

2017

Shenandoah, Texas
Chapter 90, Sign Ordinance



February 22, 2017

Section 11.0 Signs

11.1 General

11.1.1 Purposes

The purposes of these sign regulations are:

- (a) To encourage the effective use of signs as a means of communication within the City of Shenandoah;
- (b) To maintain and enhance the aesthetic appearance which attracts visitors to the City of Shenandoah;
- (c) To preserve the City of Shenandoah as a community that is attractive to residents and businesses;
- (d) To improve pedestrian and traffic safety; and
- (e) To minimize the potential adverse effects of signs on nearby public and private property.

11.1.2 Applicability

In conformance with the standards, procedures, exemptions and other requirements of this chapter, signs may be erected, placed, established, painted, created or maintained within the corporate limits of the City of Shenandoah.

11.2 Prohibited Signs

11.2.1 The following signs are prohibited and shall not be used in Shenandoah:

- (a) Any sign that copies or imitates an official sign or purports to have official status;
- (b) Any illuminated tubing or strings of lights, including but not limited to those outlining property lines, rooflines, doors, windows, landscaping, or the edges of walls, except for perimeter down lighting, which is shielded to illuminate open sales areas but no land outside those areas, except those strings of lights exempt under Section 11.3 Exempt Signs;
- (c) Neon tubing and signs unless otherwise provided for in Section 11.18;
- (d) Skeleton tubing unless otherwise provided for in Section 11.18;
- (e) Windblown devices;
- (f) Inflatable signs;
- (g) Pennants;
- (h) Projecting signs;
- (i) Animated signs;
- (j) Portable signs, unless otherwise specified in Section 11.14 (including but not limited to hand held signage);
- (k) Any sign attached to an accessory structure, except an incidental sign, if such sign is legible from the public right-of-way or from other property;
- (l) Any other attention-attracting device, except for those conforming to the dimensional, design, lighting and other standards applicable to a sign in the same location;

- (m) Any temporary or permanently placed sign within any street right-of-way or City easement, except signs placed by a public agency or as described in Section 11.14.2(p) Political Signs; or Section 11.14.2(r) Public Event Signs; or signs with an approved encroachment agreement from the City of Shenandoah; and upon completion of the appropriate sign permit application form;
- (n) Signs imitating standard public traffic, regulatory or emergency signs or signals;
- (o) Abandoned signs or signs in a state of disrepair;
- (p) Signs painted on or attached to roofs of buildings, trees, fence posts, rocks or other natural features, telephone or utility poles, any public signs or poles;
- (q) Signs using the words “stop,” “danger” or any other word, symbol or character in a manner, which may mislead, confuse or distract the driver of a motor vehicle;
- (r) Off premise signs unless allowed in Section 11.14.2(x) Off-Premise Signs;
- (s) Flashing signs or signs having flashing parts;
- (t) Moving or rotating signs or signs having moving parts (including but not limited to hand held signage);
- (u) Wall signage crossing two lease spaces on multitenant buildings. If one tenant occupies multiple lease spaces the sign will be allowed to cross the lease spaces if those lease spaces are adjoining, this will be demonstrated by the tenant operating under one Certificate of Occupancy for multiple lease spaces;
- (v) Temporary Banners if applicant was already permitted a Temporary Banner for the same space;
- (w) Unless otherwise allowed in this chapter, from and after the effective date of this amendment to the ordinance from which this chapter is derived, no new construction permit shall be issued for the erection of an off-premises sign, including but not limited to a new off-premises CEVMS or the conversion of an existing non-CEVMS off-premises sign to a CEVMS, within the city limits;
- (x) Unless otherwise allowed in this chapter, from and after the effective date of this amendment to the ordinance from which this chapter is derived, no CEVMS shall be allowed within the city limits;
- (y) Any sign held by an individual and displaying such sign to attract attention to a business whether on-premises or off-premises;
- (z) Banners, tarps or similar material used for the purpose of signage affixed or attached in any fashion to either a wall, fence, freestanding pole(s), vehicle, trailer, skid or similar mobile structure unless otherwise specified herein;
- (aa) Garage sale signs, unless otherwise specified herein;
- (bb) Beacons or any other artificial light unless it is allowed in Section 11.18 Lighting; and
- (cc) Bandit Signs.

11.2.2 If any Prohibited Sign is displayed, the Enforcement Officer may issue a municipal citation to the person displaying the Prohibited Sign.

11.2.3 Any Person who displays a Prohibited Sign shall be subject to a fine of \$300.00. Each day a Prohibited Sign is displayed shall constitute a separate violation of this chapter.

11.3 Exempt Signs

11.3.1 The following signs shall be exempt from regulation under this chapter:

- (a) Any official or public notice or warning required by a valid and applicable federal, state or local law, regulation or ordinance; a public utility company or order of a court of competent jurisdiction;
- (b) Traffic signs on private property, such as Stop, Yield and similar signs, which meet Texas Manual on Uniform Traffic Control Devices standards and contain no commercial message;
- (c) Any sign inside a building, not attached to a window or door;
- (d) Any sign inside an athletic field or other similar outdoor facility space, if not viewable from the street right-of-way;
- (e) Works of art with no commercial message (including but not limited to statues, paintings, murals or abstract art);
- (f) Holiday decorations, approved for the Holiday Season as defined in Section 11.22 Definitions;
- (g) "No trespassing," "no hunting," "no fishing" or "no loitering" sign which shall not exceed one square foot in area;
- (h) Any governmental signs;
- (i) Unless specified herein, the changing of messages on changeable copy signs designed and intended to be changed on a regular basis;
- (j) Unless specified herein, general maintenance and repairs of existing signage such as the removal and replacement of parts and light bulbs, touch up painting, or any landscaping and/or hardscaping around the sign, if the existing signage is in conformance with this chapter. Any general maintenance or repairs not specified herein may require a permit. The applicant shall check with the City of Shenandoah prior to start of work;
- (k) Signage inside a breezeway or entranceway, under the roof and within the foundation line of the building, but outside the actual entrance door;
- (l) Incidental signs;
- (m) Exempt signage as set forth in Section 11.19; and
- (n) Any object that meets the definition of sign in this chapter shall be considered a sign and shall not be exempt from regulation, notwithstanding the fact that its principal purpose is other than communicating a message; examples include vending machines with "super-graphics" that can be read off the property, as well as logos and signs on gas pumps or other equipment used in the sale or delivery of goods or services.

11.4 Non Compliant Signs

11.4.1 Whenever the use of a building or premises by the Person issued a Permit or Certificate of Compliance is discontinued by the Person for a period of 60 days, the Permit or Certificate of Compliance shall be deemed to have lapsed and the sign shall be considered Non Compliant and shall be removed.

11.4.2 Whenever a sign is not functioning or does not have the same appearance as was originally allowed by the Certificate of Compliance, whether caused by deterioration, damage, or vandalism, the Enforcement Officer may issue a written notice to the Person holding the Certificate of Compliance,

setting forth the reasons the sign is not in compliance with the Certificate of Compliance and declaring the sign to be Non Compliant.

- 11.4.3 If a sign has been determined to be Non Compliant by the Enforcement Officer, the Person holding the Certificate of Compliance shall have 60 days in which to apply for and obtain a new sign permit.
- 11.4.4 If the Person holding the Certificate of Compliance of a declared Non Compliant sign does not obtain a new Sign Permit within 60 days from the date on which the sign was declared to be Non Compliant, the Person holding the Certificate of Compliance shall have the sign removed.
- 11.4.5 If the Person holding the Certificate of Compliance wishes to contest the finding of the Enforcement Officer declaring the sign Non Compliant, then the person holding the Certificate of Compliance may appeal the decision to the Shenandoah Sign Committee, following the procedures set forth in Section 11.6.
- 11.4.6 If any Non Compliant Sign is displayed after the issuance of a final finding that a Sign has been of Non Compliance, the Enforcement Officer may issue a municipal citation to the person displaying the Prohibited Sign.
- 11.4.7 Any Person who continues to display a Non Compliant Sign after issuance of a municipal citation shall be subject to a fine of \$300.00. Each day a Non Compliant Sign is displayed shall constitute a separate violation of this chapter.

11.5 Sign Permits

- 11.5.1 If a sign requiring a permit under this chapter is to be placed, constructed, erected, or modified, the Person seeking to place, construct, erect or modify a Sign must obtain a Sign Permit prior to the construction, placement, erection or modification of the sign.
- 11.5.2 An application for a Sign Permit may be filed by the owner of the property, the lessee or the contract purchaser of the property, along with sign contractors. If the applicant is a lessee or contract purchaser, the applicant must obtain the owner's written authorization to file the application.
- 11.5.3 An application for a Sign Permit shall be filed with the Department of Public Works and Community Development on the form prescribed by the Department and accompanied by the fee for the permit.
- 11.5.4 The application will not be processed unless it is complete and the fee paid.
- 11.5.5 The Department of Public Works and Community Development shall, in its sole discretion, determine whether the application is complete. If the Department determines that the application is not complete, it shall notify the applicant, in writing, of the deficiencies and shall take no further action to process the application until the application is complete. If the application is not completed within 45 days, the application shall expire and be void and will be discarded.
- 11.5.6 Within 20 working days of submission of a complete application for a Sign Permit, the City Administrator or his designee shall either:
- (a) Issue the Sign Permit; or
 - (b) Deny the Sign Permit. If the Sign Permit is denied, the City Administrator or his or her designee shall specify, in writing, the reasons for the denial.
- 11.5.7 Upon being denied a Sign Permit by the City Administrator or his designee, an applicant may request a Special Exception from the Shenandoah Sign Committee.

- 11.5.8 Within 60 days of being issued a Sign Permit, the Sign shall be completed and the applicant will provide the sign Certification to the City. If a sign is not completed within 60 days, the Sign Permit is null and void.
- 11.5.9 Upon completion of the Sign, the Person issued the Sign Permit and the person who built the sign shall execute a Sign Certification, verifying that the Sign was constructed in accordance with the Sign Permit. The City may also conduct inspections to assure the sign was constructed in accordance with the permit issued and this chapter.
- 11.5.10 Upon receipt of the final passed inspection, the City shall issue a Certificate of Compliance.

11.6 Shenandoah Sign Committee

- 11.6.1 The City Council has designated Planning and Zoning committee to serve as the Shenandoah Sign Committee.
- 11.6.2 The Shenandoah Sign Committee shall hear any appeal from the decision of the City Administrator regarding the issuance of a permit to construct a sign defined in Section 11.5, or if a sign is Non Compliant pursuant to 11.4. The Shenandoah Sign Committee will not have jurisdiction or the right to decide if a sign is in violation of this chapter.
- 11.6.3 The Shenandoah Sign Committee shall hear any appeal from a determination by the Enforcement Officer that a Sign is Non Compliant.
- 11.6.4 Any decision of the Shenandoah Sign Committee shall require the affirmative vote of three members.
- 11.6.5 The decision of the Shenandoah Sign Committee will be final, and an Applicant does not have an automatic right of appeal to the City Council.

11.7 Procedure to Appeal to Sign Committee

- 11.7.1 Upon being denied a Sign Permit by the City Administrator or his or her designee, an Applicant may request a Special Exception. A Special Exception may be requested to deviate from certain requirements for signage as set forth in this chapter.
- 11.7.2 Upon being issued a determination that a Sign is Non Compliant, an Applicant may, within 45 days of the determination, request a Special Exception.
- 11.7.3 An Applicant desiring a Special Exception must submit a written request to the Shenandoah Sign Committee within 45 days of a denial by the City Administrator or his designee, or upon receipt of written notice of a Non Compliant sign. The request must clearly state the Special Exception being sought and the reasons why the Applicant believes a Special Exception should be granted.
- 11.7.4 The request for a Special Exception will be reviewed and a decision rendered within 30 days of the receipt of the request for a Special Exception.
- 11.7.5 The Shenandoah Sign Committee may grant a Special Exception if the Committee determines that a special circumstance exists which warrants the Special Exception requested.
- 11.7.6 In granting a Special Exception, the Shenandoah Sign Committee may impose such conditions as are necessary to protect adjacent property owners and to protect the public health, safety and general welfare.

11.7.7 Under no circumstance shall a special exception be granted for the following Prohibited or Temporary Sign:

- (a) Any type of sign, sign structure, or advertising device prohibited by Section 11.2;
- (b) Any sign or device which by design or location resembles or conflicts with any traffic control sign or device;
- (c) Any sign or device that creates a potential safety hazard by obstructing views of pedestrian and vehicular traffic at street intersections or driveways or by creating glare or other hazardous distraction; or
- (d) Temporary signs or banners, unless provided for in this chapter or unless the situation is deemed a matter of public safety, health and welfare by the City Administrator and/or his designee.

11.7.8 Upon denial of a special exception by the Shenandoah Sign Committee, any two City Council members may submit a written request to have a hearing. The City Administrator shall include an agenda item at the next regularly scheduled meeting of the City Council to consider a variance to the decision of the Shenandoah Sign Committee.

11.8 Certificate of Compliance

11.8.1 Every sign permitted by Section 11.5 that is constructed in accordance with the Permit issued by the City shall be issued a Certificate of Compliance.

11.8.2 The Certificate of Compliance will be provided to the applicant by the City when the final inspections have been passed. In the case of a Temporary Sign, the Certificate of Compliance sticker shall be affixed to the back of the sign. In the case of a Permanent Sign the Certificate of Compliance sticker shall be displayed on the inside front window of the establishment, facing outward.

11.8.3 The Certificate of Compliance is prima facie evidence that the sign complied with the requirements of this chapter at the time that the Certificate of Compliance was issued.

11.8.4 The owner of the sign must keep the Certificate of Compliance displayed for any Enforcement Officer.

11.9 Temporary Signs

11.9.1 Every Temporary Sign must have a Temporary Sign Permit issued by the City of Shenandoah.

11.9.2 To obtain a Temporary Sign Permit, an applicant must submit a Temporary Sign Application along with the required application fee.

11.9.3 If the proposed Temporary Sign complies with the Guidelines for Temporary Signs, the City Administrator or his designee shall issue a Temporary Sign Permit allowing the Applicant to display the Temporary Sign under the conditions listed on the Permit.

11.9.4 All Temporary Signs must have the Temporary Sign Permit attached to the sign or easily visible from where the sign is on display.

11.9.5 If any Temporary Sign is displayed without a Temporary Sign Permit or is not in compliance with the issued Permit, the Enforcement Officer may issue a municipal citation to the Person to whom the Temporary Sign Permit was issued.

11.9.6 Any Person who displays a Temporary Sign without a Permit or is not in compliance with the issued Temporary Sign Permit shall be subject to a fine of \$300.00. Each day a sign is displayed without a Temporary Sign Permit or is not in compliance with the Temporary Sign Permit is a separate violation.

11.9.7 The denial of a Temporary sign permit may not be appealed to the Shenandoah Sign Committee.

11.10 Permanent Signs

11.10.1 Every Permanent Sign must have a Certificate of Compliance issued by the City of Shenandoah.

11.10.2 To obtain a Certificate of Compliance, an applicant must submit a Sign Application along with the required application fee and pass all required inspections.

11.10.3 If the proposed Sign complies with this chapter, the City Administrator or his designee shall issue a Sign Permit authorizing construction of the Sign subject to the conditions listed on the Permit.

11.10.4 After a Sign Permit is issued, the applicant shall have 60 days to complete the construction of the sign and obtain the Certificate of Compliance. If the Sign is not completed and the Certificate of Compliance has not been issued by the City within 60 days, the Sign Permit shall be null and void.

11.10.5 If any person constructs a Sign without a Sign Permit or displays a Sign without a Certificate of Compliance, the Enforcement Officer may issue a municipal citation.

11.10.6 Any Person who displays a Sign without a Permit or a Certificate of Compliance shall be subject to a fine of \$300.00. Each day a sign is displayed without a Sign Permit or a Certificate of Compliance is a separate violation.

11.11 Enforcement and Penalties

11.11.1 Any Person or Persons are in violating of this chapter 90 by doing any one or more of the following:

- (a) By installing, erecting or maintaining a sign without a required permit;
- (b) By installing, erecting or maintaining a sign that is inconsistent with an issued Permit;
- (c) By failing to remove a sign that is installed, erected or maintained without a required permit;
- (d) By installing, erecting or maintaining a Prohibited Sign;
- (e) By changing a sign that has been issued a Certificate of Compliance without first obtaining a Permit to change the sign; or
- (f) If the required inspections are not performed and passed prior to expiration of the sign permit

11.11.2 By failing to remove a Non Compliant Sign.

11.11.3 Upon conviction by a court of competent jurisdiction, any Person or Persons shall be subject to one or more of the following penalties:

- (a) A fine of \$300.00 for each violation;
- (b) An award of attorney fees incurred by the City;
- (c) Cost of Court;
- (d) An Order directing the Sign be removed;
- (e) An Order that the City be allowed to remove the Sign;

- (f) An Order that the costs of removing a sign by the City creates a lien on the property; and/or
- (g) An Injunction prohibiting any continuing violation of this chapter or the displaying of any Sign in violation of this chapter.

11.11.4 Each day of a continued violation shall be considered a separate violation.

11.11.5 Any alleged violation of this chapter where the City seeks one or more penalties as set forth in Subsection 11.11.2(a)-(c) shall be heard by the Municipal Court of the City of Shenandoah.

11.11.6 Any alleged violation of this Ordinance where the City seeks penalties set forth in Subsections 11.11.2(a)-(c) and 11.11.2 (d)-(g) shall be heard by a District Court in Montgomery County, Texas.

11.11.7 Any penalty issued may be appealed in accordance with the civil penalty provisions of this code.

11.12 Computation Methods

11.12.1 Computations

(a) *Area Computation of Individual Signs*

The area of a wall, pole, or monument sign face shall be computed by means of the smallest rectangle that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, base, bracing or decorative fence or wall when such fence or wall otherwise meets the regulations of this chapter and is clearly incidental to the display itself. For a single wall on a single-occupant building, all pieces of information or other graphic representations on that wall shall be measured as though part of one sign, encompassed within one rectangle, which may not exceed the maximum permitted sign area. For a single wall on a multi-occupant building, the area of signs shall be computed based on individual occupant signage, using these principles *Incidental signs square footage will not be calculated or deducted from the maximum sign allowance for a particular side building elevation.*

(b) *“Single Wall” Defined*

A single wall shall mean the entire wall that shares the same architectural elevation as shown on the approved site plan. Architectural elevations are typically defined as the front, sides and rear of a building (alternatively called north, south, east and west elevations). See definition of *Wall Area, Exterior Surface*.

(c) *Monument and Pole Signs*

Monument and pole signs shall be measured by the structure of the sign frame for square footage itself.

(d) *Architectural Elevation of Sign*

Regardless of whether a single wall has wall sections that project, recess or otherwise vary from the predominate wall plane, the rectangle shall include all signs that appear on the same architectural elevation.

(e) *Multi-Occupant (In-Line Tenant) Buildings*

For multi-occupant (in-line tenant) buildings such as a shopping center, or other building with a similar layout, all sign(s) associated with each occupant, tenant or business shall be enclosed within a single rectangle for purposes of calculating allowable sign area. Architectural elevation for these single businesses shall be determined by the building frontage that each occupant or tenant has within that center.

(f) *Multi-Occupant (Non In-Line Tenant) Buildings*

For multi-occupant (non in-line tenant) buildings, all sign(s) on a single wall shall be enclosed within a single rectangle for purposes of calculating allowable sign area.

11.12.2 *Area Computation of Multi-Faced Signs*

(a) *Generally*

Where the sign faces of a double-faced sign are parallel or the interior angle formed by the faces is 60 degrees or less, only one display face shall be measured in computing sign area. If the two faces of a double-faced sign are of unequal area, the area of the sign shall be the area of the larger face. In all other cases, the areas of all faces of a multi-faced sign shall be added together to compute the area of the sign. Sign area of multi-faced signs is calculated based on the principle that all sign elements that can be seen at one time or from one vantage point should be considered in measuring that side of the sign.

(b) *Sign Height Computation*

The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the newly established grade after construction, exclusive of any filling, beaming, mounding or excavating solely for the purpose of locating the sign. (Refer to Charts 1 and 2 in Section 11.14.1)

11.13 Encroachment Agreements

- 11.13.1 If an applicant requests a sign to encroach within a City of Shenandoah easement or right-of-way, the City Council shall have the authority to determine if the encroachment is permitted. If the City Council agrees to an encroachment, an agreement shall be made between the property owner and the City of Shenandoah waiving any and all liability from the City of Shenandoah as well as any costs associated to damage that may result to any of the applicant's signage. If for any reason the City of Shenandoah or public utility shall need to utilize that easement and/or right-of-way after the sign has been installed, it shall be at the cost of the encroachment agreement applicant (or subsequent owners) to remove any and all signage from the City of Shenandoah's easement and/or right-of-way.

11.13.2 Any sign that is granted an encroachment agreement must include the City of Shenandoah logo on the sign in a manner to be approved by the City Council at the time the encroachment agreement is approved.

11.14 Permitted Signs: Location, Size and Number

11.14.1 Sign Height and Area Chart

Signs permitted in accordance with Chart #1 and Chart #2.

CHART 1 – ALLOWABLE SIGN GEOMETRY

		Properties Abutting IH-45	Other Properties
Front Wall Sign	Allowable Area Calculation	2 sq. ft. per 1 ft. of frontage*	2 sq. ft. per 1 ft. of frontage*
	Maximum Area (sq. ft.)	300	300
Rear or Side Wall Sign	Allowable Area Calculation	2 sq. ft. per 1 ft. of frontage*	2 sq. ft. per 1 ft. of frontage*
	Maximum Area (sq. ft.)	300	300
Monument Sign	Maximum Area (sq. ft.)	144	72
	Maximum Height (ft.)	20	10
Pole Sign	Maximum Area (sq. ft.)	144	n/a
	Maximum Height (ft.)	40	n/a

*Frontage refers to building frontage

CHART 2 – ALLOWABLE SIGN LOCATIONS

		Front Wall Sign	Rear or Side Wall Sign	Monument or Pole Signs	
		Total Signs Allowed	Total Signs Allowed	Total Combination of Signs Allowed	Minimum Separation Distance (ft.)
Properties Abutting IH-45	Individual Business/Entit	1	1	1	n/a
	Small Center	1	1	1	n/a
	Large Center				
	3-10 acres	1	1	3	200
	10-20 acres	1	1	4	200
	20-30 acres	1	1	5	200
	30-40 acres	1	1	6	200
	40-50 acres	1	1	7	200
	Super Center	1	1	8	200
Other Properties	Individual Business/Entity	1	1	1	n/a
	Small Center	1	1	1	n/a
	Large Center				
	3-10 acres	1	1	3	100
	10-20 acres	1	1	4	100
	20-30 acres	1	1	5	100
	30-40 acres	1	1	6	100
	40-50 acres	1	1	7	100
	Super Center	1	1	8	100

- Wall signs for tenants within a center will be considered as an Individual Business/Entity.
- Hotels with more than one business as defined in section 11.22.97 the subordinate business will be allowed an additional wall sign on the front and one on the side/rear not to exceed 50 percent of the hotels wall sign square footage.
- Pole signs are not allowed on properties not abutting or fronting IH-45.
- Minimum allowed signage size is 25 square feet.
- Centers are defined in 11.22.76
- For properties along IH-45 where pole signs are allowed, if no poles signs are used on the property, a 50% increase in monument sign area will be allowed.
- Total allowable monument sign area can be combined into fewer signs. However, at no time shall monument signs exceed a maximum sign area of 250 square feet.

11.14.2 Sign Types, Requirements and Conditions

(a) *Awning Signs*

- (1) On a single-occupant property, one awning sign may be allowed over each occupant entrance, in lieu of all other wall signage otherwise permitted on the wall to which the awning is attached.
- (2) On a multi-occupant property, one awning sign may be allowed over each occupant entrance, in lieu of other wall signs, if required.
- (3) The maximum area of an awning sign shall not exceed 25 percent of the total awning face front or side area.
- (4) Awning signs may be illuminated only with direct surface lighting and not with any form of backlighting.
- (5) The width of the awning itself shall not exceed 200 percent of the width of the door opening.
- (6) The total area of the awning face shall not exceed 50 square feet.

(b) *Banner Signs*

Refer to the Section 11.9 Temporary Signs.

(c) *Building Identification Signs*

- (1) Multi-family and Nonresidential
 - a. Building Identification signs shall be limited to one per principal building or public entrance;
 - b. Such signs shall not exceed three square feet in area;
 - c. Such signs shall contain no logo or commercial message;
 - d. Such signs shall be made of permanent material, included but not limited to bronze or masonry, and be permanently affixed to the building wall in accordance with the City of Shenandoah's Building Codes;
 - e. Such signs shall be in addition to any incidental signs;
 - f. Addresses shall be of a reflective or contrasting, neutral tone material, or other City of Shenandoah approved method in accordance with all applicable City of Shenandoah's Building Codes; and
 - g. Numbering for signs shall have the dimensions of at least four (4) inches in height by one (1) inch in width.
 - h. Such signs shall not require a permit.
- (2) Residential
 - a. Single-family residential units (either attached or detached) in zoning districts or planned developments designated for such use shall be permitted one (1) address sign, and one other identification sign;
 - b. Such sign shall not exceed three square feet in area;
 - c. Such sign may contain a commercial logo;
 - d. Such signs shall be made of permanent material, included but not limited to bronze or masonry, and be permanently affixed to the building wall in accordance with the City of Shenandoah's Building Codes; and

- e. Addresses shall be of a reflective, neutral tone material, or other City of Shenandoah approved method in accordance with all applicable City of Shenandoah's Building Codes.

(d) *Changeable Copy Signs*

Changeable copy signs shall be allowed only at service stations, hotels, restaurants, churches or schools provided that:

- (1) The total changeable copy signage shall not exceed 25 percent of the total maximum square footage allowed;
- (2) Changeable copy signs that change their message electronically shall not change their message more than one time each day;
- (3) Changeable copy signs are limited to monument and pole signs, which are allowed up to 25 percent of their maximum allowed square footage for changeable copy wall signs;
- (4) The incidental space between a changeable copy sign and the primary sign along a pole sign shall be excluded from the computation area of each individual sign; and
- (5) The area of a changeable copy sign shall be inclusive of the total allowable sign area, not in addition to the allowable sign area.

(e) *Changeable Electronic Variable Message Signs (CEVMS)*

Electronic Signs which permit lights to be turned on and off intermittently. Such signs may be considered for Special Exception following the process as illustrated in Section 11.7, Procedure to Appeal to Sign Committee.

(f) *Construction Signs*

Construction signs shall be considered an on-premise temporary ground sign, placed within private property and shall be allowed provided that:

- (1) For nonresidential and multi-family developments:
 - a. The sign shall be placed at a construction site which has received development plan approval or for which an active building permit exists;
 - b. A sign shall not exceed 32 square feet in area and ten feet in height;
 - c. All signs shall require a sign permit and be removed no later than the date of issuance of a certificate of occupancy for the premises or completion of the project;
 - d. One sign shall be allowed per site;
 - e. The sign face area may contain up to four pieces of information, including but not limited to financial institutions, contractors, builders, and so forth. Such signage must meet the maximum number of colors allowed as set forth in this chapter. Notwithstanding the maximum colors allowed within this chapter, a colored rendition or photograph of the development's site plan shall be allowed to be displayed within the sign face area provided such site plan shall not exceed 25 percent of the sign face area;
 - f. All vertical supports and backs of signage not containing message shall be painted black or similar color used on background;
 - g. City of Shenandoah logo shall be added to the top of the sign 12 inches in height and the same color as the background of the sign. The location of the City logo must be the same width as the sign (this will not be counted toward computation of total square sign area used); and
 - h. Signs shall not be placed in City right-of-way.

- (2) For single-family individual residences:
 - a. Signs shall not exceed five square feet in area and 42 inches in height;
 - b. Signs shall not require a City of Shenandoah permit but shall be removed on issuance of a certificate of occupancy and/or completion of project; and
 - c. Signs shall not be placed in City right-of-way.
- (3) In single-family residential districts, including planned development districts allowing single-family residences, any Person or Persons may have an additional construction sign provided that:
 - a. The sign shall be placed at the subdivision's real estate sales office or model home, provided that such office is permitted in accordance with this code and occupied and used for daily operations;
 - b. Such sign shall be a monument sign made of masonry material as defined by the Integrated Development Code;
 - c. Such sign shall require a sign permit;
 - d. Such sign shall not exceed 32 square feet in area or six feet in height;
 - e. Such sign shall be removed after completion of the project. The removal of this sign may be replaced with a standard five square foot model home sign;
 - f. The sign shall only include the following information: builder name, subdivision name, hours of operation, phone number, and website address; and
 - g. Notwithstanding the maximum colors allowed within this chapter, a colored rendition of the development's site plan shall be allowed to be displayed within the sign face area provided such site plan shall not exceed 50 percent of the sign face area.
- (4) Commercial developments with a solid construction wall acting as a safety barrier to the public shall be allowed a sign provided that:
 - a. Construction sign shall be considered an on premise temporary sign, placed on private property;
 - b. The solid construction wall is defined as a solid 8' wall made of wood material or any other material approved by the Building Official, extending the length of the store frontage or building site acting as a safety barrier to the public. Chain link fencing will not be considered a solid construction wall;
 - c. The solid construction wall must be inspected and approved prior to permitting and must have an active building permit for the development site;
 - d. The sign must extend the linear footage of the construction wall and only one side will be allowed signage. (i.e. if the construction wall has four walls only one wall will be allowed signage);
 - e. The sign shall only include the following information: name of business, website, address, photo rendition, social media (i.e. Facebook, Instagram, and Twitter) Any egress or ingress changes shall be prominently displayed to the public.
 - f. The sign must meet the color requirements as set forth in this chapter. Notwithstanding the maximum number of colors allowed within this chapter, a color rendition photograph of the development site plan shall be allowed to be displayed within the sign face area provided such site plan shall not exceed 25 percent of the sign face area;
 - g. The sign message/information must not exceed 50 percent of the sign face area;

- h. Sign must be affixed to the construction wall and be self-adhesive or painted directly on the wall. No banners allowed.

(g) *Directory Signs*

Directory signs shall be ground signs and shall be allowed where a particular site includes more than one tenant, provided that:

(1) General provisions for all directory signs

All directory signs shall follow the general provisions as set forth unless otherwise specifically provided for herein:

- a. All signs shall contain no commercial messages or logos other than the name of the tenant or development;
- b. Such sign shall not exceed 18 square feet in area or 4 feet in height; and
- c. All signs shall be located no closer than ten feet from the building's primary or principal entrance unless otherwise determined and upon approval by the City Administrator or his designee.

(2) Physical Address of Site

All directory signs shall contain the physical address of the site located in the upper left hand corner, and have a minimum four inches letter size and made from a visible reflective material. The directory sign must be illuminated.

(3) Centers

Logo/name directory signs in centers may be located near entrances to parking areas, but not less than ten feet from any public right-of-way, and at principal entrances within the site, where such intersections are not less than ten feet from any public right-of-way. Such signs may contain logos or business names with arrows or other directional information but shall not contain any other commercial message.

(4) Multi-Family

One detailed directory sign may be located near the principal entrance to a parking area for multi-family projects. Such sign shall be located away from any public right-of-way, so that drivers can conveniently pull up to and read the directory without impeding traffic on any driveway or entrance serving the development.

(5) Business/Office Parks

May have a sign to identify the building as a whole, indicating the predominant occupant or occupants. Such signs may contain logos or business names with arrows or other directional information, but shall not contain any other commercial message. Generally, multiple occupant listings are to be located on a directory within the building.

(h) *Flags and Flagpoles*

Flags and flagpoles shall be allowed, provided that:

(1) Single-Family Residential Lots

- a. There shall be not more than one flagpole on any single-family residential lot;
- b. There shall not be more than two flags on the flagpole at any time;
- c. No flag or flagpole on any single-family residential lot shall bear a commercial message;
- d. Flags shall not exceed 24 square feet in area; and
- e. Flagpoles shall not exceed 20 feet in height.

(2) Nonresidential, institutional and multi-family

- a. A site shall have no more than three flagpoles with two flags per pole;
 - b. Poles for such flags shall be located on the principal building wall on the site or within 20 feet of the main building entrance;
 - c. Flagpoles shall not be less than 50 feet from a public or private street right-of-way;
 - d. Flags displayed outdoors shall be properly illuminated, according to V.T.C.A., Government Code § 3100.052 State Flag;
 - e. Flags shall not exceed 40 square feet in area; and
 - f. Flagpoles shall not exceed 40 feet in height.
- (3) Government Institutions shall be exempt from the flag and flagpole requirements as set forth herein.
 - (4) All nonresidential flagpoles shall require a permit that meets the latest edition of the City of Shenandoah's building codes.

(i) ***Garage Sale Signs***

Signs for garage or yard sales shall be considered a temporary ground sign and shall be allowed provided that:

- (1) The applicant shall be a City of Shenandoah resident and;
- (2) Only one such sign shall be located on the lot where the garage sale is located. Additional signs shall be allowed off-premise provided such signs shall be located on private property with permission of the property owner;
- (3) Such sign shall not exceed five square feet in area per side and 42 inches in height;
- (4) Garage sale signs shall be allowed for a period of one day prior to the sale, and shall be removed at the conclusion of the sale;
- (5) Garage sales, on the same property are only allowed twice a year;
- (6) Signs located in front of residential property may be located in the City right-of way or easement with consent of the property owner; and
- (7) The garage sales signs shall not require a permit.

(j) ***Incidental Signs***

Incidental signs shall be allowed provided that in nonresidential and multi-family developments:

- a. Signs shall contain no commercial message or logo other than the name of the tenant or development;
- b. They shall not exceed five square feet in area;
- c. The number of incidental signs on a particular parcel of property shall not exceed five unless approved by the City Administrator;
- d. They are prohibited from being located within any rights-of-way or easements and shall be located within private property;
- e. Signs are prohibited from being installed on light poles, trees and any traffic or emergency control device; and
- f. Incidental signs shall not require a permit.

(k) ***Lost /Found Pet Signs***

Lost/found pet signs shall be considered temporary signs, which are limited as follows:

- (1) Only one such sign shall be located on the lot where the resident who lost the pet lives. Additional signs shall be allowed off-premise provided such signs shall be located on private property with permission of the property owner;

- (2) Such signs shall be allowed to be displayed in the community kiosks, in accordance with the rules related to the community kiosks;
- (3) Such signs are otherwise prohibited from being located within any public rights-of-way, easements or public-owned property. This includes but is not limited to light poles, trees or any traffic or emergency control signage or devices located within a public right- of-way, easements or public-owned property. Such signs shall be only be located on private property or community kiosks;
- (4) Signs shall include the date of original posting.

(l) *Marquee Signs*

In addition to permitted wall signs, marquee signs with changeable copies shall be allowed at theaters only. A theater with a marquee may display one changeable copy sign on each of the two sides of the marquee. A theater without a marquee may display one changeable copy sign on each wall permitted to have wall signs. Such changeable copy signs may cover no more than one square foot of sign area for each linear foot of theater building frontage. Like poster boxes (see wall signs), such signs shall be subtracted from total wall sign area allowed. Marquee signs for a multi theatre complex with limited building frontage may be granted additional square footage of sign area upon determination by special exception.

(m) *Menu Boards*

Menu boards shall be allowed only as an accessory use to a restaurant permitted to have a drive-thru window under this code provided that:

- (1) Such signs shall not exceed 32 square feet in area and ten feet in height;
- (2) Such signs shall not be legible from a public right-of-way or adjacent property;
- (3) There shall be no more than two such signs per property;
- (4) The color of such signs shall be neutral or earth tone or have architectural ties to the main building;
- (5) Such signs may have a changeable copy; and
- (6) Such signs may be internally or directly illuminated.

(n) *Monument Signs*

Monument signs shall be allowed provided the following:

- (1) Such sign shall comply with Charts 1 and 2 set forth in Subsection 11.14.1 of this section;
- (2) Setbacks shall be adequate to protect the clear sight triangle, in accordance with this code;
- (3) Such signs shall display information in a uniform type style;
- (4) Both sides of the sign face area of a two-sided ground sign shall be identical;
- (5) Accessory buildings in shopping centers shall not be allowed any monument signage;
- (6) Such signs shall contain the physical address of the building with a minimum letter size of four inches. The sign shall contain a contrasting or reflective neutral colored material and be illuminated;
- (7) Monument signs for centers shall have the name, if applicable, of such center placed on the sign in a neutral color;
- (8) With the exception of the allowable monument signs for centers as set forth in Charts 1 and 2 in Subsection 11.14.1 of this section, individual businesses, tenants, or occupants located within a center are not allowed individual freestanding monument signs. Such signage for individual tenants, businesses or occupants within a center shall be provided for by the allotted space that is reserved for such business, such as vacant slats within an existing sign area; and

- (9) Colors for slats within existing or new monuments shall conform to the color requirements listed in this chapter throughout the entire monument sign. The color requirement for each slat shall be applied separately. Slats must be uniform throughout the entire monument sign.

(o) *Freestanding Pole Signs*

- (1) Shall refer to Chart 1 set forth in Subsection 11.14.1 of this section;
- (2) No accessory structure shall be allowed a pole sign;
- (3) Such signs shall contain the physical address of the building with a minimum letter size of four inches. The sign shall contain a contrasting or reflective neutral tone material be illuminated or use other City of Shenandoah approved method in accordance with all applicable City of Shenandoah's Building Codes; and
- (4) With the exception of the allowable pole signs for centers as set forth in Chart 1 in Subsection 11.14.1 of this section, individual businesses, tenants, or occupants located within a center are not allowed individual freestanding pole signs. Such signage for individual tenants, businesses or occupants within a center shall be provided for by the allotted space that is reserved for such business, such as vacant slats within the sign face area.

(p) *Political Signs*

Political signs are considered signs advertising political parties or candidates for election or signs that otherwise provide for freedom of expression unrelated to any commercial endeavor. Only one sign per candidate may be erected, displayed or maintained on private property provided that they conform to state law and:

- (1) Are no larger than 36 square feet;
- (2) Are no taller than 8 feet;
- (3) Are not illuminated;
- (4) Have no moving elements;
- (5) Are placed with the consent of the property owner;
- (6) If located in front of residential property, may be located in the City right-of way or easement with consent of the property owner; and
- (7) If located at a polling place on City owned property one Political Sign will be allowed, no larger than 18 inches tall and 24 inches wide, placed in the ground, shall be permitted beginning at 5:00p.m. on the day before Election Day and may remain in place until 7:00a.m. on the day after Election Day.

(q) *Portable and Vehicular Signs*

In addition to the requirements set forth on portable and vehicular signs:

- (1) Vehicles shall be legally licensed for use on public streets; and
- (2) Vehicles shall be moved every five days.

(r) *Public Event Signs*

Public event signs are considered temporary ground signs and shall be allowed provided that:

- (1) Such signs shall be permitted only for public events sponsored and/or affiliated with the City of Shenandoah provided permission from the City Administrator prior to displaying;

(s) *Real Estate Signs*

On-premise real estate ground signage advertising for the sale or sold, purchase, lease, rent or similar of a development on such property, lot or parcel, shall fall under the requirements as set forth:

- (1) In single-family residential areas with attached or detached residential dwelling units, such signage shall be allowed provided the following:
 - a. Such signs shall not exceed five square feet in area and 42 inches in height;
 - b. One real estate sign shall be located on the residential lot that is either sold or for sale, lease, rent or similar with permission of the property owner;
 - c. Signs in the front of residential property it may be located in the City right-of-way or easement with consent of the property owner; and
 - d. Permits will not be necessary for these types of signs (only for single-family residential areas).
 - e. In addition to the other sign permitted by this section one open house sign will be allowed provided it is located on the residential lot that is for sale, lease, or rent. The sign shall not exceed two square feet in area and 24 inches in height. The open house sign shall only be displayed during the open house.
- (2) In multi-family and nonresidential areas with either multi or single occupancy, in addition to the real estate signage for single family residential, the following shall be allowed:
 - a. Up to four additional pieces of information on the ground sign;
 - b. A separate ground sign for each parcel, limited to 32 square feet in area and ten feet in height, and set back a minimum of ten feet from any public or private right-of-way;
 - c. All signs shall incorporate along the top of the sign face area the City of Shenandoah, Texas, logo no smaller than 12 inches in height and the same color background as the sign. The location of the City logo must be the same width as the sign (this will not be counted toward computation of total square sign area used);
 - d. On-premise real estate signs are limited to a maximum of one sign per development if a small center, two if a large center and three if a super center. These signs shall be spaced a minimum of 100 feet;
 - e. Any off-premise signage shall fall under the requirements for temporary off-premise signage as set forth in this Chapter;
 - f. Vertical supports and backs of signage not containing message shall be painted black of the same color as the background for the sign; and
 - g. These signs shall also meet all color requirements as set forth in this chapter. Notwithstanding the maximum colors allowed within this chapter, a colored rendition or photograph of the development's site plan shall be allowed to be displayed within the sign face area provided such site plan shall not exceed 25 percent of the sign face area.

(t) *Residential Signs – Personal Identification Signs*

Residential signs are considered temporary on-premise ground signs and shall be allowed, provided that:

- (1) Such signs shall not exceed five square feet in area and 42 inches in height;
- (2) There shall be not more than three residential signs on any site containing only a single-dwelling unit;

- (3) Such signs shall not be posted within or encroach upon any public rights-of-way, easements, public-owned property or on any private common area. All signs shall be located within private property only;
- (4) Such signs shall not advertise or identify the conduct of a permitted home occupation in a residential district, or contain any other commercial message;
- (5) Contractors shall be allowed to place a sign within the residential lot that is having any work performed within such lot. Contractor signs shall be allowed to be displayed only for the duration of such work and will be removed immediately after completion of such work. These signs shall not exceed the required size and height as set forth herein; and
- (6) Such sign shall not require a permit.

(u) *Subdivision Identification Signs*

Monument signs with the name of the residential subdivision may be allowed on one or both sides of each principal entrance (or in the median or on a public or private right-of-way with an approved encroachment agreement, in accordance with this code provided that:

- (1) Such signs shall not exceed 72 square feet in area;
- (2) Such signs shall not exceed ten feet in height, when integrated into a wall or column;
- (3) Such sign shall contain no commercial message or logo; and
- (4) All signs shall incorporate within each sign face area the City of Shenandoah, Texas, logo 12 inches in height and the same color background as the sign. The location of the City logo must be the same width as the sign (this will not be counted toward computation of total square sign area used).

(v) *Suspended Signs*

Suspended signs shall be allowed under canopies, provided that:

- (1) Such signs shall not exceed one per building entrance;
- (2) Such signs shall not exceed four square feet in area;
- (3) Such signs shall not be separately illuminated; and
- (4) Such signs shall contain only the address, suite number, logo or name of the occupant or business served by the entrance.

(w) *Temporary On-Premise Signs*

Signs for temporary uses, unless provided for elsewhere in this chapter, such as but not limited to, banners, special events, grand opening of businesses, business going out of business, a business under new management and the like shall be allowed for multifamily and nonresidential provided that:

- (1) General provisions
 - a. A permit shall be required prior to display;
 - b. A one-time only temporary on-premise sign or temporary banner shall be allowed per individual business/entity for a period not to exceed 30 days;
 - c. No temporary event sign shall be placed within or encroach upon any public right-of-way, easement, or public-owned property. All signage shall be placed on private property only;
 - d. A temporary sign shall not exceed the maximum number of colors as set forth in this chapter;
 - e. Each individual business/entity shall be allowed only one temporary on-premise sign;

- f. In the event there is a change of ownership or management, the new owner shall be permitted to have one temporary on-premise banner for a period not to exceed 30 days; and
- g. Size of on-premise sign (temporary) shall not exceed 50 square feet unless specified, hereinafter;

(2) Freestanding ground signs

- a. With the exception of banners, such signs shall be a V-sign not to exceed 25 square feet in area and 42 inches in height. Sign may be double sided if needed;
- b. Such signs shall only be used by in-line occupants displayed within ten feet of the primary front of the business and shall be located not to impede any vehicular and/or pedestrian traffic or visibility;
- c. Non-residential use of these types of signs may occur year round; and
- d. Only one of these types of signs may be used at a time at any location.

(3) Banners

All banners, tarps or similar material used for purposes of signage shall require the following:

- a. Banners shall not exceed 50 square feet in area;
- b. Banners shall be secured to the wall of the business/entity or other means (freestanding) in a manner as to not allow movement of the banner, or to have any guy wires or fasteners visible in plain sight;
- c. Banners shall be located on private property not to cause any obstruction to motorist visibility; and
- d. Banners are considered to be temporary signs.

(x) *Off-Premises Signs*

The purpose of this condition is to allow residential developments within the city limits of the City of Shenandoah, not located along Interstate 45, off-premise signage to direct attention to a property other than that which is conducted upon the premises where such sign is located.

- (1) Off-premise signs shall be prohibited except to meet the purposes stated above;
- (2) Approved off-premise signs shall be considered to be temporary. No permanent off-premise signage shall be approved;
- (3) Temporary off-premise sign permits shall only be approved by the Shenandoah Sign Committee;
- (4) Temporary off-premise signs for residential developments shall be allowed. The permit shall be approved on a yearly basis by the Shenandoah Sign Committee for an initial permit period of three years. On the fourth year, City Council must approve the permit, followed by three years annually by the Shenandoah Sign Committee. After such, the sign(s) will be permitted on a yearly basis by the City Council;
- (5) No permit shall be issued for the display of an off-premise sign for more than one calendar year or 365 days. The owner shall have seven days to remove an expired off-premise sign;
- (6) Such signs shall not exceed 32 square feet in area;

- (7) Such signs shall not exceed ten feet in height;
- (8) Such signs shall have proof of permit affixed to the back of the sign, a special Temporary Off-Premise Sign Permit issued by the Department of Public Works and Community Development, once approved by the Shenandoah Sign Committee;
- (9) At any time the residential development reaches an 80% occupancy rate the signs shall be removed and will no longer be permitted thereafter.
- (10) Such signs may be located on private property, with the following:
 - a. Proof of property ownership;
 - b. Written permission of the property owner;
 - c. Approval of the sign location;
 - d. Such signs shall be a ground sign and must incorporate along the top of the sign face area the City of Shenandoah, Texas, logo no smaller than 12 inches in height and the same color background as the sign. The location of the City logo must be the same width as the sign (this will not be counted toward computation of total square sign area used);
 - e. Color renderings or photographs may be acceptable and will be reviewed at the time of application (these color renderings or photographs will not be held to the color maximum as quoted in this chapter).
- (11) Temporary Off-Premise signs may be located in public Right-of-Way if an encroachment agreement is approved by the City Council; and
- (12) Multifamily off-premise signs are allowed for a one year period after which time the sign will be removed and will be prohibited.

(y) *Wall Signs, Nonresidential*

Refer to Charts 1 and 2 set forth in Subsection 11.14.1 in this section. Wall signs shall be allowed on nonresidential properties provided that:

- (1) No wall sign shall project above the highest point of the building wall on the same side of the building as the sign; this shall include marquee signs and any other signs not affixed directly to such wall;
- (2) On a single occupancy building, all signage or message elements, except for poster boxes, marquee signs and wall signs on theaters on any single wall, shall be considered parts of the same sign and shall be measured by a rectangle surrounding all of them;
- (3) In addition to other permitted signs, but subject to total sign area limits applicable to all wall signs, a theater may install one or more back-lighted or internally illuminated "poster boxes," provided that:
 - a. Such boxes shall not exceed 36 inches by 54 inches each in area;
 - b. The top of such boxes shall not be more than ten feet above ground; and
 - c. Such boxes shall be permanently mounted to a wall.
- (4) Any individual business/entity or multi-occupant (in-line and non in-line tenant) building, will be allowed two square feet of wall sign for every linear foot of architectural elevation width of ground floor building frontage not to exceed 300 square feet; Exception, buildings with architectural elevation of more than 400 feet along any building frontage will be allowed to have additional signage as set forth in Charts 1 and 2 of Subsection 11.14.1 of this section.

- (5) Channel lettering, detached (preferred), shall be allowed provided that it does not exceed the maximum square footage wall sign requirements;
- (6) All wall signs shall be individual elements and not enclosed with a cabinet. Wall signs enclosed in a cabinet that were in existence prior to this ordinance may be improved or repaired provided less than 50 percent of the sign is modified;
- (7) A theater is allowed additional changeable copy signs on a marquee or on the front wall of the building. The square footage of wall signs associated with theaters (i.e. poster boxes, marquee signs, changeable copy signs, logos and wall signs) shall be counted against the total wall sign area allotment. However, each sign shall be measured separately rather than placed together inside a rectangle;
- (8) Poster boxes shall be measured individually without regard for the spaces between the individual boxes;
- (9) Roofing elements that are within 30 degrees of vertical (sometimes loosely called a "mansard roof") will be considered a "wall" and may have a sign on them;
- (10) All wall signs, except building markers, shall be subject to the maximum area limitation on wall signs;
- (11) Logos will be used when calculating total square footage for sign permits; and
- (12) Each site may not have more than one wall sign face the fronting street right-of-way not exceeding two wall signs in total per site.

(z) *Wall Sign, Hotel with subordinate business as defined in section 11.22.97*

Wall signs shall be allowed for hotels with one subordinate business as defined by section 11.22.97. Hotels that do not meet the above definition shall comply with section 11.14.2(y):

- (1) No wall sign shall project above the highest point of the building wall on the same side of the building as the sign; this shall include marquee signs and any other signs not affixed directly to such wall;
- (2) Wall signs for the hotel and the subordinate business shall be measured individually without regard for the space between the signs;
- (3) Wall signs for the hotel and subordinate business shall meet the color requirements individually as stated in section 11.17;
- (4) The hotel will be allowed one front wall sign and one rear/side wall sign and will be allowed two square feet of wall sign for every linear foot of architectural elevation width of ground floor building frontage not to exceed 300 square feet; Exception, buildings with architectural elevation of more than 400 feet along any building frontage will be allowed to have additional signage as set forth in Charts 1 and 2 of Subsection 11.14.1 of this section. The subordinate business will be allowed one front and one rear/side wall sign up to 50% of the square footage of the hotel's sign per elevation;

- (5) Channel lettering, detached (preferred), shall be allowed provided that it does not exceed the maximum square footage wall sign requirements;
- (6) All wall signs shall be individual elements and not enclosed with a cabinet. Wall signs enclosed in a cabinet that were in existence prior of this ordinance may be improved or repaired provided less than 50 percent of the sign is modified;
- (7) A theater is allowed additional changeable copy signs on a marquee or on the front wall of the building. The square footage of wall signs associated with theaters (i.e. poster boxes, marquee signs, changeable copy signs, logos and wall signs) shall be counted against the total wall sign area allotment. However, each sign shall be measured separately rather than placed together inside a rectangle;
- (8) Poster boxes shall be measured individually without regard for the spaces between the individual boxes;
- (9) Roofing elements that are within 30 degrees of vertical (sometimes loosely called a "mansard roof") will be considered a "wall" and may have a sign on them;
- (10) All wall signs, except building markers, shall be subject to the maximum area limitation on wall signs;
- (11) Logos will be used when calculating total square footage for sign permits; and
- (12) No hotel may have more than one wall sign for the hotel and one wall sign for the subordinate business fronting street right-of-way.

(AA) *Window Signs*

Signs may be allowed on the interior of window glass on the first floor of buildings occupied by retail, restaurant and personal service establishments (not including offices or financial institutions), provided that they cover no more than 25 percent of each window section or pane and are not separately illuminated.

11.15 Design, Construction and Maintenance Standards

11.15.1 Design and Construction Standards

All signs shall be designed and constructed in accordance with the following standards:

- (a) All signs shall comply with the most recently adopted edition of the City of Shenandoah's building code(s) and will also be built to match the approved permit and any conditions that would go along with that permit;
- (b) Electric signs that have internal wiring or lighting equipment, and external lighting equipment that directs light on signs, shall not be erected or installed until an electrical permit has been obtained from the Department of Public Works and Community Development. All such signs and equipment shall bear the seal of approval of an electrical testing laboratory that is nationally recognized as having the facilities for testing and requires proper installation in accordance with the National Electrical Code. All wiring to electric signs or to freestanding equipment that lights a sign shall be installed underground; and
- (c) Except for permitted banners, flags, temporary signs and window signs conforming in all respects with the requirements of this chapter, all signs shall be constructed of permanent materials and shall be attached to the ground, a building or another structure by direct attachment to a wall, frame or structure.

11.15.2 Maintenance Standards

All signs shall be maintained in good aesthetic appeal and structural condition, but also must be in compliance with all building and electrical codes, and in conformance with this chapter. Specifically:

- (a) A sign shall have no more than 20 percent of its surface area covered with disfigured, cracked, ripped or peeling paint, poster paper or other material for a period of more than 30 days;
- (b) A sign shall not stand with bent or broken sign facing, with broken supports, with loose appendages or struts, or more than 15 degrees from vertical for a period of no more than ten days;
- (c) A sign shall not have weeds, trees, vines, or other vegetation growing upon it, or obscuring the view of the sign from the public right-of-way from which it is to be viewed, for a period of no more than 30 days;
- (d) An internally illuminated sign shall be allowed to stand with only partial illumination for a period of no more than 30 days; and
- (e) Flags shall not be faded, tattered or torn.

11.16 Signs not to Create Traffic Hazard

11.16.1 Clear Sight Triangle

No sign shall be erected in the clear sight triangle. Signs shall be erected so as not to obstruct or impair motor vehicle driver vision at business ingress or egress points and intersections.

11.16.2 Other Hazards

No signs shall be erected, and there shall be no lighting of signs or premises, in such a manner or in such location as to obstruct the view of, or be confused with, any authorized traffic signal, notice or control device. Signs using the words "stop" "danger" or any other word, symbol or character in a manner, which may mislead, confuse or distract the driver of a motor vehicle, are strictly prohibited.

11.16.3 Removal

Any such signs or light sources shall be removed at the direction of the City Administrator and/or his designee. If not removed by owners or occupants of the property within ten days of notice, unless otherwise deemed an immediate hazard, the City Administrator and/or his designee shall cause the signs to be otherwise removed, and the cost of removal shall become a lien against the property until satisfied.

11.17 Sign Colors, Logos, Marks and Symbols

11.17.1 Colors

Signs shall be limited to no more than three colors, plus a background color. Signs shall utilize colors and shades that provide contrast levels between lettering and the background, and promote good recognition and readability. Signs shall utilize colors and shades which stand out enough from the immediate surroundings to make them visible. Signs shall utilize colors and shades, which blend harmoniously with signage within the immediate area. The applicant shall specify within his/her sign application the list of all colors and shades from such colors.

- (a) For panel signs, the background color shall mean the panel itself;
- (b) For channel letters, the background color shall mean the returns;
- (c) If the portion of the building wall behind a wall sign is painted a different color than the remainder of the wall, then such portion of the wall shall be counted as a background color; and
- (d) If a trim color is black, it will not count as a background color. Any other colors will be counted as a background color.

11.17.2 Display of Logos and Trademarks, General

Logos and trademarks may be included on signs (except identification, residential and incidental signs) without separate restriction, provided that such logos and trademarks are consistent with the approved color scheme shown on the application. Logos for single occupancy projects shall also be limited to the color requirements of this chapter.

11.17.3 Display of Registered Trademarks

A federally registered trademark which has characteristics, including, but not limited to colors, text, shape, form, and dimensions that are inconsistent with the applicable limitations as set in this chapter, may still apply for approval through a special exception process (refer to Section 11.7). Verification of registration will be required as part of the application.

11.17.4 Logos as Pieces of Information

A logo or trademark shall be considered one “piece of information” on a sign on which the number of pieces of information is limited.

11.18 Lighting

11.18.1 Illumination and Performance

The following regulations shall apply to signs where lighting is included:

- (a) Sign illumination shall be placed and shielded so as not to directly cast light rays into a nearby residence, sleeping accommodations or the eyes of motor vehicle drivers;
- (b) Signs incorporating steady, unshielded light bulbs shall utilize bulbs which are not in excess of 30 watts intensity per square foot. It shall be encouraged to incorporate LED, induction, or a similar lighting technology for greater energy efficiency;
- (c) Electrical requirements pertaining to signs shall be as prescribed under the adopted National Electrical Codes incorporated into this code;
- (d) Neon signage and skeleton tubing, internal and external, shall be permitted provided the following:
 - (1) Number of neon signs per business is limited to two;
 - (2) Neon lighting shall be allowed for primary signage but such lighting shall be contained in an opaque casing with no visible exposure of any tubing;
 - (3) Exposed skeleton or neon tubing for primary signage lighting shall be allowed for restaurants; and
 - (4) Notwithstanding restaurants, exposed skeleton or neon tubing for primary signage shall be allowed for all other nonresidential signage in the following areas only if:
 - a. Such lighting may be used only for the outlining of a sign cabinet on a freestanding pole sign;
 - b. Such lighting may be displayed in a business window, these neon signs may not exceed 25 percent of each window section or pane and are not separately illuminated; and
 - c. All neon signage and exposed tubing shall be governed by the maximum number of colors allowed as set forth in this Chapter.

11.18.2 Uniformity

Lighting on signs shall be consistent throughout a project, and no sign or portion thereof shall be illuminated differently from any other sign, except as allowed otherwise in this chapter.

11.19 Signs within a Public Right-of-Way, Easement or Public-Owned Property

11.19.1 No sign(s) shall be allowed in the public right-of-way, easement, or public-owned property except for the following or otherwise specified in this Chapter:

(a) *Generally*

Signs shall be limited to:

- (1) Public signs erected by or on behalf of a governmental body to identify public property, convey public information and direct or regulate pedestrian or vehicular traffic;
- (2) Bus stop signs erected by a public transit company;
- (3) Informational signs of a public utility regarding its poles, lines, pipes or other facilities;
- (4) Signs appurtenant to a use of public property permitted under a franchise or lease agreement with the City of Shenandoah; and
- (5) Signs posted in association with municipal, county, state or federal authorities for crime prevention and public safety and health.

(b) *Other Signs in Public Right-of-Way*

Unless otherwise specified in this Chapter, any other sign placed in the public right-of-way, easement or public-owned property in violation of this chapter shall be deemed a public nuisance and may be seized by the Enforcement Officer or other representative of the City of Shenandoah, and the person owning or placing the sign may be charged both with a violation of this chapter and with the cost of removing and disposing of the sign.

11.20 Nonconforming Signs

It is the policy of the City of Shenandoah to encourage and, to the maximum extent practicable, require that all signs within the City of Shenandoah be brought into compliance with the requirements of this chapter.

11.20.1 Nonconforming Signs Protected

A sign which was lawfully erected prior to the adoption of the ordinance from which this chapter is derived but which does not conform in one or more respects with the requirements of this chapter may remain in use, subject to the requirements of this Section and other applicable requirements of City Ordinances. Further, any nonconforming sign, or any new sign, that is part of a Sign Permit Application within a planned unit development may be installed, replaced, maintained and repaired provided that the Sign Permit Application was approved prior to the adoption of the ordinance from which this chapter is derived, and the sign is installed in accordance with the Sign Permit Application or in accordance with this chapter.

11.20.2 Limitations on Nonconforming Signs

(a) *Abandonment*

Any sign related to a use or business that ceases to exist or operate for a continuous period of 90 days shall be considered Non Compliant and shall not be reused for sign purposes unless and

until it is in full conformity with the provisions of this chapter, subject to issuance of a new sign permit;

(b) *Routine Repairs and Maintenance*

Repairs and maintenance of nonconforming signs, such as repainting and electrical repairs, shall be permitted, provided that repainting shall not include a change of copy or color, and provided further that no repairs shall be permitted where the cost of the repairs exceeds \$500.00 or 50 percent of the replacement cost of the sign, whichever is less;

(c) *Change of Copy*

No change of copy shall be permitted (except on a changeable copy sign) without bringing the sign into full conformance with this chapter;

(d) *Other Sign Permits on Premises*

For single-occupant properties, the issuance of a sign permit for a new or replacement sign shall be subject to the condition that all nonconforming signs on that property shall be removed or brought into conformance as part of the work of installing the new or replacement sign. For multi-occupant properties, the issuance of a sign permit for a new or replacement sign for any individual occupant shall be subject to the condition that all nonconforming signs for that occupant shall be removed or brought into conformance as part of the work of installing the new or replacement sign. This section shall not apply to the issuance of a permit for a temporary sign;

(e) *Required Removal*

Where an amendment to a previously approved development plan is proposed, approval of such plan shall be contingent upon removal of all nonconforming signs on the site. For example, if an existing retail establishment proposes a building addition or parking expansion, then any nonconforming signs on the property must be brought into compliance as a condition of approval of the amended site plan;

(f) *Nonconformance Special Exceptions*

The Shenandoah Sign Committee may authorize for the continuation, expansion or replacement of a nonconforming sign legally permitted and constructed under previous City Ordinances upon finding that the failure to grant the special exception creates an unreasonable or unnecessary hardship and where the public welfare will not be substantially injured. Nonconforming Special Exceptions shall fall under the requirements for "Special Exceptions" as set forth in this chapter;

(g) *Wall Sign Replacement – Hotel*

If a hotel were the sole occupant of a property, then replacement of a wall sign would mean that a nonconforming ground sign would also have to be replaced;

(h) *Wall Sign Replacement – Shopping Center*

If a shopping center replaced a nonconforming ground sign, then all nonconforming ground signs would need to be replaced provided such ground signs were not located on a separate parcel;

(i) *Wall Sign Replacement – Video Store within Shopping Center*

If a video store within a shopping center replaced a wall sign, then no other tenants within the shopping center would have to replace their nonconforming signs;

(j) *Wall Sign Replacement – Insurance Office in Multi-Tenant Office Building*

If an insurance office within a multi-tenant office building replaced its wall sign, then no other tenant within the office building would have to replace its nonconforming signs; and

(k) *Amortization of nonconforming signs*

Notwithstanding other provisions of this chapter, nonconforming signs may be permitted until the reasonable expected life of the existing sign would be exhausted according to the below amortization schedule set by when the sign was originally installed. After the period specified by the below amortization schedule, nonconforming signs will be subject to the other provisions of this chapter.

Initial Cost	Amortization Period
Less than \$500.00	6 months
\$500 to \$1,000	9 months
\$1,001 to \$3,000	12 months
\$3,001 to \$6,000	24 months
\$6,001 and over	48 months

11.21 Illegal Signs

It is the policy of the City of Shenandoah to aggressively enforce the provisions of this chapter and to remove all illegal signs in the City of Shenandoah. An illegal sign is any sign that was constructed after the adoption of this chapter without a permit and/or constructed in violation of this ordinance. An “illegal” sign was never a legal sign, has never complied with City of Shenandoah chapter and has no legal right to remain. Illegal signs shall be removed in accordance with this ordinance as expeditiously as possible.

11.22 Definitions

11.22.1 Abandoned Sign

A sign erected on site in conjunction with a particular use where such use has been discontinued for a period of 90 days or more, or a sign for which the content pertains to a time, event or purpose which no longer applies.

11.22.2 Accessory Building or Structure

A building or structure which is on the same lot as, and of a nature customarily incidental and subordinate to, another building or structure, and the use of which is clearly incidental and subordinate to that of the other building or structure.

11.22.3 Animated Sign

Any sign using movement or lighting changes to depict action or create a special effect or scene, except LED displays on restaurant menu boards.

11.22.4 Architectural Elevation

Any elevation of a building extending vertically from the grade to the top parapet wall or eaves, and horizontally across the entire width of the building elevation, including slanted wall surfaces sometimes referred to as the mansard.

11.22.5 Area, Sign

The square footage of a sign made up of letters, words or symbols within a frame shall be determined from the outside edge of the frame itself.

11.22.6 Attention-Attracting Device

Any device or object visible from any public right-of-way which is primarily designed to attract the

attention of the public to a business institution, sign or activity through such means, including but not limited to illumination, color, size or location. Attention-attracting devices or objects often incorporate illumination, which may be stationary, moving, turning, blinking (including animation) or flashing. Attention-attracting devices may or may not convey a message and can include, but are not limited to, search lights, beacons, strobe lights, strings of lights, barber poles, internally illuminated translucent canopies or panels, electronically controlled message boards (time/temperature signs, gas price signs, public service announcements, etc.), banners, streamers, pennants, propellers and inflatable objects (including strings of balloons) or other devices designed to attract attention.

11.22.7 **Awning**

Any non-rigid material, such as fabric or flexible plastic that extends from the exterior wall of a building and is supported by or attached to a frame without any supporting columns, poles or braces extended to the ground. Generally, an awning will cover either a window or an entrance to the principal building.

11.22.8 **Awning Sign**

A sign located on an awning.

11.22.9 **Bandit Sign**

Illegal signs usually used for advertising. Most common uses would include corrugated real estate signs or informational signs, also known as a stake sign.

11.22.10 **Banner**

Any sign printed or displayed upon cloth or other flexible material with or without frames. A banner is considered to be a temporary sign.

11.22.11 **Beacon**

Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same site as the light source. Also, any light with one or more beams that rotate or move.

11.22.12 **Building Front**

The primary pedestrian access point of an individual or multi-tenant business or entity.

11.22.13 **Building Frontage**

Building frontage shall mean the horizontal length of a building on **THE** side with the principal entrance of an individual or multi-tenant business or entity. For an individual business/entity to be considered IH-45 frontage, the property must abut and/or adjoin the IH-45 feeder road. This information is based upon property plat information filed with the City of Shenandoah. Whether the building frontage wall length is straight, concave, convex, the measurement will be made from or by the shortest distance between the two front corners of building.

11.22.14 **Building Permit**

A permit issued by the City Administrator or his designee for construction, renovation or alteration of property.

11.22.15 **Building Sign**

Means any sign attached to any part of a building, as contrasted to a "ground sign."

11.22.16 **Building Wall**

An exterior load-bearing or non-load bearing vehicle structure encompassing the area between the final grade elevation and eaves of the building. It is used to enclose the space within the building. A

porch, balcony or stoop is part of the building structure and may be considered as a building wall.

11.22.17 **Canopy**

A roof structure constructed of rigid materials, including but not limited to, metal, wood, concrete, plastic, or glass, which is attached to a building, or which is free-standing and supported by columns, poles or braces extended to the ground. Unlike a marquee, a canopy generally has very limited vertical surface area; and unlike an awning, a canopy is supported by vertical elements rising from the ground.

11.22.18 **Certificate of Occupancy**

Official certification which permits the use of a building in accordance with the approved plans and specifications and which certifies compliance with the provisions of law for the use and occupancy of the building in its several parts together with any special stipulations or conditions of the building permit. A written instrument executed by the Chief Building Official – Building Permits & Inspections authorizing a described use of a lot or building as set forth in the Building Code and in this Section.

11.22.19 **Changeable Copy Sign**

Any sign designed so letters or numbers attached or digitally displayed on the sign can be changed.

11.22.20 **Changeable Electronic Variable Message Sign (CEVMS)**

A sign which permits light to be turned on or off intermittently or which is operated in a way whereby light or text is turned on or off intermittently, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times which such sign is in use, including an LED (light emitting diode) or digital sign, and which varies in intensity or color. A CEVMS sign does not include a sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) approved by the Federal Highway Administrator as the national standard.

11.22.21 **City Administrator**

The Chief Administrator and Building Official for the City of Shenandoah or his designee.

11.22.22 **City Council**

The legally constituted and elected governing body of the City of Shenandoah.

11.22.23 **Commercial Message**

Any sign, wording, logo or other representation, which, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

11.22.24 **Construction Sign**

Any sign bearing the names of contractors, architects, engineers, etc. or advertising, promotions, price ranges and similar information placed at a construction site which has received development plan approval or for which an active building permit exists.

11.22.25 **Development**

A group of houses or other buildings, residential or nonresidential which are built as a single construction project.

11.22.26 **Dilapidated Sign**

A sign that is not secure or otherwise structurally sound, has defective parts, or is in need of painting or maintenance.

- 11.22.27 *Directory Sign*
An on-premise ground or building sign which lists tenants or occupants of a building or project, with unit numbers, arrows or other directional information with no commercial logos or messages.
- 11.22.28 *Enforcement Officer*
A person charged by the City Administrator or his designee to enforce the provisions of this chapter.
- 11.22.29 *Flag*
Any fabric or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision, corporation, lodge, fraternity or sorority, political party, nonprofit organization, charity, club, association or other entity.
- 11.22.30 *Flag Pole*
Means a vertical, freestanding pole that is permanently mounted in the ground in which to raise a flag.
- 11.22.31 *Flashing Sign*
A sign, the illumination of which is not constant in intensity when in use, that exhibits sudden or marked changes in lighting effects. LED displays on restaurant menu boards are not considered flashing signs.
- 11.22.32 *Garage Sale Sign*
A temporary residential sign advertising a garage/yard sale.
- 11.22.33 *Governmental Sign*
A sign required, authorized or installed by any governmental entity, which is exempt from the permitting process.
- 11.22.34 *Ground Sign*
A freestanding sign either one- or two-sided that is either temporarily or permanently attached to the ground.
- 11.22.35 *Height, Sign*
The distance from the base of a sign at normal grade to the top of the highest attached component of the sign.
- 11.22.36 *Holiday Decorations*
Displays erected on a seasonal basis in observance of religious, national or state holidays, which are not intended to be permanent and contain no advertising material.
- 11.22.37 *Holiday Season*
Holiday season shall mean a designated time period for the display of holiday decorations as detailed in Section 11.3 Exempt Signs. The established time periods are November 15 through January 15 and for all other federally recognized holidays for a period not to exceed seven days.
- 11.22.38 *Identification Sign, Building*
A sign bearing such information as the name or identification of a building, date and incidental information about its construction, address of the premises or name of occupant, and so forth, but such sign does not contain any commercial logo or commercial message.
- 11.22.39 *Illegal Sign*
A sign erected in violation of any regulation applicable at the time of erection of such sign. Any sign which does not comply with the provisions of this chapter or any other applicable ordinance, or

which is not deemed a conforming sign as set forth in this chapter, shall be considered an illegal sign.

11.22.40 *Illuminated Sign*

A sign illuminated by electrical or other artificial devices.

11.22.41 *Incidental Sign*

An informational sign, with a purpose secondary to the use of the site on which it is located, such as “no parking,” “entrance,” “loading only,” “telephone” and similar information and directive type signs. Incidental signs contain no commercial message or commercial logo other than the name of the tenant or development.

11.22.42 *Individual Business or Entity*

Lot or tract containing one authorized business use.

11.22.43 *Inflatable Signs*

A sign made of flexible material or fabric made to take on a three-dimensional shape (to blow up like a balloon) when filled with a sufficient volume of air or gas.

11.22.44 *Information (Piece of)*

A word, whole number, telephone number, price, logo, picture, exclamation point or similar separately identifiable unit on a sign.

11.22.45 *Institutional Use*

For the purpose of determining allowable signage, a school, religious institution, or other use operated by a public agency or non-profit organization and permitted as a use in one or more residential zoning districts in the City of Shenandoah. A childcare facility shall be considered an institution regardless of ownership or operation. For purposes of this Chapter, an institutional use shall be under the sign requirements of a nonresidential area; however, should an institutional use be located within a residential district or area, then residential requirements shall prevail.

- (a) Uses treated as institutional uses under this definition and thus permitted to have institutional signs in residential zoning districts shall be those operated with a focus on public service rather than private profit;
- (b) In the context of the first principle, no commercial sign shall be permitted for any activity involving the sales of goods or the furnishing of services primarily for a profit. Private educational uses, such as dance, music, or karate studios, shall not be considered institutional uses for this purpose.

11.22.46 *Logo*

The graphic or pictorial presentation of a message, including, but not limited to, the use of shapes, designs, decorations, emblems, trademarks, symbols or illustrations, or the superimposition of letters or numbers of any other use of graphics or images other than the sequential use of letters and numbers.

11.22.47 *Lost/Found Pet Sign*

A temporary residential use sign, which may be used to give a detailed description of the lost animal. A photo may be attached, if available, and the owner’s name and contact number can be provided. Commercial advertising is prohibited in this type of sign.

11.22.48 *Lot*

A parcel of land whose boundaries have been established by some legal instrument, such as a recorded deed or plat, and which is recognized as a separate legal entity for purposes of transferring title. This term shall include any number of contiguous lots, or portion thereof upon which a single

principal building and its accessory buildings are located or intended to be located.

11.22.49 **Marquee**

A roof-like structure that cantilevers from the wall of a building over its principal entrance, that has no vertical supports other than the wall from which it cantilevers, and that provides a wall surface at least four feet high.

11.22.50 **Marquee Sign**

A sign attached to or mounted on top of a marquee.

11.22.51 **May**

Indicates a permissive action.

11.22.52 **Menu Board**

An accessory sign providing items and prices associated with a drive-thru window.

11.22.53 **Monument Sign**

A freestanding sign that is permanently attached to the ground, either one or two-sided, and is the primary identifier of the property from adjacent public rights-of-way or private properties and meets the requirements of this code, but not including a ground sign that conforms to the definition of "incidental sign." The sign may consist of either stone, concrete, metal, routed wood, planks, beams or similar materials or a combination thereof but shall be solid from the ground up and poles or supports shall be concealed.

11.22.54 **Multi-Occupant (In-Line Tenant) Building**

A building where tenants, occupants, or businesses share the same or common structure but each tenant, occupant or business has a building front (i.e. store front) to where access is gained from the outside versus internally within the building. Such businesses within a building may be aligned in a row to where each tenant, occupant or business has direct access from the outside.

11.22.55 **Multi-Occupant (Non In-Line Tenant) Building**

A building where tenants, occupants, or businesses share the same or common structure but are not aligned in a row with each occupant having a separate outside entrance. Such buildings are arranged to where outside entrances are shared in common, and few or no occupants, tenants or businesses have a building front (i.e. store front) or direct outside access but are primarily accessed internally within the building.

11.22.56 **Neon Signs**

A sign that houses tubing to where such tubing is enclosed within an opaque casing that is not visibly exposed to the public.

11.22.57 **Neon Tubing**

Electric-discharge tubing manufactured into shapes that form letters, parts of letters, skeleton tubing, outline lighting, other decorative elements, or art forms, and filled with various inert gases.

11.22.58 **Nonconforming Sign**

Any sign that currently does not meet the requirements of this chapter, but was approved as part of previously approved version of this chapter.

11.22.59 **Off-Premises Sign**

Any sign, commonly known as a billboard, that identifies or advertises a business, person, activity,

goods, products or services not located on the premises where the sign is installed and maintained, or that directs persons to a location other than the premises where the sign is installed and maintained.

11.22.60 *Off-Premises Sign (Temporary)*

Any sign used for a limited period of time, not permanently mounted and identifies or advertises a business, person, activity, goods, products or services not located on the premises where the sign is installed and maintained, or that directs persons to a location other than the premises where the sign is installed and maintained.

11.22.61 *On-Premises Sign (Temporary)*

Any sign that is used for a limited period of time, not permanently mounted and identifies or advertises the business, person, activity, goods, products or services sold or offered for sale on the premises where the sign is installed and maintained when such premises is used for business purposes.

11.22.62 *Pennant*

Any lightweight plastic, fabric or other material, regardless of whether it contains a message of any kind that is suspended from a rope, wire, string or pole, usually in series and is designed to move in the wind.

11.22.63 *Person*

Any association, company, corporation, firm, organization or partnership, SINGULAR or plural, of any kind.

11.22.64 *Pole Sign*

A freestanding sign which is supported by, and placed upon, one or more poles.

11.22.65 *Political Sign*

A sign attracting attention to political candidates or issues as defined by the V.T.C.A., Election Code § 41.001. A political sign is for temporary use only and can contain no commercial message.

11.22.66 *Portable Sign*

Any sign not permanently attached to the ground or other permanent structure or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels. Also signs made as A-frames or T-frames, balloons used as signs and umbrellas used for commercial messages.

11.22.67 *Poster Box*

A box installed on a wall for the purpose of displaying posters of shows at a theater limited to 36 inches by 54 inches; top of box limited to no more than ten feet above the ground; can be internally illuminated.

11.22.68 *Principal Building*

A building in which the principal business is conducted. A multi-occupant property may have more than one principal building, but only structures regularly used for human occupancy may be considered principal buildings; not an accessory building.

11.22.69 *Projecting Sign*

Any sign attached to a building wall and extending laterally more than 18 inches from the face of such wall.

11.22.70 Public Event Sign

A sign that transmits information regarding an event that is deemed to impact the community as a whole. These signs would advertise for events, including but not limited to, National Night Out, Lighting of the Angels, etc. Such sign shall require prior approval by the City Administrator or his designee. A public event sign is for temporary use only. This is not to be confused with a Temporary Event Sign.

11.22.71 Real Estate Sign

A sign advertising real property for sale or lease. A real estate sign is for temporary use only.

11.22.72 Residential Sign

Any sign located in a district zoned for residential uses that contains no commercial message. This sign relates to personal affiliation, including, but not limited to a team church membership, etc.

11.22.73 Roof Sign

A sign that is placed above or supported on the top of a building.

11.22.74 Rotating Sign

A sign that revolves around a fixed axis.

11.22.75 Shall

A mandatory action.

11.22.76 Shopping Center

A building or group of buildings, either connected or free-standing, under unified or multiple ownership of land parcels, that is designed as a shopping center with common parking, pedestrian movement, ingress, and egress, and used or intended to be used primarily for the retail sale of goods and services to the public. A shopping center can be designed as a multi-occupant (in-line tenant) building or a multi-occupant (non in-line tenant) building. The following are the types of shopping centers:

(a) *Small Center*

A lot or lots consisting of less than three acres of land and containing more than one authorized business use.

(b) *Large Center*

A lot or group of adjacent lots in the same subdivision, consisting of three or more acres of land, and containing commercial or industrial land uses.

(c) *Super Center*

A lot or group of adjacent lots in the same subdivision, consisting of 50 or more acres of land and containing commercial or industrial land uses.

11.22.77 Sight Triangle (or Horizontal Sign Distance)

The horizontal and vertical areas at the intersection of streets and/or driveways which must remain unobstructed, as set forth in this code, and State Law, in order to ensure that drivers can see traffic and pedestrians around the corner of the intersection, entrance or driveway.

11.22.78 Sign

Any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to

communicate information of any kind to the public.

11.22.79 **Sign Permit Application**

A plan establishing parameters for the size, location and design of signs on a property being constructed or managed as a single development.

11.22.80 **Site**

A lot, tract or parcel of land considered as one land-unit for purposes of this chapter. For a single-family residence, the site shall be the subdivided lot on which it is located. For multi-family projects, the site shall be all land occupied by the buildings in the project and adjoining such property and under common ownership with it. For vacant land, the site shall be all of the adjoining vacant land under single ownership. For single-occupancy, non-residential properties, the site shall be the subdivided lot that is occupied. For multiple-occupancy properties, the site shall be all land included under the original "site plan" or "subdivision plan" approval under this code or all land included under the original "sign permit application" approval under this chapter or its predecessor, whichever land area is larger.

- (a) The intent of this definition is to treat as one site an entire project as planned and developed together.
- (b) A single apartment complex shall be considered as occupying one site.
- (c) A shopping center including out-parcels and separate buildings within it, regardless of whether ownership is common or separate, shall be considered as occupying one site.
- (d) A group of office buildings, warehouses or industrial buildings under common ownership or management and approved within one site plan with the City shall be considered occupying one site.
- (e) In general, buildings that share parking or access shall be presumed to occupy one site, subject to proof by the owners that the nature of the sharing arrangement is such that it should not be considered determinative for purposes of this chapter.

11.22.81 **Site Plan**

A plan depicting the proposed development of a property, in terms of the location, scale and configuration of buildings and other features containing all the required information under the requirements of this chapter.

11.22.82 **Skeleton Tubing**

Neon tubing that is itself the sign or outlines lighting and is not attached to an enclosure or sign body.

11.22.83 **Special Exception**

A special exception, which allows a deviation from this chapter, is granted or denied only by the Shenandoah Sign Committee.

11.22.84 **Subdivision Identification Sign**

A sign that gives the name of a residential or nonresidential subdivision or multi-family development.

11.22.85 **Suspended Sign**

A sign suspended from the underside of a horizontal plain surface and supported by such surface.

11.22.86 **Temporary Event Sign**

Signs for temporary uses or special events, including but not limited to grand opening of businesses, business going out of business, a business under new management and the like.

11.22.87 Temporary Sign

Any on- or off-premises sign that is used for a limited period of time and is not permanently mounted.

11.22.88 Theater

An establishment offering movies or live performances to the public, as more fully defined in this code.

11.22.89 Traffic Sign

A sign indicating federal, state, or municipal regulations for automobile, truck, bicycle or pedestrian movement.

11.22.90 Variance

A variance is granted by the authority of the City Council per the written request of two council members after denial of a special exception request by the Shenandoah Sign Committee.

11.22.91 Vehicular Sign

A sign painted on, attached to or pulled by a moving or parked vehicle and visible from the public right-of-way unless the vehicle is used in the normal day-to-day operations of the business. This definition shall not include signs that are being transported to a site of permanent location. For purposes of this chapter, a vehicle shall mean an automobile, truck, camper, tractor, van, trailer or any device capable of being transported and shall be considered a vehicle in both moving and stationary modes.

11.22.92 V-Sign

A temporary freestanding sign which has two sets of supports sharing at least one common support, and capable of displaying two message boards in boards in different, provided such double message boards are physically contiguous. A V-Sign shall also be considered an A-Frame Sign, Sandwich Sign, or back to back sign.

11.22.93 Wall Area, Exterior Surface

This is an exterior single wall which projects, recesses, is off-set, jogs or otherwise varies or changes in elevation from the predominate wall plane. The concerned exterior surface wall area will be from the starting point of such wall recession, projection, job, off-set or otherwise variation or change in elevation from the predominate wall plane to the nearest point of termination of such wall recession, projection, offsetting, jogging or otherwise variation or change in elevation from the predominate wall plane. A parapet extending not more than twelve inches above a flat roof shall be considered part of the exterior wall for purposes of determining signage.

11.22.94 Wall Sign

Any sign painted on or attached to and extending not more than six inches from an exterior wall in a parallel manner.

11.22.95 Windblown Device

Any banner, pennant, spinner, streamer, propeller, disc, moored blimp, gas balloon or flag (which is not of local, state, federal, corporate, nonprofit or religious origin) that is designed to inform or attract attention, whether or not such device carries a message, all or part of which is set in motion by wind, mechanical, electrical or any other means.

11.22.96 Window Sign

Any sign that is applied to the inside of glassed areas of a building.

11.22.97 Hotels with a Subordinate Business

A subordinate business is one that is a minimum of 2,500 square feet and is separate legal entity. The subordinate business shall not be a subsidiary owned or operated by the hotel and must have its own sales tax and tax Id.