

Title 12 – Zoning
Article 5 – Regulations of General Applicability
Chapter 12-54 – Signs

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12-54-010. Purpose.

It is not the purpose or intent of this Chapter to regulate the message or content displayed on any sign; nor is it the purpose or intent of this Chapter to regulate any building design or any display not defined as a sign, or any sign that cannot be viewed from outside a building. The purpose and intent of this Chapter is to protect and promote the health, safety and welfare of City residents by regulating the design, construction and installation of signs to achieve the following objectives:

- (a) To regulate the number, location, size, type, illumination and other physical characteristics of signs within the City in order to promote the public health, safety and general welfare;
- (b) To eliminate potential hazards to motorists and pedestrians by requiring that signs are designed, constructed, installed and maintained in a manner that promotes the public health, safety and general welfare by increasing traffic safety and reducing visual distractions for motorists;
- (c) To improve the visual appearance of the City while providing for effective means of communication,

consistent with Constitutional guarantees and the City's goals of public safety and aesthetics;

(d) To encourage good design and improved appearance by encouraging rapid replacement and eventual elimination of nonconforming signs with the sign type, location and size specified in the Chapter;

(e) To encourage signs, which by their good design, are integrated with and harmonious to adjacent buildings, signs, land uses, sites and landscaping.

(f) To maintain, enhance and improve the aesthetic environment of the City by preventing the visual clutter that is harmful to the appearance of the community;

(g) To safeguard and protect property values and public and private investment in buildings and open spaces and enhance the economic strength of the City by regulating matters such as sign size, location, design and illumination;

(h) To provide fair, comprehensive and enforceable regulations that promote and maintain safe and aesthetically pleasing building elevations and streetscapes within the City;

(i) To provide fair, comprehensive and enforceable regulations that balance the need to protect the public safety and welfare, the need for a well maintained and attractive community, and the need for adequate identification, communication and advertising for land uses and property owners;

(j) To provide for the fair and consistent enforcement of the sign regulations set forth in this Chapter under the zoning authority of the City; and

(k) To require signs that adhere to the adopted fire, traffic, building and safety standards in order to ensure the safety of residents and visitors to the City.

12-54-020. Scope.

The provisions of this Chapter shall apply to the display, construction, erection, alteration, use, location and maintenance of any sign within the City which is visible to the public from a public right-of-way unless the sign is legally nonconforming under the provisions of Section 12-54-160 of this Chapter or is not regulated under the provisions of this Chapter. The requirements of this Chapter shall not be construed to prohibit or limit other

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applicable provisions of this Title, the Centerville Municipal Code, or other laws.

12-54-030. Definitions.

Certain words and phrases in this Chapter are defined in Chapter 12-12 of this Title.

12-54-040. Sign Design Guidelines.

The placement and design of signs should be compatible with the development project and the surrounding area. Signs should be an integral design element of a building and should be compatible with the style of a building in terms of location, scale, color and lettering.

12-54-050. Sign Permit Required.

Except as otherwise provided by this Chapter, a sign permit shall be required prior to the erection, installation, or use of a sign. Such permit is separate and distinct from any other permit that may be required by applicable provisions of the Centerville Municipal Code and shall be issued in accordance with the procedures set forth in Section 12-21-160 of this Title.

12-54-060. General Provisions.

(a) *Sign Area Computation.* The measured area of a sign shall be the entire area within the smallest square, circle, rectangle, or triangle enclosing the extreme limits of a writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the sign display.

(1) The supports, uprights, or structure on which any sign is supported shall not be included in determining sign area unless such supports, uprights, or structure are designed in such a manner as to form an integral part of the sign display.

(2) When a sign has two (2) opposite display faces, the area of only one (1) face shall be included in determining the sign area.

(3) Sign area calculations shall include all signs located on a lot or parcel unless under the provisions of this Chapter or another chapter of this Title a particular type of sign:

(A) Is expressly excluded from the calculation of total sign area; or

(B) Has a separate basis for calculating sign area; or

(C) Is not regulated by the provisions of this Chapter.

(b) *Traffic Hazard.* No sign or other advertising structure shall be erected in such a manner as to obstruct free and clear vision of traffic, particularly at a street intersection or driveway entrance; or at any location where by reason of the position, shape or color, the sign may interfere with, obstruct the view of, or be confused with, any authorized traffic sign, signal, or device; or which makes use of the word, "Stop", "Drive-in", "Danger", or any other word, phrase, symbol, or character in a manner that interferes with, misleads, or confuses traffic.

(c) *Lights and Lighted Signs.* No spotlight, flood-light, or lighted sign shall be installed in a manner that directs the rays of such sign light to adjacent property. No light or lighted sign shall be installed or located in such a manner as to constitute a nuisance or hazard.

(d) *Signs on Public Property.* Except for signs owned and installed by a government agency, or installed by permission of a government agency, no sign shall be:

(1) Erected on, over, or across publicly-owned property or inside a public street right-of-way, or

(2) Placed on any curb, sidewalk, post, pole, hydrant, tree, rock, or street located on public property; or

(3) Located within a public right-of-way.

(e) *Electrical Power Supply.* Electrical wiring, conduit, and appurtenances for a sign shall be underground or concealed behind a building wall or fascia.

(f) *Construction Standards.* A sign shall be installed and constructed in accordance with provisions of building codes and engineering standards adopted by the City.

(g) *Clearance.*

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(1) No sign shall be erected or maintained which has less horizontal or vertical clearance from communication lines and electrical power lines than prescribed by the laws of the State of Utah or its agencies.

(2) Adequate clearance shall be provided between the ground or sidewalk and any part of a wall sign projecting more than twelve (12) inches from a building or other support, particularly in pedestrian and vehicular areas.

(3) A free-standing sign shall not extend over any pedestrian or vehicular access area unless the chief building official determines such sign is not a hazard. Provided, however, that no sign shall not extend over an publicly-owned property, including a right-of-way unless authorized by the government agency having jurisdiction over such right-of-way.

(h) *Safe Distance.* A free-standing sign shall be located at least one hundred (100) feet from another freestanding sign located on the same or immediately adjoining lot or parcel. In addition to the foregoing separation requirement, a freestanding sign shall be setback from a side lot line a distance equal to or greater than the height of the sign.

(i) *Wall (Flat) Sign.* A wall sign shall be located flat against and attached to the wall of a building, painted thereon, or designed as an architectural feature thereof. Unless otherwise provided in this Chapter, the highest point of a wall sign shall not be higher than the lowest roofline of the building to which it is attached.

(j) *Landscaping.* Unless otherwise provided in this Chapter, the ground space within a radius of ten (10) feet from the base of a low-profile or free-standing sign shall be landscaped and maintained in accordance with the landscaping standards set forth in this Title.

(k) *Pole Covers.* Except as otherwise provided in this Chapter, structural supports for a free-standing sign shall be covered or concealed with pole covers which are at least twenty five (25) percent of the width of the sign cabinet. In no case shall a pole cover be less than eighteen (18) inches in width.

(1) A pole cover shall be harmonious in design and finish with other parts of the sign and shall be architecturally designed to match the building.

(2) Square tube supports may be used instead of pole covers, provided that such supports are:(A) Monolithic in appearance from grade to the bottom of the sign with no increase or reduction in size or dimension;

(B) Proportionate to the size of the sign copy area;

(C) Harmonious in design and finish with other parts of the sign;

(D) Architecturally designed to match buildings on the lot or parcel where the sign is located.

(3) The pole cover requirements set forth herein shall not apply to free-standing signs exceeding thirty (30) feet in height.

(l) *Signs on Fascias, Marquees, Canopies, or Awnings.* Marquees, fascias, canopies, or awnings shall be designated as permanent parts of a building and shall meet all requirements of the building code.

(1) Unless otherwise provided in this section, the area of signs painted or mounted on a marquee, fascia, canopy, or awning shall be limited to the area allowed for a wall sign on the face of a building and shall, in effect, be considered a wall sign.

(2) In the case where an awning, canopy, marquee or fascia is constructed of translucent material, is illuminated from within the structure, and contains sign copy, the entire area of the structure shall be calculated in the allowance for a wall sign.

(3) On places of public entertainment, such as theaters, arenas, and meeting halls where changeable copy is included as part of a sign, the copy area shall be included in the total sign area allowed for a wall sign.

12-54-070. Prohibited Signs and Devices.

(a) *Prohibited Signs.* The following signs and devices are prohibited.

(1) Animated sign;

(2) Movable (portable) or temporary sign, except when permitted as a temporary sign in accordance with the provisions set forth in Section 12-54-090 of this Chapter;

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(3) Roof sign;

(4) Graffiti;

(5) Off-premise commercial sign (including billboards);

(6) Spotlights directed into the night sky, except as permitted by a temporary use permit issued pursuant to the provisions of Chapter 12-56 of this Title;

(7) Balloons, including cold air, helium, and other balloons; except when in accordance with the provisions set forth in Section 12-54-090; and

(8) Ornamental flags, pennants, streamers, banners or other decorative materials used for commercial advertising purposes or to direct attention to a place of business, except when in accordance with the provisions set forth in Section 12-54-090.

(b) *Unlawful Prohibition.* If any of the foregoing signs are deemed lawful by a court of competent jurisdiction, such signs shall be permitted.

12-54-080. Signs Permitted in All Zones.

(a) *Government Signs.* A sign authorized by a government agency may be installed as provided by applicable law and shall not require a sign permit.

(b) *Signs Permitted by Right.* The following signs may be placed on a lot or parcel as provided below and shall not require a sign permit. Such signs may include any lawful commercial or non-commercial message.

(1) Agricultural or residential zones: Any type or number of signs provided:

(A) The total area of all signs is not more than sixteen (16) square feet;

(B) No sign is higher than five (5) feet; and

(C) Each sign is located on private property behind the sidewalk and is not within the public right-of-way or restricted sight triangles as more particularly set forth in Section 12-54-060.

(2) Public facility, commercial, and industrial zones:

(A) Wall sign: Any number of wall signs provided the total area of all wall signs is not more than thirty-two (32) square feet.

(B) Free-standing sign: Any number of free-standing signs provided:

(i) No sign is higher than five (5) feet;

(ii) Each sign is located on private property at least three (3) feet behind the sidewalk and is not within the public right-of-way or sight triangles as more particularly provided in Section 12-54-060; and

(iii) The total area of all freestanding signs does not exceed seventy-five (75) square feet.

(3) Multi-tenant or Planned Center Use Areas:

(A) Free-standing sign: Each multi-tenant or planned center use shall be allowed any number of free-standing signs provided:

(i) No sign is higher than five (5) feet;

(ii) Each sign is located on private property at least three (3) feet behind the sidewalk and is not within the public right-of-way or sight triangles as more particularly provided in Section 12-54-060; and

(iii) The total area of each free-standing sign does not exceed sixteen (16) square feet per tenant.

(c) *Flag Displays:* The display or use of a national, state, county, or city flag is permitted in all zones. In addition, the display of a corporate, business, subdivision or project name flag shall be permitted in all zones, provided such flag displays shall:

(i) Be no higher than twenty-five (25) feet;

(ii) Total flag area shall not exceed twenty-five (25) square feet;

(iii) Flag is mounted or flown on a typical or standard flag pole;

(iv) Meets the clearance requirements of this Chapter; and

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(v) Be limited to one (1) flag per lot, parcel, subdivision or project.

12-54-090. Temporary Event Signs.

In addition to signs permitted in all zones, the following signs shall be permitted on a temporary basis in all zones subject to the following provisions. Such signs may include any lawful commercial or non-commercial message.

(a) Temporary Grand Opening Signs. One (1) or more temporary signs, up to seventy five (75) square feet in total area, may be placed on a lot or parcel to promote new businesses, upon issuance of a temporary sign permit, pursuant to Section 12-21-160. Such signs:

(1) Shall be limited to A-frame, banner, freestanding, movable, promotional, or wall signs;

(2) Be allowed for a duration not to exceed ninety (90) days after issuance of a business license and/or a new permanent certificate of occupancy has been granted by the City;

(3) May be attached to the building face or placed in a landscaped area;

(4) Shall not be hung from a free-standing sign, street light, utility pole, tree, fence, or placed in a public right-of-way; and

(5) Be removed upon the expiration of the 90 day limit with which Grand Opening signs are associated.

(b) Temporary Project, Subdivision, or Construction Advertising and/or Marketing Signs. One (1) or more temporary signs, up to seventy five (75) square feet in total area, may be placed on a lot or parcel for which a temporary use permit has been issued, pursuant to the provisions of Chapter 12-56 of this Title, to allow a construction office or model home. Such signs:

(1) Shall be limited to A-frame, banner, freestanding, movable, promotional, or wall signs;

(2) Be allowed for a duration not to exceed the time allowance pursuant to issuance of a model home or construction office, temporary use permit, pursuant to Section 12-56;

(3) May be attached to the building face or placed in a landscaped area;

(4) Shall not be hung from a free-standing sign, street light, utility pole, tree, fence, or placed in a public right-of-way;

(5) Shall be removed upon the expiration of the temporary use permit with which a project or construction sign is associated; and

(6) Shall not be eligible for Temporary Grand Opening Signs.

(c) Temporary Use or Event, Signs. One (1) or more temporary signs, up to fifty (50) square feet square feet in total area, may be placed on a lot or parcel for which a temporary use permit has been issued pursuant to the provisions of Chapter 12-56 of this Title. Such signs:

(1) Shall be limited to A-frame, banner, freestanding, movable, or wall signs;

(2) May be attached to the building face or placed in a landscaped area;

(3) Shall not be hung from a free-standing sign, street light, utility pole, tree, fence, or placed in a public right-of-way;

(4) Shall be removed upon the expiration of the temporary use permit with which a temporary event or use sign is associated; and

(5) Shall not be eligible for Temporary Grand Opening Signs

12-54-100. Subdivision Signs.

(a) Permitted. In addition to signs permitted in all zones, one (1) non-illuminated, low-profile sign shall be permitted per exclusive entrance to a subdivision, provided the total area of the sign is not more than twenty-four (24) square feet. Such signs may include any lawful commercial or non-commercial message.

(b) Development Standards. A low-profile subdivision sign may be located in a required front yard provided:

(1) The sign is not higher than four (4) feet above finished grade; and

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(2) The sign is no closer than (3) feet from a front lot line.

(3) The sign satisfies the Visual Obstruction requirements of Section 12-55-230 of this Title.

12-54-110. Signs in Main Street and Pages Lane Commercial Districts.

(a) *Intent and Purpose.*

(1) The Main Street Commercial District is defined as any commercially zoned land on Main Street south of Parrish Lane to Pages Lane. This area is considered to be an architecturally, aesthetically and historically sensitive area within the City.

(2) The Pages Lane Commercial District is defined as the area south of Pages Lane on Main Street to the City boundary and along Pages Lane from Main Street to 400 East. The Pages Lane Commercial District is more retail in nature and less fragmented than the Main Street Commercial District, but is also considered to be a sensitive area within the City subject to the same sign regulations as the Main Street Commercial District.

(3) The intent of this section is that signs for these small, specialized Commercial Districts should be different than the more intensive, gateway areas of the City. The major objective of sign regulations for Main Street and Pages Lane Commercial Districts is to eventually convert many free-standing signs to low-profile (monument) signs while allowing some flexibility in permitting existing free-standing signs to be altered, changed or relocated. Because some properties on Main Street and Pages Lane may have physical constraints that may create an undue burden regarding strict compliance with the requirements of this section, a special exception to certain provisions in this section may be authorized.

(b) *Signs Permitted.* In addition to the signs permitted in all zones, the following signs shall be allowed in the Main Street and Pages Lane Commercial Districts subject to the conditions and restrictions set forth in this section. Such signs may include any lawful commercial or non-commercial message.

(1) **Wall Sign.** Wall signs are the preferred form of identification for businesses in the City. The total sign area of all such signs on a primary or main wall, facade, or building elevation facing the

street shall be limited to fifteen (15) percent of the vertical wall area to which the sign is attached. The total sign area of any sign on a secondary wall or facade shall be limited to five (5) percent of the wall or facade area to which the sign is attached. The total sign area of any sign on the remaining building elevations (other than the primary and secondary walls) shall not exceed a maximum combined total of 32 square feet, as set forth in Section 12-54-080 of this Chapter.

(6) **Projecting Sign.** A locally or nationally recognized historic building may have one (1) projecting sign on the primary building elevation fronting a street. A projecting sign shall:

(A) Have a total area of not more than twenty-four (24) square feet;

(A) Project no further than four (4) feet from a wall;

(C) Allow at least ten (10) feet of clearance above a sidewalk and fourteen (14) feet above any driveway or vehicular right-of-way; and

(D) Not project above the roof cornice or parapet of a building.

(E) Awnings, canopies, fascias and marquees shall be considered part of the building and are regulated in accordance with the general sign standards set forth in Section 12-54-060 of this Chapter.

(3) **Low-Profile Sign.** One (1) low-profile sign shall be allowed for each separately owned commercial lot or parcel with a single tenant building in the Main Street and Pages Lane Commercial Districts subject to the following requirements:

(A) Each lot or parcel shall have at least thirty (30) feet of street frontage.

(B) Each low-profile sign shall have at least a one (1) foot high opaque pedestal designed as part of the foundation which conceals pole support.

(C) The pedestal for a low-profile sign shall run at least fifty (50) percent of the horizontal length of the sign and there shall be no exposed space between the ground and the pedestal.

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(D) The sign portion of a low-profile sign shall not exceed five (5) feet for a total sign height of six (6) feet. The height to the top of the sign may vary depending upon landscaping, but the combined height of the sign and berming and/or landscaping shall not exceed nine (9) feet as measured from the nearest top back of curb. The entire frontage shall be randomly bermed for this to occur, not just where the sign is to be placed.

(E) A low-profile sign shall be located at least three (3) feet from any adjacent property line and at least thirty-five (35) feet from another low-profile sign.

(F) A corner lot with more than one (1) street frontage may have one (1) low-profile sign for each frontage which is thirty (30) feet or more.

(G) The area of a low-profile sign shall not exceed one-half ($\frac{1}{2}$) square foot of area for every one (1) linear foot of street frontage with a minimum sixteen (16) square feet and a maximum of eighty (80) square feet for any such sign.

(4) Additional Signage for Multiple-Tenant Buildings and Lots. In addition to the signage permitted under Subsection (3) of this section, a separately-owned lot or parcel with more than one (1) tenant building and/or with a multiple-tenant building or buildings shall be permitted to have one (1) additional low-profile sign as follows:

(A) The area of such sign shall be limited to one-half ($\frac{1}{2}$) square foot of area for every one (1) linear foot of street frontage with a minimum sixteen (16) square feet and a maximum of eighty (80) square feet for any such sign.

(B) Changeable copy and electronic message areas shall occupy not more than fifty (50) percent of the total sign area allowed.

12-54-120. Signs in Parrish Lane Gateway Commercial District.

(a) *Parrish Lane Gateway Commercial District.* The Parrish Lane Gateway Commercial District is defined as the central business area of commercial zoning east of Interstate 15 both north and south of Parrish Lane, businesses in the Centerville Marketplace

project, along 400 West, the Frontage Road to the City limit on the south and Marketplace Drive.

(b) *Signs Permitted.* In addition to signs permitted in all zones, the following signs shall be allowed in the Parrish Lane Commercial District, subject to the conditions and restrictions set forth in this section. Such signs may include any lawful commercial or non-commercial message.

(1) Wall Sign. The regulations of Section 12-54-110(b)(1) of this Chapter shall apply.

(2) Low-Profile Sign. The regulations of Section 12-54-110(b)(3) of this Chapter shall apply.

(3) Free-standing Sign. A free-standing sign may be allowed for a lot, parcel, or planned center. A free-standing sign shall meet the following requirements:

(A) Except as otherwise provided in this subsection, total allowable sign area for a free-standing sign shall be one hundred fifty (150) square feet plus an additional ten (10) square feet per tenant located (existing or approved) not to exceed two hundred and fifty (250) square feet in total sign area. The Planning Commission may grant a conditional use permit for a free-standing sign over two hundred fifty (250) square feet but not exceeding five hundred (500) square feet in accordance with the provisions of Section 12-21-100 of this Title.

(B) Except as otherwise provided in this subsection, the maximum allowable height shall be thirty (30) feet.

(C) Free-standing signs shall be located within an area at a distance sufficient from a street or intersection to provide clear vision for traffic. No portion of a sign shall be closer than five (5) feet from any adjacent property line or right-of way.

(D) A free-standing sign shall meet and/or exceed the standards for free-standing signs set forth in Subsection (5) of this section (b).

(E) Each free-standing sign shall be located in an area with a minimum of one thousand (1,000) square feet of landscaping. Landscaping and sign location details for such signs shall be

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reviewed and approved by the Planning Commission during site plan review.

(F) Pole covers shall be used for a free-standing sign in accordance with the standards set forth in this Chapter.

(G) A planned center may have one (1) free-standing sign for each street upon which the center has frontage, not to exceed two (2) free-standing signs per planned center.

(i) Free-standing signs for a planned center shall be compatible with the size, design, and character of the corresponding site and building design and should be of appropriate scale and character for the street on which they are located. These factors shall be reviewed and considered by the approving authority in determining whether to approve or deny the sign permit.

(4) Free-standing Freeway-Oriented Sign. One (1) free-standing freeway-oriented sign shall be allowed on commercially developed properties immediately abutting the I-15 right-of-way or Frontage Road that are within six hundred (600) feet north and south of the centerline of Parrish Lane, subject to the following requirements:

(A) Such signs abutting the I-15 right-of-way shall not exceed sixty (60) feet in height.

(B) The maximum aggregate area for such signs abutting the I-15 right-of-way (counting one [1] side of a double-faced sign) shall be two hundred (200) square feet.

(C) Such signs abutting Frontage Road shall not exceed fifty (50) feet in height.

(D) The maximum aggregate area for such signs abutting Frontage Road (counting one [1] side of a double-faced sign) shall be one hundred sixty-five (165) square feet, and shall not include any changeable copy or digital elements.

(E) Free-standing freeway-oriented signs shall not be located on the side of the property abutting Parrish Lane or Marketplace Drive.

(5) Free-standing (Pole) Signs. Free-standing signs may be allowed as follows:

(A) One (1) free-standing sign shall be allowed as a permitted use on commercially developed property located outside a planned center.

(B) A free-standing sign shall be prohibited for a pad site located within a planned center. Such property shall be limited to a low-profile sign, wall sign, and/or space within an approved free-standing sign in accordance with the provisions set forth in this Chapter.

(C) Only one (1) free-standing sign of any type shall be allowed for any property outside a planned center regardless of the number of street frontages.

(D) Not more than fifty (50) percent of allowable total sign copy area shall be used for changeable copy or electronic message center signs.

(6) Area Restrictions.

(A) Frontage Road (800 West) (west side only): Free-standing, freeway-oriented signs shall be allowed on property abutting the west side of Frontage Road in accordance with the standards set forth in Subsection 12-54-120(b)(4) of this Chapter.

(i) In instances where an eligible business chooses not to install a free-standing freeway-oriented sign, a twenty-five (25) foot free-standing sign on Frontage Road may be allowed with a maximum of one hundred (100) square feet per lot or parcel.

(ii) A businesses that has more than one (1) frontage shall be limited to no more than one (1) free-standing sign of any type for the entire site. Such business and property may have a low-profile sign on any other frontage in accordance with the standards set forth in Subsection 12-54-110(b)(3) of this Chapter.

(B) Frontage Road to 400 West: Free-standing signs shall be allowed on property located between Frontage Road and 400 West, including property abutting the east side of Frontage Road and the east side of 400 West, in accordance with the standards set forth in Subsection 12-54-120(b)(5) of this Chapter.

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(i) Such signs may not exceed twenty-five (25) feet in height.

(ii) The maximum area for each free-standing sign in this area shall be one-half (½) square foot of sign area (counting one [1] side of a double-faced sign) for each one (1) lineal foot of frontage on the street on which the sign faces, up to a maximum total area of one hundred (100) square feet.

(iii) Businesses that have more than one (1) frontage shall be limited to no more than one (1) free-standing sign of any type for the entire site.

(iv) Such property may have a low-profile sign on any other frontage in accordance with the standards for such signs set forth in Subsection 12-54-110(b)(3) of this Chapter.

(C) Parrish Lane East of 400 West: Free-standing signs shall be allowed for individual businesses outside a planned center located east of 400 West. Signs for properties abutting the east side of 400 West shall be governed by provisions set forth in Subsection (b) of this section.

(i) Signs in this area shall not exceed twenty (20) feet in height.

(ii) The area allowed for each sign shall be one-half square foot of sign (counting one side of a double-faced sign) for each lineal foot of frontage on the street on which the sign has frontage, up to a maximum of eighty (80) square feet.

12-54-130. Signs in Commercial Zones.

(a) *Sign Allowed.* In addition to signs permitted in all zones, the following signs shall be allowed in C-M, C-H, C-VH zones, not covered by this Chapter, subject to the conditions and restrictions set forth in this section. Such signs may include any lawful commercial or non-commercial message.

(1) Wall (Flat) Signs. The regulations of Section 12-54- 110(b)(1) of this Chapter shall apply.

(2) Low-Profile Signs. The regulations of Section 12-54-110(b)(3) shall apply. For qualified sites containing a free-standing sign, one (1) low-profile

sign shall be allowed in addition to a free-standing sign on any other dedicated street frontage for the site.

(3) Free-standing Planned Center Signs (Free-standing Signs). Free-standing Planned Center signs shall be permitted in the C-H and C-VH zones. No more than one (1) free-standing sign shall be allowed for any qualified site and the regulations of Section 12-54-120 of this Chapter shall apply to any such sign.

(5) Free-standing Signs.

(A) Free-standing signs shall be prohibited in the C-M zone.

(B) A free-standing sign shall be allowed as a permitted use in the C-H and C-VH zones in accordance with the provisions of Section 12-54-120.

12-54-140. Signs in Industrial Zones.

(a) *Signs Permitted.* In addition to the signs permitted in all zones, the following signs shall be allowed in Industrial zones, subject to the conditions and restrictions herein set forth. Such signs may include any lawful commercial or non-commercial message.

(1) Wall Signs. The regulations of Section 12-54-110(b)(1) of this Chapter shall apply.

(2) Low-profile Signs. The regulations of Section 12-54-110(b)(3) of this Chapter shall apply. No more than one (1) low-profile sign shall be allowed per required street frontage for any property in an industrial zone.

12-54-150. Maintenance.

Every sign shall be maintained in operating condition. The required landscaped area in which any low-profile or free-standing sign is placed shall be properly maintained and kept free from weeds, garbage, debris and flammable materials. "Maintenance" shall include the repair of building facades where a sign has been removed and the painting, cleaning, or repairing of the sign. "Maintenance" shall not include structural alterations, cosmetic or style changes or enlargements of sign faces. Failure to properly maintain any sign shall be subject to enforcement procedures set forth in

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Section 12-54-160 of this Chapter and Chapter 12-23 of this Title.

12-54-160. Nonconforming Signs.

(a) *Purpose and Intent.* In order to minimize confusion and unfair competitive disadvantage to those businesses which are required to satisfy current standards of this Chapter, the City intends to apply firm regulation of existing nonconforming signs with a view to their eventual elimination. This goal shall be achieved by strictly construing limits on change, expansion, alteration, abandonment, and restoration of nonconforming signs.

(b) *Alterations.* Excluding normal maintenance and repair, a nonconforming sign shall not be moved, altered, (including face changes) or enlarged unless it is brought into complete compliance with the provisions of this section.

(c) *Exemptions.* The following alterations shall be exempt from the provisions of this subsection:

(1) Face changes in a nonconforming center marquee/ directory sign.

(2) Face changes in a nonconforming commercial sign where:

(A) The business remains in the same ownership;

(B) The business retains the same name and use but ownership changes hands;

(C) The business changes name and ownership but the new use on the site is compatible and considered to be in the same category as the previous use in the new building; i.e. a fast food vacates a building and the new business is another fast food outlet; and

(D) Copy changes in a nonconforming permanent sign which was originally approved by the City with a changeable copy feature.

(d) *Abandonment.* Within one hundred eighty (180) calendar days after vacation of an existing business, any on-site nonconforming sign shall be removed or brought into compliance by the property owner. If removal does not occur, the City may have the entire nonconforming sign, (both face and structure)

removed as provided in Section 12-23-070 of this Title.

(e) *Other Nonconforming Provisions.* The provisions of this section shall apply in addition to those set forth in Chapter 12-22 of this Title. In the event of conflict, the provisions set forth in this section shall prevail.

12-54-170. Financial Assistance.

In order to facilitate and encourage the implementation of low-profile business signs in the City, the Planning Commission may recommend to the City Council financial assistance for any property owner converting or replacing any free-standing and/or nonconforming sign to a low-profile sign or otherwise eliminating a free-standing sign. The level of such assistance shall be solely at the discretion of the City Council, but shall not exceed more than twenty-five (25) percent of the total cost of a new sign if the sign is being converted to or replaced with a low-profile sign or twenty-five (25) percent of the total cost of removing a free-standing sign if the sign is being eliminated, or one thousand five hundred (1,500) dollars, whichever amount is less. Any person desiring such financial assistance for the conversion or replacement of a free-standing or nonconforming sign to a low-profile sign or the elimination of a free-standing sign shall submit a written request to the Zoning Administrator.

12-54-180. Appeal.

Any person adversely affected by a final decision of the Planning Commission or Zoning Administrator regarding the administration of this Chapter may appeal that decision to the Board of Adjustment as provided in Section 12-21-200 of this Title.

12-54-190. Severability.

If any section, subsection, clause or provision of this Chapter is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter, to the extent such remaining provisions can be reasonably and lawfully enforced.

12-54-200. Substitution Clause.

The owner of any sign which is otherwise allowed by this Chapter may substitute non-commercial copy in lieu of any other commercial or non-commercial copy.

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This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary.