Signs.* Including but not limited to circulars, handbills, banners, inflatable signs and balloons, dirigibles, flags, streamers, spinners, placards, pennants or similar attention seizing, wind-activated devices that are used for a commercial purpose are expressly prohibited, except as provided for in *Section 6:11.12-B.1) Grand Opening Events*.

**6:11.7 Signs exempt from regulation.**

Unless otherwise prohibited in this chapter, the following signs are exempt from regulation under this article. Such signs shall not be considered in determining the allowable number of signs on a parcel or determining the maximum square footage allowance; provided, however, that said signs shall comply with all other applicable sections of this ordinance:

- A. American flags flown in accordance with federal guidelines set forth in Title 4, Chapter 1 of the United States Code and not used for commercial purposes.
- B. Merchandise, pictures or models of products or services that are incorporated as an integral part of a window display.
- C. Official flags of a nation, state, county or city, displayed in a dignified manner and not for commercial purposes.
- D. Official governmental notices and notices posted by governmental officers in the performance of their duties; governmental signs, and signs installed under governmental authority which notes the donation of buildings, structures or streetscape materials (such as, but not limited to, benches, trash cans, lampposts and park facilities).
- E. Signs displayed on trucks, buses, trailers, or other vehicles which are being operated in the normal course of business and which are affixed or painted onto moving vans, delivery trucks, contractors' vehicles and equipment are exempt unless such signs are used in a manner prohibited under Section 6:11.6 - K. (Use in a normal course of business shall mean driving the vehicle on any street, parking the vehicle at the place of business, or place where business or a service is being conducted.)
- F. Signs required for or specifically authorized for a public purpose by any law, statute or ordinance. These signs may be of any type, number, area, and height above grade, location, or illumination authorized by law, statute, or ordinance under which such signs are required or authorized.
- G. Signs approved as part of a City adopted wayfinding program.
- H. Temporary or permanent signs erected by government agencies, public utility companies or construction companies to warn of danger or hazardous conditions, including signs indicating the presence of underground cables, gas lines and similar devices or signs providing direction around such conditions.
- I. Trademarks or product names which are displayed as part of vending machines, dispensing machines, and gasoline pumps.

**6:11.8 Signs exempt from obtaining a permit.**

The following signs are allowed in all zoning districts and shall not require a sign permit. However, such signs shall conform to the requirements set forth below and to other applicable requirements of this article. In any case where a sign of a certain size is exempted by this section and an applicant desires to erect a larger sign than the area of sign exempted, said sign shall only be permitted upon approval of a variance heard by the Board of Zoning Appeals.

- A. *Automatic Teller Machines.* Signs contained on automatic teller machines that do not exceed fifteen (15) square feet in area per machine.
- B. *Civic and Public Awareness Events.* Such signs shall be allowed and are subject to the following standards:

1. One (1) temporary ground mounted sign shall be allowed per parcel with a maximum sign face area of thirty-two (32) square feet and not exceeding six (6) feet in height;
  2. The duration of the event shall not exceed five (5) business days.
  3. Signs shall be setback at least five (5) feet from the street right-of-way and shall not obstruct visibility at ingress and egress points into the site or at street intersections.
- C. *Construction Signs.* The following types of temporary construction signs shall be allowed and are subject to the following standards:
1. *Temporary Subdivision Signs:* Temporary signs announcing a new residential or commercial subdivision development: One (1) temporary sign shall be permitted per principal entrance into the subdivision and must be erected on the land or premises of which is being advertised. Sign(s) shall not be illuminated, and shall not exceed fifty (50) square feet in area and eight (8) feet in height; sign shall be located outside of the street right-of-way and the site visibility triangle and shall be setback at least eight (8) feet from any property line. Sign(s) shall be removed from the premises upon ninety (90%) percent completion of the development or upon erection of the permanent subdivision or development ground sign.
  2. *Combined Temporary Subdivision Sign.* A sign that announces the name of the subdivision or development, and also names other multiple entities associated with the project (i.e. real estate group, contractor, architect and engineer) may be combined on one (1) sign structure per principal entrance into the subdivision and must be erected on the land or premises of which is being advertised. Sign(s) shall not be illuminated, and shall not exceed one-hundred (100) square feet in area and twelve (12) feet in height; sign shall be located outside of the street right-of-way and the site visibility triangle and shall be setback at least eight (8) feet from any property line. Sign(s) shall be removed from the premises upon ninety (90%) percent completion of the development or upon erection of the permanent subdivision or development ground sign. The use of a combined sign prohibits the development from obtaining other temporary signage listed in this section.
  3. *Temporary Construction and Remodeling Signs:* Contractor's signs, Craftsmen's signs and other signs pertaining to construction are limited to one (1) construction sign per road frontage. Sign(s) shall not be illuminated and must be erected on the land or premises of where construction is occurring. The following sign(s) may not be erected or displayed prior to the issuance of required construction permits and shall be removed with seven (7) calendar days of completion of the project. Signs must be located outside of the street right-of-way and the site visibility triangle and shall be setback at least eight (8) feet from any property line.
    - For attached or detached single family and two-family (duplex) homes: A maximum of four (4) square feet in area and three (3) feet in height is permitted;
    - For group residential developments including condominium, townhome and multi-family developments: sixteen (16) square feet in area and six (6) feet in height is permitted;
    - For non-residential sites located in O-D, C-1, C-2, CRD and PD-R, PD-C zoning districts: sixteen (16) square feet in area and six (6) feet in height is permitted; and
    - For non-residential sites located in S-1 and I-1 zoning districts: thirty-two (32) square feet in area and eight (8) feet in height is permitted.
- D. *Directional signs.* Directional signs shall be located on the premises or development to which directions are indicated. Directional signs shall not exceed four (4) square feet in area; two (2) faces per sign and shall not exceed three (3) feet in height, if freestanding. These signs may only be internally illuminated. Directional signs shall not be located within the street right-of-way or located on the roof of any structure. The maximum number of directional signs per site shall be four (4).

- E. *Incidental informational signs.* Information signs bearing only property numbers, post office box numbers, names of occupants of premises, or other identification of premises and not bearing any commercial connotations shall be permitted up to one (1) square feet in sign face area.
- F. *Incidental signs.* Signs that are not oriented or intended to be legible from a thoroughfare, public right-of-way or private road, or beyond the boundaries of the lot shall be allowed when such sign(s) is attached to a device or structure that is located at least fifteen (15) feet from the street right-of-way and does not exceed four (4) square feet in sign face area each. Examples include but are not limited to the following: lettering, credit card stickers, vending machine signs, pump-topper signs, internal canopy column signs not directed towards the street, inspection certificates and pricing information on gasoline pumps; “flammable or hazard signs on enclosures for fuel canisters, and other similar informational and incidental signs. Signs shall not block or interfere with ADA accessibility nor restrict pedestrian movement.
- G. *Oil rack signs.* Oil marketed at the pump island shall not exceed three (3) square feet in sign face area.
- H. *Outdoor Menu Board.* Up to two (2) menu boards are permitted per ordering station for restaurants. The board shall be single-faced and shall not exceed forty-two (42) square feet in area. Lettering and illumination shall be designed so that such sign is not visible from a thoroughfare, street right-of-way or beyond the boundaries of the lot for which said sign is used.
- I. *Political Campaign Signs.* Signs announcing candidates seeking public office or relating to any election of public referendum shall be permitted in all districts subject to the following provisions:
  - 1. Signs shall be confined to placement on private property, and shall be setback a minimum of ten (10) feet from the back of the curb, or leading edge of the street pavement.
  - 2. Such signs shall not impede site visibility at property ingress and egress points or at street intersections.
  - 3. Signs shall only be posted thirty (30) calendar days prior to the election and shall be removed within seven (7) calendar days after the election or referendum for which they were prepared, is decided. The property owner and the political candidate shall be equally responsible for the removal of the signs.
  - 4. The regulations of this section do not prohibit the purchase of advertising space on a permitted advertising sign, which shall also be allowed in addition to the signs permitted by this section.
- J. *Signs conveying political, ideological, religious, social or governmental messages.* Signs that are not related to businesses, services or manufacturing activities or the goods connected therewith, are permitted provided such signs do not exceed four (4) square feet in sign face area and four (4) feet in height. This excludes political campaign signs that are subject to the provisions of *Section 6.11.8- I, Political Campaign Signs.*
- K. *Sign Copy changes and maintenance.* No permit shall be required for copy changes made to an approved changeable copy sign or menu board, provided that the changes proposed do not change the classification or legal status of the sign under this article.
- L. *Temporary real estate signs.* One (1) temporary non-illuminated sign for each street frontage, advertising real estate for sale, rental or lease of the property is allowed, provided such sign(s) complies with the following standards:
  - 1. All real estate signs must be located on the property of which is being advertised.
  - 2. All real estate signs shall be setback a minimum of five (5) feet from the street right-of-way;
  - 3. Sign(s) shall not be located in a manner that obstructs visibility at intersections or main entrances into subdivisions or other types of housing developments, or established signage in a multi-tenant development;

4. Signs shall be removed within seven (7) calendar days after the closing of the sale, rental or lease of the property.
5. For attached or detached single family and two-family (duplex) homes: A maximum of four (4) square feet in sign face area and three (3) feet in height is permitted;
6. For group residential developments including condominium, townhome and multi-family developments: sixteen (16) square feet in area and six (6) feet in height is permitted;
7. For non-residential sites located in O-D, C-1, C-2, CRD and PD-R, PD-C zoning districts: sixteen (16) square feet in area and six (6) feet in height is permitted;
8. For non-residential sites located in S-1 and I-1 zoning districts: thirty-two (32) square feet in sign face area and eight (8) feet in height is permitted.

M. *Temporary Weekend Real Estate Direction Sign.* Provided such signs comply with the following standards:

1. The number of such signs shall be limited to three (3) signs total, only two (2) of which may be located off-premises and with property owner consent.
2. Signs shall be located on private property and shall not encroach into the street right-of-way, and shall not obstruct visibility at intersections or main entrances into subdivisions or other types of housing developments;
3. Signs shall not exceed three (3) feet in height and four (4) square feet in area;
4. Open house signs shall not be erected before 6:00pm on Friday evening and shall be removed not later than 8:00am on the following Monday morning.

N. *Temporary Yard Sale and Garage Sale Signs.* Provided such signs comply with the following standards:

1. The number of such signs shall be limited to three (3) signs total, only two (2) of which may be located off-premises and with the property owner's consent for which the sign is placed. All signs shall bear the address and/or location for which the sale is being advertised.
2. Signs shall be located on private property and shall be setback a minimum of five (5) feet from the street right-of-way line. In no circumstance shall said sign encroach into the street right-of-way; nor shall such sign obstruct visibility at street intersections or main entrances into a subdivision or other form of housing or commercial developments;
3. Signs shall not exceed three (3) feet in height and four (4) square feet in sign face area (size).
4. Such signs shall not be erected more than one (1) day before the event and shall be removed not later than 8:00am the day following the sale date.

O. *Temporary Signs Advertising Employment Opportunities.* Provided such signs comply with the following standards:

1. One (1) professionally lettered sign shall be permitted per each individual business for a period not exceeding thirty (30) calendar days at any given time. Such sign shall be located on the premises or development of which is being advertised.
2. Such sign shall be professionally designed and lettered and shall be displayed in a neat and orderly manner at all times. Handwritten signs of any form are expressly prohibited.
3. Such sign shall either be a temporary ground mounted sign or temporary attached wall sign.

Temporary ground mounted signs shall be securely attached to a rigid framed structure that is supported on at least two (2) sides. Temporary wall mounted signs shall be secured and held taut across the wall surface to maintain readability and to avoid sagging, tearing and/or and flapping in the wind.

4. Signs shall be located on private property and shall be setback a minimum of five (5) feet from the street right-of-way line. In no circumstance shall said sign encroach into the street right-of-way; nor shall such sign obstruct visibility at street intersections or main entrances into a subdivision or other form of housing or commercial developments;
  5. Signs shall not exceed three (3) feet in height and four (4) square feet in sign face area (size).
- P. *Window Signs.* Signs located on the interior side of the window glass advertising merchandise and services provided by the business are permitted. Signs may be hung inside the window, painted, affixed, or etched on the glass and shall comply with the following standards:
1. Window signage shall not cover more than twenty-five percent (25%) of the total window area on the side of the building on which it is displayed. Illuminated window signs shall not exceed four (4) square feet in area.
  2. Tenants in structure that are located less than thirty-five (35) feet from the street right-of-way may increase the amount of window display area to thirty-five percent (35%). Illuminated window signs shall not exceed four (4) square feet in area.
  3. This provision shall not include additional advertisement of the business name or logo. If advertising of the name or logo is used on these signs, it shall be computed as part of the total allowable signage for the lot.

#### **6.11.9 Signs requiring sign permits.**

A permit shall be required for the erection, alteration, replacement, installation, or change of any sign intended for view from a public or private right-of-way including the following:

- A. Wall Signs
- B. On – Premise Freestanding Monument Signs
- C. Permanent Banners (proposal to be replaced with Temporary Banner provision)
- D. Temporary Signs
- E. Signs with Special Provisions
- F. Any other sign not specifically exempted herein.

#### **6:11.10 General standards for all permanent signs.**

All permanent signs shall comply with the following general standards:

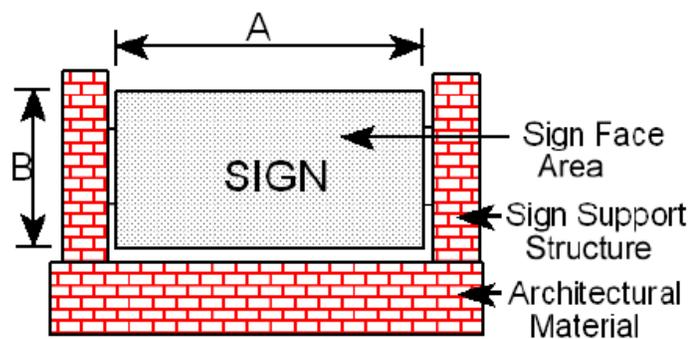
- A. *Sign Allotment.* A development or business is allotted a designated amount of signage based on the standards in this section.
- B. *Construction Standards.* All signs shall be constructed and installed in accordance with the structural and safety requirements of the International Building Code. Signs with electrical components shall be approved by Underwriters Laboratory (UL) as specified in the National Electrical code. An Underwriters Laboratory label is required on the outside ballast and on the cabinet that seals the sign structure. All sides of a sign must be properly finished with no exposed electrical wires or protrusions.
- C. *Responsibility.* It shall be the responsibility of the sign owner and/or sign contractor to construct, and maintain the sign and ensure compliance with the provisions of this section.

- D. *Materials.* All signs shall be constructed of high-quality, permanent materials and shall be designed to complement the related building(s) for which they advertise.
- E. *Compatibility.* No sign within a commercial district shall be erected within a twenty-five (25) foot radius from any residential district boundary line unless such sign would meet the sign requirements for nonresidential uses permitted within the residential district to which it is adjacent.
- F. *Location.* Unless specifically stated otherwise, freestanding ground signs shall be setback a minimum of eight (8) feet from the street right-of-way line.
- G. *Visibility.* Signs shall adhere to site visibility requirements in Article 4 so as not to obstruct visibility at intersections and ingress and egress points onto the premises.
- H. *Sign Safety.* Signs shall not be placed where they pose a hazard to pedestrians or vehicular traffic.
- I. *Sign Lighting.* Signs that are illuminated shall comply with standards outlined in *Section 6:11.15, Sign Illumination Standards.* Signs utilizing external illumination shall be hooded and shielded so that the light source is not visible from any public or private right-of-way, sidewalk, adjacent premises or residence, so as to cause a traffic hazard or nuisance.
- J. *Conflict with Other Regulations.* Where other regulations affect the size, placement, amount and type of signage, the more restrictive regulation shall apply.

**6:11.11 Calculation of Display Area for Signage**

- A. The sign face shall be the advertising display surface area of the sign.
- B. *Size of Sign Face Area.* In the case of freestanding ground signs, the sign face area consists of the entire surface area of the sign on which copy could be placed.
- C. *Supporting Structure Not Counted.* The supporting structure or bracing of a sign shall not be counted as part of the sign face area unless such structure or bracing is made a part of the sign’s message.
- D. *Two-sided Signs.* Where a sign has two (2) identical display faces back to back, the area of only one (1) face shall be considered the sign face area. Where a sign has more than one (1) display face, all areas that can be viewed simultaneously shall be considered the sign face area as described in Figure 1, Two-Sided Signs:

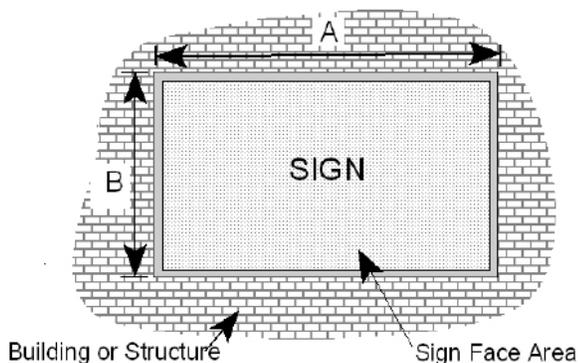
**Figure 1: Two-Sided Signs**



$$\text{Sign Area} = (A) \times (B)$$

- E. *Signs with a Background.* In the case of a sign whose message is fabricated together with the background which borders or frames that message, the sign face area shall be the total area of the entire background as depicted in Figure 2, Signs with a Background:

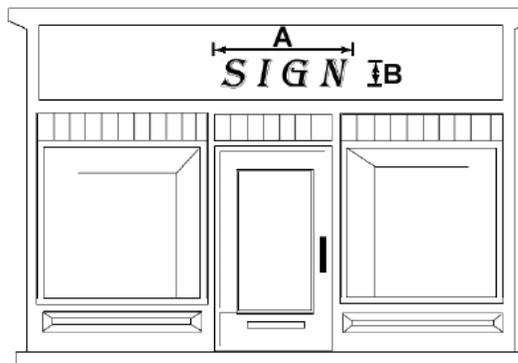
**Figure 2: Signs with a Background:**



$$\text{Sign Area} = (A) \times (B)$$

- F. *Signs with No Border or Frame.* In the case of a sign whose message is applied to a background which provides no border or frame, the sign face area shall be the area of the smallest rectangle that can encompass all words, letters, figures, emblems, logo's and other elements of the sign message as depicted in Figure 3, Signs with No Border or Frame:

**Figure 3: Signs with No Border or Frame:**

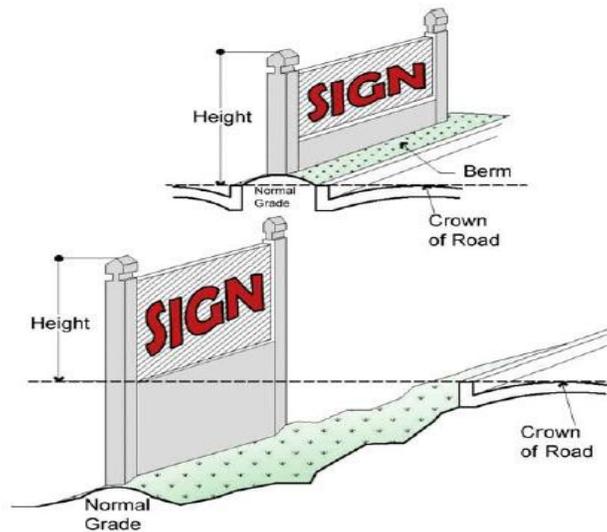


$$\text{Sign Area} = (A) \times (B)$$

- G. *Sign Height.* Sign height shall be measured from the base of the sign at normal grade to the highest point

of the sign support structure, or sign face, whichever is higher. For the purposes of this subsection, “normal grade” shall mean the newly established grade after construction, not including any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases where the normal grade is below the grade of the street to which the sign is oriented, the sign height shall be measured from the adjacent crown of that road as depicted in Figure 5, Sign Height:

**Figure 5: Sign Height**



**6:11.12 Regulations Applying to Specific Types of Signs**

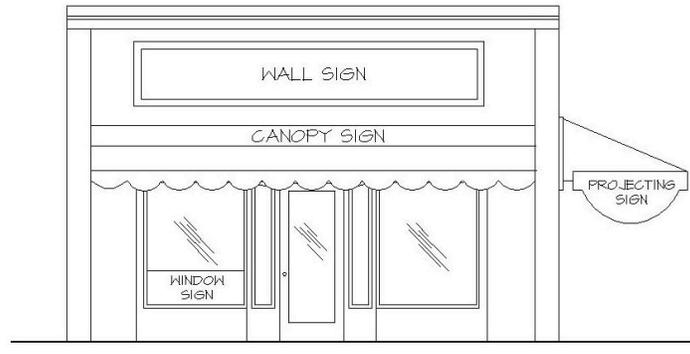
A. *On- Premise Signs Allowed in Non-Residential Zoning Districts.* The following signs are allowed in all non-residential zoning districts. The maximum sign allowance for a development is subject to the amount of sign area permitted within the zoning district where the sign or signs are to be located. An illustration of the different types of attached wall signs is illustrated below in *Figure 6, Types of attached signs.*

- 1) *Wall Signs.* Wall signs are permitted on the primary building façade and architecturally finished secondary facades of the primary structure. Building sides that do not meet the architectural standards described below do not qualify for wall signs. For shopping centers and similar multi-tenant buildings with individual entrances, the wall sign area shall be calculated independently for each individual tenant space. Signs on the wall of a building (including signs attached flat against the wall and painted wall signs) shall meet the following requirements:
  - a. *Attachment.* The maximum projection for a wall sign shall be twelve (12) inches.
  - b. *Allowable Wall Sign Area: Primary Facade.* The maximum sign face allowance for attached wall signs for both single-tenant and multi-tenant developments shall be one and a half (1.5) square feet per linear foot of said building frontage. In no case shall the sign area exceed the total amount of sign area permitted within the zoning district where the sign or signs are to be located, refer to Table A-1 Walls Signs, below.
  - c. *Double Frontage, Corner Lots: Secondary Facades.* If a building is located on a parcel or lot with more than one (1) street and the façade facing the secondary street is architecturally finished with at least one opening (window or secondary entrance) and is constructed with similar materials and details as the primary façade, an additional wall sign equivalent to the primary façade allowance is permitted.

- d. *Projecting Signs.* Projecting signs shall count towards the overall sign allotment for the development and shall be permitted in lieu of a freestanding ground sign on any street frontage with a public entrance to the space. Only one (1) projecting sign per tenant shall be permitted and shall comply with the following standards:
1. A projecting sign may not extend more than five (5) feet above the highest point of the building façade or parapet wall upon which it is mounted;
  2. A projecting sign shall not project more than three (3) feet from the façade of the building and shall not be located any closer than eighteen (18) inches to a vertical plane at the street curb line;
  3. Projecting signs may not extend beyond the property lines, or encroach into a publicly maintained right-of-way unless specifically permitted in another section of this ordinance;
  4. Projecting signs shall maintain an eight (8) foot clearance above grade or at sidewalk level;
  5. The proposed extension of a projecting sign shall present no physical threat of safety to pedestrians, motor vehicle drivers and passengers; and
  6. A detailed drawing, provided by a licensed sign company that meets the current International Building Codes specification for projecting signs; including the current adopted building code requirements for loading such as snow and wind shall be presented for review and approval prior to the installation of the sign.
- e. *Awnings and Canopies.* Awnings and Canopies that contain any form of advertisement or signage for the business on which they are located shall count towards the overall sign allotment for the development and shall comply with the following standards:
1. *Awnings.* The copy area of an Awning sign shall not exceed an area equal to twenty-five percent (25%) of the background area of the awning or awning surface to which such a sign is affixed or applied, or the permitted sign face area for wall signs, whichever is less. Neither the background, color of an awning, nor any graphic treatment or embellishment thereto such as striping, patterns nor valances shall be included in the calculation when determining the maximum of sign face allowance;
  2. *Canopy.* The permanently-affixed copy area or sign face area of a canopy sign shall not exceed an area equal to twenty-five percent (25%) of the face area of the canopy upon which the sign is affixed or applied, or the permitted sign face area for wall signs, whichever is less;
  3. Awnings and Canopies may not extend beyond the boundary of any property line or encroach into a publicly maintained right-of-way unless specifically permitted in another section of this ordinance;
  4. Awnings and Canopies shall maintain an eight (8) foot clearance above grade or at sidewalk level;
  5. The proposed extension of an awning or canopy sign shall present no physical threat of safety to pedestrians, motor vehicle drivers and passengers; and
  6. A detailed drawing shall be provided by a licensed sign company that meets the current International Building Codes specification for awnings and canopies; including the current adopted building code requirements for loading such as snow and wind shall be

presented for review and approval prior to the installation of such sign and/or structure.

**Figure 6, Types of Attached Signs**



**TYPES OF ATTACHED SIGNS**

**TABLE: A -1, Wall Signs – Commercial**

<b>WALL SIGN ALLOWANCE FOR NON-RESIDENTIAL DEVELOPMENT</b>				
<b>ZONING DISTRICT</b>	<b>SIGN FACE AREA ALLOWED</b>	<b>SINGLE-TENANT SIGN ALLOTMENT</b>	<b>MULTI-TENANT SIGN ALLOTMENT</b>	<b>MAXIMUM SQ FT ALLOWANCE</b>
Office District (O-D), Planned Office Development (POD), Central Redevelopment District (CRD)	1.5 square foot per linear foot of building frontage, or up to the maximum whichever is less.	One (1) wall sign per primary façade; with an exception that signs > 60 square feet may be divided into (2) separate wall signs;  Corner lot development: one (1) additional wall sign on secondary finished façade; and  One (1), 10 square foot rear building sign	One (1) wall sign per individual tenant space;  Corner lot development: one (1) additional wall sign on secondary finished façade;  One (1), 10 square foot rear building sign	Single Tenant: 150 square feet  Multi-tenant: 200 square feet
Commercial 1 (C-1) Commercial 2 (C-2)	1.5 square foot per linear foot of building frontage, or up to the maximum whichever is less.	One (1) wall sign per primary façade; with an exception that signs > 60 square feet may be divided into (2) separate wall signs;  Corner lot development: one (1) additional wall sign on secondary finished façade; and  One (1), 10 square foot rear building sign	One (1) wall sign per individual tenant space;  Corner lot development: one (1) additional wall sign on secondary finished façade;  One (1), 10 square foot rear building sign	Single Tenant: 200 square feet  Multi-tenant: 300 square feet
Service (S-1) Industrial (I-1)	1.5 square foot per linear foot of building frontage, or up to the maximum whichever is less.	One (1) wall sign per primary façade; with an exception that signs > 60 square feet may be divided into (2) separate wall signs;  Corner lot development: one (1) additional wall sign on secondary finished façade; and  One (1), 10 square foot rear building sign	One (1) wall sign per individual tenant space;  Corner lot development: one (1) additional wall sign on secondary finished façade;  One (1), 10 square foot rear building sign	Single Tenant: 250 square feet  Multi-tenant: 350 square feet

- 2) ***On-Premises Freestanding Ground Signs (Monument Signs)***. Freestanding monument ground signs are allowed in all non-residential districts for both single-tenant and multi-tenant developments with an allowable size not to exceed the maximum square footage limits set forth by the zoning district in which the sign is located. The use of freestanding Pole Signs is prohibited. Refer to Table A-2, Freestanding Ground Signs, below.
- a. *Construction and Design*. All freestanding ground signs shall be mounted on a monument base that has a length equal to or of at least seventy-five percent (75%) of the width of the sign face and supporting structures combined. Monument structures shall be constructed of durable architectural materials (i.e. brick, stucco, or stone) that are consistent with the design and features of the primary facade of the building on the site. (Refer to definition).
  - b. *Landscaping*. Landscape islands are required to be placed around all new ground signs within thirty (30) days of sign erection. Shrubbery and /or plantings must not exceed a height that would interfere with foot or vehicle traffic or visibility of the sign. At any time an existing sign is altered or improved, not including regular maintenance, the landscaped island must be installed in accordance with the requirements for a new sign within sixty (60) days of completion of the sign.
  - c. *Location*. Unless otherwise, specifically allowed in this code, freestanding ground signs shall be setback a minimum of eight (8) feet from the street right-of-way line. No freestanding ground sign shall extend over any structure or adjoining property line or extend into a public right-of-way. Freestanding ground signs shall not be located within forty (40) lineal feet of another freestanding ground sign.
  - d. *Single-tenant Development Allowance*. The size of the sign face for a freestanding ground sign shall be based on length of street frontage of the lot and the zoning district for which the sign(s) is proposed. Single tenant development signs shall comply with the standards referenced in Table A-2, Freestanding Ground Signs and shall also comply with the following requirements:
    - a) *Number of Signs*. One (1) freestanding ground sign per developed site, lot or parcel is permitted for a single-tenant development. Where a site or parcel fronts on more than one street, one (1) additional freestanding ground sign shall be permitted provided that the signs are located a minimum of one hundred fifty (150) feet from one another; and does not exceed the maximum square footage allowance for the development.
      - Incentive: Single-tenant developments located on corner or thru-lots have the option of foregoing two (2) freestanding ground signs and installing one (1) freestanding ground sign that is ten percent (10%) larger in size than the permitted freestanding ground sign allowance for the development.
    - b) *Sign copy*. The sign copy for single-tenant development signs shall include the business identification (name, logo) and may also include the principal use or commodity sold or offered on the site. A maximum of forty percent (40%) of the sign area may be used for a changeable copy sign, or permitted electronic messaging board (EMB) or LED sign. Such sign shall comply with the standards in Section 6:11.12 A. (3), Electronic Messaging Boards (EMB).
    - c) *Height*. All single-tenant freestanding ground signs shall have a maximum height of sixteen (16) feet.
  - e. *Multi-Tenant Development Sign Allowance. (Including Group Office and Group Commercial Developments)*. Multi-tenant developments may erect either a freestanding ground Development Identification Sign or freestanding ground Joint Identification Sign. The size of the sign face for a freestanding ground sign shall be based on the length of street frontage of the lot or development, the number of tenants in the development and the zoning district for which the sign(s) is proposed.

Multi-tenant development signs shall comply with the standards referenced in Table A-2, Freestanding Ground Signs and shall also comply with the following requirements:

1. *Number of Signs.* One (1) freestanding ground Development Identification Sign or freestanding ground Joint Identification Sign is permitted for a multi-tenant development. Where a development fronts on more than one (1) street, one (1) additional freestanding ground sign shall be permitted on that road frontage.
  - Incentive: Multi-tenant developments located on corner or thru-lots have the option of foregoing two (2) freestanding ground signs and installing one (1) freestanding ground sign that is twenty percent (20%) larger in size than the permitted freestanding ground sign allowance for the development.
2. *Sign copy.* The sign copy for a multi-tenant development identifies the name of the development, shopping center, or group commercial development on which the sign is located and also provides identification for some or all individual tenants within the development. Freestanding ground signs for multi-tenant developments shall comply with the maximum size and height standards outlined in Table A-2, Freestanding Ground Signs, and shall also comply with the following requirements:
  - a) A minimum of twenty-five percent (25%) of the sign area shall be used to identify the name and/or address of the overall development.
  - b) A maximum of forty percent (40%) of the sign area may be used for a changeable copy sign, or permitted Electronic Messaging Board (EMB) or LED sign. Such sign shall comply with the standards in Section 6:11.12 A. (3), Electronic Messaging Boards.
  - c) The sign copy shall provide a reasonable amount of area for the advertising of individual tenant spaces within the development.
3. *Height.* The height of a freestanding ground sign in a multi-tenant development shall be dependent upon the total number of individual tenant spaces in the development, refer to Table A-2, Freestanding Ground Signs.

**TABLE: A -2, Freestanding Ground Signs, Commercial**

<b>FREESTANDING MONUMENT SIGN ALLOWANCE FOR NON-RESIDENTIAL DEVELOPMENT</b>				
<b>ZONING DISTRICT</b>	<b>SIGN ALLOTMENT</b>	<b>SIGN FACE AREA</b>	<b>SINGLE-TENANT MAXIMUM SIZE FACE &amp; SIGN HEIGHT</b>	<b>MULTI-TENANT MAXIMUM SIZE &amp; SIGN HEIGHT (Based on # Tenants)</b>
Office District (O-D),  Planned Office Development (POD),  Central Redevelopment District (CRD)	One (1) sign per street front;  Single Tenant development signs must be spaced minimum of 150 feet apart	.5 square foot per linear foot of road frontage or up to the maximum whichever is less.	Maximum size: 150 square feet  Height: 16 feet	0 – 4 Tenants: Maximum size: 150 sf Height: 16 feet  5 – 9 Tenants: Maximum size: 175 sf Height: 20 feet  10 + Tenants: Maximum size: 200 sf Height: 25 feet
Commercial 1 (C-1)  Commercial 2 (C-2)  (Including Group Development)	One (1) sign per street front;  Single Tenant development signs must be spaced minimum of 150 feet apart	1 square foot per linear foot of road frontage or up to the maximum whichever is less.	Maximum size: 200 square feet  Height: 16 feet	0 – 4 Tenants: Maximum size: 200 sf Height: 16 feet  5 – 9 Tenants: Maximum size: 225 sf Height: 20 feet  10 + Tenants: Maximum size: 250 sf Height: 25 feet
Service (S-1)  Industrial (I-1)  (Including Group Development, and Group Industrial Development)	One (1) sign per street front;  Single Tenant development signs must be spaced minimum of 150 feet apart	1.5 square foot per linear foot of road frontage or up to the maximum whichever is less.	Maximum Size: 300 square feet  Height: 16 feet	0 – 4 Tenants: Maximum size: 300 sf Height: 16 feet  5 – 9 Tenants: Maximum size: 350 sf Height: 20 feet  10 + Tenants: Maximum size: 375 sf Height: 25 feet

- 3) *Changeable Copy, Electronic Messaging Boards (EMB) and Light Emitting Diode (LED)*. Such signs are permitted in all non-residential zoning districts and are subject the following standards:
    - a. No such sign shall be permitted within fifty (50) feet of a residential zoning district, unless specifically allowed under a separate provision of the code.
    - b. The images and messages displayed must be complete in subject matter without continuation in content to the next image or message.
    - c. The message or image must remain fixed for at least six (6) seconds. The transition to a new message or image shall not include any scrolling, animation flashing, fading or other illusions of motion that are otherwise prohibited.
    - d. Only one (1) such sign shall be permitted per developed lot whether installed as a wall sign or part of a freestanding ground sign. EMB's shall only be permitted as a wall sign if the development does not have a freestanding ground sign. EMB's located on a freestanding ground sign shall be permanently attached to and located entirely within the width of the host sign.
    - e. Off-premises advertising is prohibited. This section does not pertain to community announcements, and non-profit fundraising information.
    - f. No more than forty percent (40%) of the sign face area allowed for a freestanding ground sign may be devoted towards an EMB sign. Theaters, auditoriums, stadiums, convention centers, and like public event facilities may exceed this standard to seventy-five percent (75%) of the allowed sign face area.
    - g. No sign shall be brighter than is necessary for clear and adequate visibility and shall not exceed a maximum of 5,000 nits during daylight hours and 500 nits from dusk to dawn.
    - h. All signs must be equipped with both a dimmer control and a photocell that automatically adjusts the display's intensity according to natural ambient light conditions.
    - i. Prior to the issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer or sign contractor that the light intensity has been factory pre-set not to exceed 5,000 nits and that the intensity level is protected from end-user manipulation.
  - 4) *Time and Temperature Signs*. Time, date and temperature signs that do not exceed ten (10) square feet in sign area shall not count against the allowable sign face area. Signs that exceed ten (10) square feet shall be counted towards the maximum sign face area permitted for the development. Such signs shall only be permitted as a wall sign if there is not an existing freestanding ground sign located on the development.
- B. *Temporary Signs*. The following temporary signs are allowed in all commercial, service and industrial districts but require the issuance of a sign permit prior to display of such sign(s):
- 1) *Incidental A-frame Sign*. An A-frame sign shall be considered incidental and shall be permitted subject to the following standards:
    - a. Such sign must be located on a parcel where the building is setback at least thirty-five (35) feet from the street and the A-frame sign is located no farther than three (3) feet from the store front entrance in which is being advertised.
    - b. Such sign shall meet the size and design standards outlined in Section 6:11.12-B.4) h. below.
    - c. In no case shall an A-frame sign used under this provision be located closer than thirty (30) feet of

the street right-of-way.

- d. Such signs shall be removed at the end of each business day.
- 2) *Grand Opening Events.* A new business upon opening, may utilize the following advertising signs for a period not to exceed fourteen (14) calendar days:
- a. Two (2) temporary signs are permitted and may be ground mounted or attached to the wall of a structure each with a maximum size of thirty-two (32) square feet, and if ground mounted, a maximum height of six (6) feet. Ground mounted signs shall be setback at least five (5) feet from the street right-of way.
  - b. Streamers, pennants, flags, balloons, and similar exhibits that do not exceed a total of ten (10) displays shall be permitted. (Each 50 feet of streamers and pennants shall count as one (1) display. Each inflatable of a non-balloon variety counts as one (1) display. Each balloon or bouquet of balloons counts as one (1) display, etc.)
  - c. For businesses that are located in a multi-tenant development, all displays except for the banner shall be displayed immediately adjacent to the business' space or in the adjacent portion of the parking lot of the parcel.
  - d. This temporary sign allotment is independent from other permitted temporary sign allowances. The business may elect to begin utilizing the temporary signage allowed under *Section 6:11.12-B (3), Temporary Banners for Individual Businesses*, immediately after terminating use of the Grand Opening banners allowed under this section.
  - e. For the purposes of this section, a change in ownership, type of ownership, or of management does not constitute a new business.
  - f. A sign permit is required for a grand opening sign package and must be obtained prior to the installation and display of such signs. A simple site plan will be required with the application illustrating the location of all sign elements and the distance from the street right-of-way and driveway locations. A sketch plan will also be required indicating the size of the banner and the method of attachment.
- 3) *Temporary Banner in Lieu of Permanent Signage.* A banner may be used while awaiting installation of permanent signage to temporarily cover existing signage needs in the event of a business name or logo change, or similar circumstance as follows:
- a. The banner meets the sign area requirements of the sign it is designed to temporarily obscure or replace.
  - b. The banner is securely fastened to the wall or permanent sign structure to draw the banner material taut and to prevent flapping.
  - c. A sign permit for such use may be issued for up to sixty (60) calendar days after the City has issued a zoning permit for the business. As part of the permit application, the applicant shall describe the sign banner details (size, material type, attachment method) and the intended date of installation of the banner signage.
- 4) *Temporary Advertising Display Signs for Individual Businesses.* Each individual business may be issued a permit for a temporary sign for an advertising display period of not more than two (2), fourteen (14) consecutive calendar days per quarter each year. (For example: Up to two (2) separate sign permits may be issued for an advertising period of not more than fourteen (14) calendar days each during the months of January, February and March; two (2) separate permits may be issued for an advertising period of not more

than fourteen (14) calendar days each during the months of April, May and June, and so forth.) A sign permit must be obtained prior to the installation of any temporary sign and all temporary signs shall comply with the following standards:

- a. All temporary signs requiring a sign permit shall be located on the parcel or development on which the business is being advertised; off – premises advertising by use of temporary signage shall not be permitted and is strictly prohibited.
- b. Temporary signs shall not be attached to trees, rocks, other natural features, street signs, utility poles, bus shelters or any other roadside appurtenances.
- c. Temporary signs are subject to the size, height and framing requirements set forth in this section and may be in the form of a professionally designed and lettered A-frame sign, banner, or a sign constructed of corrugated material with a proper support structure. (Refer to the Temporary Sign definition for illustrations of temporary signs and support structures).
- d. All temporary signs shall be displayed in a neat and orderly manner at all times. Handwritten signs in any form are expressly prohibited.
- e. Temporary ground mounted signs shall not exceed thirty-two (32) square feet in sign face area and six (6) feet in height.
- f. Ground mounted signs shall be securely attached to a rigid and framed structure that is supported on at least two (2) sides. Temporary wall mounted signs shall be secured and held taut across the wall surface to maintain readability and to avoid sagging, tearing and/or and flapping in the wind.
- g. All ground mounted temporary signs shall be located a minimum of five (5) feet from the street right-of-way and shall not obstruct site visibility at ingress and egress points onto the premises.
- h. Temporary use of an A-frame sign under this provision shall comply with the following size and design standards:
  1. Dimensions shall not exceed a maximum of 24” x 36” in sign copy area and shall not exceed four (4) feet in height.
  2. Materials shall consist of durable, weather resistant materials such as steel, aluminum and PVC. The use of cardboard, paper, fabric and non-rigid materials are prohibited.
  3. A-frame signs shall be constructed to be stable and able to withstand wind and other unpredictable weather elements.
  4. A-frame signs located along business entrances must maintain a minimum of five (5) feet of unobstructed sidewalk between the outer edge of the sign and the edge of pavement/curb. Signs shall not block or interfere with ADA accessibility nor restrict pedestrian movement.
  5. A-frame signs shall not be placed where they interfere with any exit, loading zone, bicycle rack, sidewalk ramp, wheelchair ramp or similar public or private facility.
- i. *Single-tenant Developments.* A temporary sign may be ground mounted or affixed on the face of the primary façade of a structure. Such signs shall not exceed thirty-two (32) square feet in sign area and if ground mounted shall not exceed a maximum height of six (6) feet.

- j. *Multi-tenant Developments.* One (1) professionally lettered temporary sign shall be permitted for each individual tenant space within the development. Such sign shall not exceed sixteen (16) square feet in area and shall be affixed on the face of the primary façade of the tenant space. In lieu of a temporary attached wall sign, up to two (2) individual tenants within the development shall be permitted to advertise on a temporary ground mounted sign; not to exceed (32) square feet in sign face area, and six (6) feet in height. The developer or owner of the multi-tenant development shall be responsible for governing the use of the temporary ground mounted signs. In no circumstance shall the number of temporary ground mounted signs for a multi-tenant development exceed two (2) signs at any given time; and no more than one (1) temporary sign per tenant (either affixed or located on the ground) shall be permitted at any given time.
  - k. A sign permit is required for the use of a temporary sign and shall be approved prior to the installation and display of such sign.
  - l. A one (1)-time sign permit fee shall apply at the time the application is submitted. The application shall specify the date of each time period throughout the year for which the sign is to be displayed. The dates specified in the application may be amended without fee with written notification to the Business and Development Services Department at least two (2) weeks in advance of the proposed advertising period.
  - m. A simple site plan will be required with the application illustrating the location of the temporary sign and shall note the distance from the street right-of-way and driveway locations. A sketch plan will also be required indicating the size of the banner and the method of attachment.
- 5) *Temporary seasonal sale sign.* A temporary seasonal sale sign shall be permitted in accordance with the design standards for “Temporary Signs” outlined in Section 6.11.12 (B) 3. a. - h., and in conformance with the following standards:
- a. One (1) temporary ground mounted sign shall be permitted per parcel upon approval of a temporary use permit for a seasonal sale event. Off – premises advertising by use of temporary signage shall not be permitted and is strictly prohibited.
  - b. A seasonal sale sign may be in the form of a professionally designed and lettered A-frame sign, banner, or a sign constructed of corrugated material with a ridged and framed support structure that is supported on at least two sides.
  - c. Seasonal sale signs shall not exceed thirty-two (32) square feet in sign face area and a maximum of six (6) feet in height. Signs shall be located a minimum of five (5) feet from the street right-of-way and shall not obstruct site visibility at ingress and egress points onto the site, or other signs structures in the development.
  - d. Seasonal temporary signs shall only be permitted for the duration of the seasonal temporary use and shall not exceed the following time limits: Christmas tree sales- maximum 45 days, pumpkin sales- maximum 30 days, Garden sales – maximum 60 days, produce stands- maximum 90 days.
  - e. Such sign shall only be erected three (3) days prior to the business being opened and shall be removed immediately upon closing.
  - f. A sign permit is required for such sign and shall be approved prior to the installation and display of such sign.
  - g. A simple sketch plan shall be provided by the applicant showing the location and site layout for the temporary use, the location of the proposed sign and distances from property lines and the street right-of-way.

- C. *Signs permitted in all residential districts.* The following signs are allowed in all residential districts and are subject to the following standards:
- a. *Wall Signs.* Wall signs for uses permitted in a residential district shall be non-illuminated. Walls signs are allowed on the primary façade of the principle structure and shall not project above the roofline or parapet wall of any structure.
  - b. *Home Occupation Sign.* One (1) non-illuminated attached sign shall be permitted for a home occupation provided that the sign face area of such sign does not exceed two (2) square feet in area. Such sign shall be mounted flat against the surface of the wall of the building in which such home occupation is being conducted.
  - c. *Multi-Family and Group residential uses (including Townhome, and Condominium developments and manufactured home parks).* One (1) attached wall sign shall be allowed not to exceed forty (40) square feet in sign face area. Attached signs shall not project above the roofline or parapet wall of any structure.
  - d. *Schools, Places of Worship (churches) and other Public or Institutional Use.* The following standards shall apply:
    - Such uses on sites of less than three (3) acres shall be permitted one (1) attached wall sign at one-half (.5) square feet per linear foot of building frontage with a maximum sixty (60) square feet in sign face area, whichever is less.
    - Such uses located on sites of three (3) acres or more shall be permitted one (1) attached wall sign at one-half (.5) square feet per linear foot of building frontage with a maximum of one-hundred (100) square feet in sign face are, whichever is less.
    - When such use is located on a major thoroughfare, attached signage shall be permitted at a rate of 1.5 square feet per linear foot of building frontage, or up to a maximum of 200 square feet (whichever is less) per street front. When the calculated sign face area allowance exceeds one hundred (100) square feet, the sign may be split into two (2) attached wall signs not to exceed 200 square feet in total sign face area for that facade. The attached wall sign allowance under this provision may be increased by 35% when the structure on which the sign is to be located exceeds 80,000 square feet in gross floor area.
  - e. Commercial uses permitted in residential districts: Such uses shall be allowed one (1) attached wall sign at one-half (.5) square feet per linear foot of building frontage with a maximum forty (40) square feet in sign face area, whichever is less. Attached signs shall not project above the roofline or parapet wall of any structure.
- 1) *Freestanding Ground Signs.* All freestanding ground signs located in a residential district shall be subject to a maximum height of six (6) feet. Signs shall be located a minimum of eight (8) feet from the street right-of-way, be located on private property and shall adhere to the site visibility requirements in Article 4.
- a. *Permanent Subdivision Signs (including Townhome Developments).* Subdivision signs shall be designed to be part of a permanently constructed and maintained entrance wall, fence or similar feature as required by the Land Development Ordinance. One (1) attached wall sign shall be permitted on each opposite side of the main entrance structure facing the existing roadway. The sign face area of such signs shall not exceed forty (40) square feet and shall not exceed six (6) feet in height. Such sign shall only display the name of the development. Landscape beds are required to be placed around all new ground signs. Shrubbery and /or plantings must not exceed a height that would interfere with foot or vehicle traffic or visibility of the sign. The developer or Home Owner’s Association shall maintain the sign and required sign base landscaping.

- b. *Multi-family and Group residential uses (including Condominium developments and manufactured home parks).* Such sign(s) shall be permitted at the main entrances of the development on private property and shall only display the name of the development. One (1) freestanding ground sign shall be permitted with a maximum sign face area of forty (40) square feet each; and maximum of six (6) feet in height. A maximum of two (2) signs are permitted at any one street front entrance into the development. Landscape beds are required to be placed around all new ground signs. Shrubbery and /or plantings must not exceed a height that would interfere with foot or vehicle traffic or visibility of the sign. The sign and required landscaping shall be maintained by either the owner and/or the developer or legally established Home Owners Association.
- c. *Schools, Places of Worship (churches) and other Public or Institutional Uses.* Such uses shall be allowed one (1) freestanding ground sign per street front. Signs shall not exceed sixty (60) square feet in sign face area, and ten (10) feet in height. When such use is located on a major thoroughfare, signs shall not exceed two hundred (200) square feet in sign face area and shall not be greater than sixteen (16) feet in height.
- d. *Commercial uses permitted in residential districts.* Such uses shall be allowed one (1) freestanding ground sign per street front. Signs shall not exceed forty (40) square feet in sign face area, and six (6) feet in height.
- e. *Lighting.* Freestanding ground signs in residential district may be lit by external illumination only. External illumination shall be by a steady stream of light source, shielded and directed solely at the sign. Light fixtures shall be restricted to one (1) shielded light fixture per sign face. The intensity of the light shall not exceed twenty (20) foot-candles at any point on the sign face. Such light shall not shine or reflect on or into any nearby residential structure.
- f. *Construction and Design.* Unless otherwise noted in another section of this ordinance, all freestanding ground signs shall be mounted on a monument structure that is equal to or greater than seventy-five percent (75%) the width of a sign itself. (Refer to Monument Sign definition). Monument structures shall be constructed of brick, stone or stucco materials that have the appearance of brick, stone, or stucco or other durable architectural materials consistent with the design of the primary building on the site.

**6:11.13 Special Provisions for non-residential signs.** The following signs shall be permitted in accordance with the following standards but require the issuance of a sign permit prior to display of such sign(s):

- A. *Interstate Frontage Sign Bonus.* The following sign standards shall apply only to properties contiguous to I-385 (or located at the I-385 interchange) and also having frontage on the following roads:

Bridges Road, East Butler Road, Highway 417, Old Stage Road, Standing Springs Road and Woodruff Road.

- 1) One (1) additional freestanding high-rise “bonus” sign shall be permitted in addition to the standard sign allowance permitted in the current zoning for the parcel.
- 2) There shall be a maximum of one (1) freestanding high-rise bonus sign allowed per parcel or business with the exception that up to two (2) additional users may advertise on a single, freestanding high-rise bonus sign structure as long as the user(s) are part of the same development (i.e. planned developments, multi-tenant shopping centers, properties designed to share internal and common accesses drives, easements, or parking areas, etc.)
- 3) Freestanding high-rise bonus signs shall be located along the property closest to the interstate right-of-way and oriented towards the freeway; in addition, the sign shall be setback a minimum of eight (8) feet from the edge of the interstate right-of-way.

- 4) The maximum height of a freestanding high-rise bonus sign shall be thirty-five (35) feet as measured from the adjacent road grade. Where there is more than one (1) user advertising on a single freestanding high-rise bonus structure, an additional five (5) feet in height per user shall be allowed for a maximum height of forty-five (45) feet.
- 5) Freestanding high-rise bonus signs located on properties or developments with direct interstate frontage may have a total of two (2) sign faces per user with a maximum square footage of two hundred (200) square feet. In no circumstance shall the cumulative total of signage (for multiple users located on a single pole) exceed six hundred (600) square feet.
- 6) Illumination of freestanding high-rise bonus signs shall be by internal illumination only. No electronically animated signage and no external illumination of the sign shall be permitted. Interstate signage is also subject to the prohibitions set forth in *Section 6:116, Prohibited Signs*.
- 7) All new freestanding high-rise bonus signs shall be located no closer than two hundred fifty (250) feet from the nearest residentially zoned property, as measured from the outermost perimeter of the sign.
- 8) All freestanding high-rise bonus signs must be spaced at least one hundred fifty (150) feet from other freestanding high-rise bonus signs that have been permitted on adjacent lots.
- 9) Signs existing prior to the adoption of this ordinance and meeting the intent of the freestanding high-rise bonus sign standard shall be exempt from all spacing requirements.
- 10) All framing material shall be enclosed with preformed panels; provided; if more than one (1) frame structure is utilized, all areas within the frames must be enclosed with preformed panels.

*B. Gasoline Pricing Signs.*

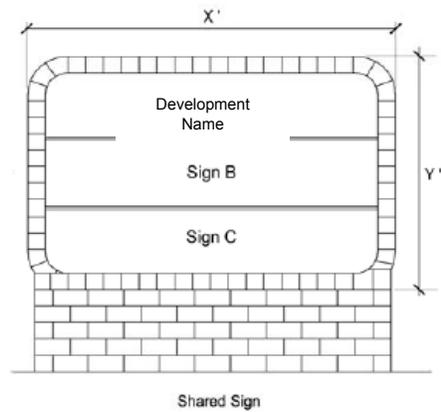
- 1) Gasoline pricing signs that do not utilize Electronic Messaging Boards (EMB) to display the prices of fuel shall be permitted an additional fifteen (15) square feet of sign face area for the sole purpose of advertising the price of fuel. The square footage of such sign shall be included when determining the maximum square foot allowance for a freestanding ground sign as referenced in Section 6:11.12 A., Table: A-2, Freestanding Ground Signs. Only one (1) such pricing sign shall be permitted per development, lot or parcel.
- 2) Gasoline pricing signs that utilize Electronic Messaging Boards (EMB) to display the price of fuel shall incorporate the EMB into the overall design of the sign. Fuel prices displayed on the EMB shall remain static.

*C. (Gasoline) Service Station Structural Canopy and Accessory structure signs.* In addition to the wall and ground signs permitted for this use, two (2) additional attached signs for the purpose of advertising on a structural canopy or accessory structure are allowed. No more than one (1) sign face per canopy length or façade of a structure shall be permitted. The maximum size of each sign shall not exceed twenty-five (25) square feet in sign face area. The square footage of such sign(s) shall be included when determining the maximum square foot allowance for the development as referenced in Section 6:11.12-A., Table: A-1, Wall Signs.

*D. Second Tier Development Signs.* Upon a determination by the Zoning Administrator that a development meets the criteria set forth in the definition of a second tier development, said development shall be permitted signs meeting the standards hereinafter. Following the determination that the development is a second tier development, all structures and uses in the development shall be considered a part of the second tier developments and shall be subject to the following sign standards. Owners of or tenants in structures and uses in the development shall not apply for signs not permitted as part of the second tier development sign package.

- 1) *Freestanding Collocation Sign for Second Tier Developments.* Individual uses within a second tier development may place their individual freestanding signage on a single sign support structure provided the sign meets the following standards:

**Figure 1: Freestanding Collocation Sign:**



- a. One (1) freestanding collocated ground sign shall be permitted for a second tier development.
- b. The collocated ground sign must be located within one thousand (1,000) feet of the closest point of the second tier development it identifies.
- c. The combined sign face area shall not exceed two hundred (200) square feet area or the maximum size permitted for freestanding ground signs in the zoning district in which the sign is located, whichever is less.
- d. A minimum of twenty-five percent (25%) of the sign area shall be used to identify the name and/or address of the overall development.
- e. The use of an Electronic Messaging Board (EMB) or LED sign shall be subject to the general standards for Changeable copy, Electronic Messaging Boards (EMB), and Light Emitting Diode (LED) as outlined in Section 6-11.12, 3) a. - c. and g. - i.
- f. Use of EMB's and LED on collocated signs shall be limited to 30% of the total sign face area and shall not be located within fifty (50) lineal feet of another EMB or LED sign.
- g. The maximum height of collocated ground sign shall be sixteen (16) feet.
- h. All signs that are illuminated shall comply with the standards set forth in *Section 6:11.15, Sign Illumination Standards*.
- i. All freestanding ground signs shall be mounted on a monument structure that is equal to or greater than two-thirds (2/3) the width of a sign itself. Monument structures shall be constructed of brick, stone or stucco materials that have the appearance of brick, stone, or stucco or other durable architectural materials consistent with the design of the primary building on the site.
- j. Landscape islands are required to be placed around all new ground signs within thirty (30) days of sign erection. Shrubbery and /or plantings must not exceed a height that would interfere with foot or vehicle traffic or visibility of the sign. At any time an existing sign is altered or improved, not including regular maintenance, the landscaped island must be installed in accordance with the requirements for a new sign within sixty (60) days

completion of the sign.

- k. The freestanding ground signs shall be setback a minimum of eight (8) feet from the street right-of-way line. No freestanding ground sign shall extend over any structure or adjoining property line or extend into a public right-of-way.
- 2) *Tenant Identification sign.* Identification signs for businesses located in a second tier development shall be permitted for both single tenant developments and multi-tenant developments. Such signs shall meet the following standards:
- a. *Wall Sign.* Walls signs for individual businesses shall comply with the single-tenant or multi-tenant allowances as outlined in Section 6:11.12-A (1), Wall Signs.
  - b. *On-premise Freestanding Directional Sign.* Each single-tenant business within a second tier development shall be permitted one (1) Directory Sign to identify the specific location of that business. Such sign shall be located on the site that is being advertised. The sign face area of the directional sign shall not exceed forty (40) square feet in sign face area and shall be limited to a maximum of ten (10) feet in height.

(Replaces 6:19.3 Ground Mounted Lighting and Sign Lighting)

**6:11.15 Sign Illumination Standards.**

- A. Lighting fixtures illuminating signs shall be carefully located, aimed and shielded so that light is directed only onto the sign's façade and so that glare is significantly reduced. Exposed bulbs of any form are prohibited.
- B. Signs shall not have light-reflecting backgrounds but may use light-reflecting lettering or halo lighting.
- C. Light sources used to illuminate signs shall not be visible from any street right-of-way, nor cause glare that is hazardous to pedestrians or motorists, or creates a nuisance to adjacent properties.
- D. External illumination shall be by a steady stream of light source, shielded and directed solely at the sign. Light fixtures shall be restricted to one (1) shielded light fixture per side for sign faces up to forty (40) square feet and not more than two (2) shielded light fixtures per side for sign faces over forty (40) square feet.
- E. The maximum light level from sign illumination at any residential property line shall not exceed one-half (.5) foot-candle. Illumination at street-rights-of-way and non-residential property lines shall not exceed two (2) foot-candles.

**6:11.16 Administration and Permit Procedures.**

An application for a sign permit shall be filed with the Business and Development Services Department on an application form provided by the office.

- A. *Applicant and Licenses.* Sign Permit applications may be filed by the owner of the property or by an agent specifically authorized by the owner to file such application. When the sign value and cost of work exceeds \$5,000 a General Contractor with a valid South Carolina State License will be required for the application. When electrical work is required for illumination of a sign, an electrician that has a valid State license will be required for the application. In addition, all licensed contractors involved in construction of a sign must also hold a valid City business license.
- B. *Information Required.* Each application for a sign permit shall contain the information required on the

application form including: the Tax Map number and address of the parcel the sign is to be located on, job description and scope of work, the value of the proposed sign and cost of work, contractor's information, sign details and sign measurements; and the type of illumination proposed for the sign, if applicable.

- C. *Plan Review.* The application shall also include two (2) complete sets of scaled drawings of the sign which depicts and describes the following:
- 1) *Wall Signs.* A scaled façade elevation drawing indicating the length of the building façade and / or tenant space and the location and dimensions of any existing and proposed wall signs; the size of each sign proposed and the calculation used to determine the sign face allowance in square footage shall also be provided.
  - 2) *Freestanding Ground Signs.* A simple site plan that is drawn to a scale of not less than 1 inch = 60 feet shall be provided. The plan shall show dimensions of all property lines, the location of abutting street(s) and associated street rights-of-way. The plan shall illustrate the location of all existing structures on the site and the location of all existing and proposed freestanding signs on the parcel. Dimensions shall be provided to illustrate compliance with sign setback requirements from property lines and the street right-of-way line, and also illustrate compliance with site visibility standards outlined in Article 4 of this ordinance. The site plan shall also illustrate compliance with the required sign base landscaping and also show any ground lighting fixtures and/or electrical sources.
  - 3) *Building Permit.* Freestanding ground signs that are seven (7) feet in height or greater will require a building plan submittal with footing details that are provided and sealed by a South Carolina Licensed Engineer.
  - 4) *Electrical and Illumination Detail.* If a sign is proposed to be internally or externally illuminated, a lighting specification plan shall be provided on the details of the light fixture and shall also provide light levels (foot-candle measurement) emitted from the light source. A licensed electrician may also be required to perform any electrical work required for illumination of the sign.
- D. *Restrictive Covenants and Home Owner Association (HOA) documentation.* It shall be the sole responsibility of the owner and/or applicant to ensure that all proposed uses, construction, and all other activities requiring a permit are in compliance with any existing lawful restrictive covenant. In the event a permit is issued and a conflict between the restrictive covenant and the zoning ordinance is determined, the more restrictive requirement of the two shall prevail.
- E. *Fees.* An application review fee as determined by the Permit Fee schedule shall be due and payable when the application is submitted. Work performed without a permit shall be subject to a penalty fee. If a sign permit is denied, the sign permit portion of the application fee shall be refunded.
- F. *Staff Review.* Provided the application is complete, staff shall have ten (10) business days to review the application for compliance with the provisions of this ordinance.
- G. *Issuance.* If the proposed plan conforms to the provisions of this Ordinance, the plans will be stamped approved and the sign and other applicable permits will be issued. One (1) copy of the plan approval and permit will be returned to the applicant for display on site during construction; the City will also retain one (1) copy.
- H. *Permit Validity.* Upon approval and issuance of a sign permit, the applicant shall have six (6) months to complete work on the approved signage, after which the permit shall become null and void. Any unapproved changes in the approved plans shall render the sign permit invalid. Reapplication for sign permits that have expired shall be in accordance with the sign regulations in effect at the time of reapplication.

- I. *Sign Inspection.* Upon notification that the sign is complete, the City inspector shall conduct an inspection for the purpose of verifying that the sign is in compliance with the requirements of the permit and all other provision of this Article. Prior to the inspection of a freestanding ground sign, the permittee or sign contractor shall locate and identify on site the edge of the street right-of-way and all property lines adjacent to the sign for purposes of verifying the sign location in relation to the setback requirements.
- J. *Variance:* Requests for variances from the requirements for signs set forth in this chapter shall be heard by the Board of Zoning Appeals and are subject to the standards outlined in Article 9 of the Mauldin Zoning Ordinance.

**6:11.17 Nonconforming Signs (Also referred to as Grandfathered Signs).**

- A. *General.* After the effective date of this chapter or subsequent amendment, it shall be unlawful for any person to erect any sign that does not conform to the requirements set forth in this article. This requirement shall not be construed so as to prohibit the painting, repainting or changing of the face of a sign, including changing the message, where the resulting sign is the same, size, shape, and height as the preceding sign and no other alteration and no expansion is made to the sign or sign structure.
- B. *Nonconforming signs-Permanent Signs.* Subject to the conditions and amortization schedule herein set forth, non-conforming permanent signs that are considered to be grandfathered may continue in operation and maintenance after the effective date of this Ordinance, provided that such non-conforming sign(s) shall be maintained in accordance with the provisions of this chapter and shall not be:
  - 1) Changed to or replaced by another nonconforming sign or sign structure;
  - 2) Structurally altered;
  - 3) Altered so as to increase the degree of nonconformity of the sign or sign structure;
  - 4) Expanded;
  - 5) Reestablished after its discontinuance for one- hundred eighty (180) days (refer to Abandoned Sign);
  - 6) Reestablished after damage or destruction if the estimated cost of reconstruction or repair exceeds fifty percent (50%) of the appraised value as determined by the Zoning Administrator.
- C. *Nonconforming signs – requirements for all pre-existing temporary, portable and/or moveable display signs.* All temporary, portable and moveable display signs (and their sign support structures) which are made nonconforming by adoption of this chapter and/or subsequent amendment to this chapter shall be removed within thirty (30) calendar days of the effective date of this chapter or upon notification by the City of Mauldin. The provisions for Temporary Advertising Display Signs in Section 6.11.12-B,4) shall not be permitted on sites with non-conforming temporary signs until such sign is removed.

**Amendment 2.** Unless otherwise noted, the language in the following existing ordinance sections does not change but are renumbered to reflect the numbering scheme provided for in this amendment:

That section 6:11.2.2 Cessation of Nonconforming Permanent signs, be renumbered to 6:11.17 (D) and read as follows: From the date of notification, ~~signs that are in cessation of use (Refer to abandoned Signs section), signs that are prohibited by Section 6:11.4 6:11.6 of this Article, shall be removed according to the amortization schedule below or as required specifically under another provision in this chapter. Permanent signs that are nonconforming because they do not meet the dimensional requirements of this Article are not subject to this section.~~

That section 6:11.2.4, The Order in which Signs are to be Removed, be renumbered as 6:11.17 (E).  
 That section 6:11.2.5, Signs Made Nonconforming Due to Annexation, be renumbered as 6:11.17 (F)  
 That section 6:11.2.6, Method of Removal of Signs, be renumbered as 6:11.17 (G)

That section 6:11.7, Billboard and Other Off-Premise Signs, be renumbered as 6.11.18

That section 6:11.7-1, General Provisions for Off-Premise Signs, be renumbered as 6:11.18 (A) and be amended to read: Permits shall not be required for any off-premise sign that is set forth in Section ~~6:11.3~~ 6:11.8.

That section 6:11.7.2, Off-Premise Signs Used in Conjunction with On-Premise Signs, be renumbered as 6:11.18 (B).

That section 6:11.7.3, Nonconforming Signs , be renumbered as 6:11.18 (C) and be amended to read:

Notwithstanding any other provision of this chapter, any off-premise sign which was lawfully erected prior to December 9, 1996, shall be deemed to be nonconforming in accordance with Section ~~6:11.2~~ 6:11.17. Any off-premise sign that is repaired or maintained shall retain its nonconforming status. Billboards and off-premise signs may be relocated in accordance with the provisions of Section ~~6:11.7.4~~ 6:11.18 (D).

That section 6:11.7.4, Special Provisions for Billboards (and off-premise signs) be renumbered to 6:11.18 (D) and that subsection 6:11.7.4-J. iii, be amended to read as follows:

iii. The face or faces of a relocated billboard shall have no more display area (square footage) per face than it had at its previous location. In no event shall the face of a relocated billboard exceed the maximum allowable display area set forth in subsection ~~6:11.7.4(2)D~~ 6:11.18(D) herein.

That section 6:11.12, Variance to Sign Requirement, be renumbered as 6:17.19

**Amendment 3:** Replace Section 6:11.13, Penalties for Violation with the following section:

**6:11. 20 Notices of Violation and Citation Procedures.**

- a) *Notice required before penalty.* No penalty shall be assessed unless and until the person alleged to be in violation with the provisions of this Article has been notified of the violation in accordance with this section.
- b) *Notice of Violation; opportunity to cure.*
  1. Whenever the city official charged with the duty of enforcing the regulations of this article has reasonable cause to believe that a person is violating the provision of this ordinance, that official shall notify that person of the violation via a written warning. Such warning shall include an opportunity to cure the violation within a prescribed period of time.
  2. Upon receipt of a written request from the alleged violator or property owner, a single extension of time, not to exceed a period of thirty (30) days, may be granted to cure or correct the violation. Such request must be received prior to the city issuing a formal citation pursuant to Section 6:11.19 b)(3) below.
  3. Any person, who, after being given a written citation warning, does not comply with the provisions of this chapter within the time period allotted for compliance, shall be served a formal written citation with a prescribed date to appear before the Mauldin Municipal Court. Such citation shall also include an assessed penalty for the violation in accordance with the schedule of penalty fees in Section (c) below.
  4. When the person violating the provisions of this ordinance cannot be ascertained, then the notice of violation shall be sent to the owner of the land on which the violation occurs. Such notification shall be delivered by first class, Restricted Certified mail by the U.S Postal Service.
- c) *Sign Penalty Fee Schedule.* The following “Table of Penalties for Sign Violations” shall apply for violations of this chapter. Repeat Offenses that occur within 180 calendar days of the date on the

citation for the first offense shall not receive a written warning, but shall be subject to a fine for each subsequent violation in accordance with the penalty schedule.

**TABLE OF PENALTIES FOR SIGN VIOLATIONS**

<b>Sign Type</b>	<b>Written Warning/ Time to Cure</b>	<b>First Offense Fine</b>	<b>Second Offense Fine</b>	<b>Third Offense Fine</b>
Temporary Signs	Removal within 24 Hours	\$50.00	\$ 100.00	\$200.00
Permanent Signs	Removal within 30 calendar days	\$200.00	\$500.00	\$500.00

**Amendment 4.** That Article 14, PENALTIES FOR VIOLATION, be amended to read as follows:

**ARTICLE 14 NOTICES OF VIOLATION AND CITATION PROCEDURES**

Any person, firm or corporation violating any provisions of this Ordinance, or who shall fail to comply with a any order made thereunder by any officer or agency of the City under authority duly vested in him or it, any act is prohibited or is made or declared to be unlawful or an offense or misdemeanor, and where no specific penalty is provided for the violation thereof, the violation of any such provision of this Ordinance shall be punished by a fine not exceeding \$500.00 or by imprisonment for a period not exceeding thirty (30) days; provided, however, that no penalty shall exceed the penalty provided by state law for similar offenses.

- a) *Notice required before penalty.* No penalty shall be assessed unless and until the person alleged to be in violation with the provisions of this Article has been notified of the violation in accordance with this section.
- b) *Notice of Violation; opportunity to cure.*
  - 1. Whenever the city official charged with the duty of enforcing the regulations of this article has reasonable cause to believe that a person is violating the provision of this ordinance, that official shall notify that person of the violation via a written warning. Such warning shall include an opportunity to cure the violation within a prescribed period of time.
  - 2. Upon receipt of a written request from the alleged violator or property owner, a single extension of time, not to exceed a period of thirty (30) days, may be granted to cure or correct the violation. Such request must be received prior to the city issuing a formal citation. .
  - 3. Any person, who, after being given a written citation warning, does not comply with the provisions of this article within the time period allotted for compliance, shall be served a formal written citation with a prescribed date to appear before the Mauldin Municipal Court. Such citation shall also include an assessed penalty for the violation. .
  - 4. When the person violating the provisions of this ordinance cannot be ascertained, then the notice of violation shall be sent to the owner of the land on which the violation occurs. Such notification shall be delivered by first class, Restricted Certified mail by the U.S Postal Service.

This ordinance shall be effective upon and after its final passage.

Passed on First Reading: October 21, 2103

Passed on Second Reading: November 18, 2013

CITY OF MAULDIN, SOUTH CAROLINA

\_\_\_\_\_  
Dennis Raines, Mayor

ATTEST:

\_\_\_\_\_  
Cindy Miller, Municipal Clerk

\_\_\_\_\_  
John Duggan, City Attorney

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Raymond C. Eubanks III, City Administrator