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# Chapter 134: Signs

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## Sec. 134-1 Purpose and Intent

Regulation of the location, size, and placement ~~and certain features~~ of signs is necessary to enable the public to locate goods, services, and facilities in/located within the corporate limits of the eCity, to encourage the general attractiveness of the community, and to protect property values ~~therein~~. Accordingly, it is the intention of this chapter to establish regulations governing the display of signs and in part to achieve the following:

### (a) (1) Safety.

To promote the safety of persons and property by providing that signs:

- (1) a.—Promote and protect the public health, safety, comfort, morals, and convenience;
- (2) b.—Do not obstruct firefighting or police surveillance; and
- (3) e.—Do not overload the public's capacity to receive information or increase the probability of traffic congestion and accidents by distracting attention/injury or obstructing harm through distraction or the obstruction of vision.

### (b) (2) Communications eEfficiency.

To enhance the economy and the business and industry of the eCity by promoting the reasonable, orderly, and effective display of signs and thereby encourage increased communication with the public, so that:

- (4)(1) a.—Businesses and services may identify themselves; and
- (5)(2) b.—Customers and other persons may locate a business or service;
- (b) c. Signs are compatible with their surroundings, are appropriate to the type of activity to which they pertain, and are expressive of the identity of proprietors and other persons displaying signs; and
- (e) d. Persons exposed to signs are not overwhelmed by the number of messages presented and are able to exercise freedom of choice to observe or ignore said messages, according to the observer's purpose.

### (c) (3) Environment quality and preservation. Environmental and Landscape Quality and Preservation

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

- (1) a.—Do not interfere with scenic views, and protect and preserve the unique and natural beauty and historic values of the eCity;
- (2) b.—Do not create/interfere with a nuisance/person's ability to persons using/use the public rights-of-way;
- (3) e.—Do not create a nuisance to the occupancy of adjacent and contiguous property by their brightness, size, height, or movement; and
- (4) d.—Are not detrimental to land or property values.

## Sec. 134-2. Administration.

~~The provisions of this chapter shall be administered and enforced by the inspection department.~~

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## Sec. 134-2 ~~Sec. 134-3. Authority and Jurisdiction~~

- (a) ~~The terms and conditions of this Ordinance shall apply to all signs located within the City of McKinney, pursuant to Chapter 216 of the Texas Local Government Code, as amended. The Chief Building Official shall be responsible for interpreting and administering this Ordinance. Allegations of errors in orders, decisions, and/or determinations by the Chief Building Official shall be handled in accordance with Sec. 134-5 of this Ordinance.~~
- (b) ~~Signs located on property owned by the City of McKinney, an Independent School District, or any other governmental agency are not required to meet the requirements of this Ordinance. However, signs located on property owned by the City of McKinney shall be permitted only upon approval of the Chief Building Official or their designee.~~

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## Sec. 134-3 ~~General Procedures~~

### ~~Permit; penalty for violation of chapter.~~

- (a) ~~(a) Sign Permit Required. It shall be unlawful for any~~  
~~No person shall~~ erect, conduct major repair of, or relocate any sign within the ~~e~~City without first obtaining a permit to do so from the ~~inspection department or its designated representative. Building Inspections Department.~~ Minor repair, however, is allowed without a permit, as defined in ~~section 134-4, Sec. 134-5(b)(4)a.~~
- (b) ~~(b) Application.~~  
Application for a permit required by this chapter shall be ~~made upon forms provided by the inspection department submitted to the Building Inspections Department.~~
- (c) ~~(c) Insurance.~~  
Every applicant for a permit under this chapter for ~~attached, detached and billboard signs erected or maintained in accordance with section 134-7(a), (b), and (c) any permanent sign, as defined herein,~~ shall carry a liability insurance policy (minimum \$20,000.00), which covers the subject sign during erection. The policy ~~must~~shall be carried by an approved insurance company authorized to do business in the state. A bond covering the subject sign ~~will~~is also ~~be~~ acceptable. ~~Proof of liability coverage shall be submitted by means of a certificate.~~
- (d) ~~(d) Refusal of pPermit for #Failure to pay costs. Pay Costs~~  
The ~~inspection department~~Building Inspections Department may refuse to issue a permit under this chapter to any person who has refused or failed to pay any costs relating to signs.
- (e) ~~(e) Approval of pPermit by electrical inspector. Electrical Inspector~~  
The application for a permit for the erection of a sign in which electrical wiring and connections are to be used shall ~~include information required by and shall~~ be approved by the ~~electrical inspector prior to submission of the application to the inspection department for final approval~~Building Inspections Department.
- (f) ~~(f) Permit fee schedule. Fee Schedule~~  
All ~~attached, detached and nonpremises~~ signs, except those exempted from the provisions of this chapter, shall be charged a permit fee calculated from the sign valuation based on the fee schedule set forth in Appendix A of the Code of Ordinances, ~~which may be as~~ amended ~~from time to time by ordinance.~~
- (g) ~~(g) Sign Permit Issuance. It shall be~~  
~~Upon the duty of the inspection department, upon the filing of an application applying for a sign permit under this chapter, to,~~ the Building Inspections Department shall examine the plans and

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specifications and any other data, and the premises upon which the sign is proposed to be erected; and, if it shall appear that the proposed sign is in compliance with all the requirements of this chapter, the building code and all other laws and ordinances of the City, the permit shall then be issued.

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**(h) ~~(h)~~ Time Limit for ~~e~~Completion of ~~w~~Work.**

If the work authorized by a permit issued under the provisions of this chapter has not been completed within 90 days after the date of issuance of the certificate of occupancy or the issuance of a sign permit, whichever is later, the permit shall become null and void.

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**(i) ~~(i)~~ Revocation.**

All rights and privileges acquired under the provisions of this chapter or any amendment hereto are mere licenses, revocable at any time by the city council~~City Council~~, and all permits issued hereunder shall contain this provision.

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**(j) ~~(j)~~ Penalty.**

Any person, firm, corporation, association, or other entity who ~~shall violate~~violates any of the provisions of this chapter or causes or permits the same to be done in violation of this chapter shall be guilty of a class C misdemeanor and, upon conviction, shall be subject to a fine not to exceed the maximum permissible fine allowed by state law. It shall be presumed that a person, firm, corporation, association, or other entity is responsible for the violation if the person, firm, corporation, association, or other entity is:

~~(5)(1)~~ (1) — The permit holder for the sign, or

~~(6)(2)~~ (2) — The owner, operator, agent, or manager of an entity or business that, or a person who, is promoted by the sign or listed on the sign as responsible for the sign.

This presumption may be rebutted if the named violator provides the full name, date of birth, physical and mailing address, and telephone number or numbers for the person, firm, corporation, association, or other entity responsible for the violation. ~~Sec. 134-11. Nonconforming signs; removal of signs by city; exceptions; variances.~~

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**Sec. 134-2~~Sec. 134-4~~(b) — Removal of Certain Signs**

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**(a) ~~(1)~~ All of the Unlawful Signs**

The following signs shall be considered unlawful:

- (1) ~~a.~~ — Any sign erected without a required permit, either prior to or after the adoption of this section;
- (2) ~~b.~~ — Any sign erected in violation of the provisions of this chapter; and
- (3) ~~c.~~ — Any sign ~~which~~that is dangerous due to being electrically or structurally defective.

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**(b) ~~(2)~~ Said signsRemoval of Unlawful and Abandoned Signs**

~~(4)(1)~~ (1) Signs described in (a) above shall be removed from the property or premises ~~in question~~where they are located, or ~~such other defect~~defects as ~~is~~ specified shall be ~~cured~~remedied, upon written notification by the ~~chief building official~~Chief Building Official or ~~their~~ designated representative to the owner of the property on which the sign is located and/or the ~~permittee of~~permit holder for the sign. The notification required by this provision shall

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state that if the sign is not removed or the specified defect is not ~~cured~~remedied within the prescribed time frame from the date of the notice, a citation may be issued.

~~(2) (e)~~—Abandoned signs shall be removed from the site within 30 days after the associated business or activity ceases.

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~~(b)(c)~~ **Removal of public nuisance/hazardous signs:Public Nuisance or Hazardous Signs**

~~(1)~~ The ~~chief building official or his~~Chief Building Official, Director of Code Services, or their designated representatives shall, without the requirement of notification or impoundment, order the immediate removal and disposal of the following signs.

(1) ~~a.~~—Any ~~nonpermanent~~non-permanent sign erected or existing that constitutes a traffic hazard; or

(2) ~~b.~~—Any ~~nonpermanent~~temporary sign erected in, on or over a public right-of-way or easement or designated fire lane, either prior to or after the adoption of this section, except those non-permanent signs ~~in the commercial historic district (section 134-9), permitted as described in Sec. 134-10, MTC – McKinney Town Center District.~~

~~(2)~~ A person is responsible for the violation if the person is the permit holder, owner, agent or person having the beneficial use of the sign and a citation may be issued.

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~~(d)~~ **Recovery of impounded signs:Impounded Signs**

Impounded signs may be recovered by the owner within 15 days after written notification of impoundment by paying a fee as determined from time to time by ~~city council~~.City Council.

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~~(e)~~ **Disposal of impounded signs:Impounded Signs**

Signs not recovered within 15 days after written notification may be disposed of by the ~~e~~City in any manner it shall elect. If the owner cannot be given a written notification, the sign shall be disposed of after 15 days of impoundment.

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**Sec. 134-3~~Sec. 134-5~~ Exemptions, Exceptions and Appeals**

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~~(a)~~ **(f) Exemptions gGenerally:**

The following signs may be erected and maintained under the exceptions and conditions listed and shall not require a permit, provided all other provisions of this chapter are met:

~~(1)~~ **(1) Public signs:Noncommercial signsSigns**

Signs erected by or at the direction of a public officer in furtherance of the public interest in the performance of ~~his public duty~~.their public duty however public signs shall be removed as soon as the public purpose is complete or otherwise no longer applicable.

~~(2)~~ *Public, charitable, educational or religious signs.* Temporary signs or feather flags announcing any noncommercial public, charitable, educational or religious event or function may be installed only on private property, with the consent of the property owner, for a period of not more than 21 days prior to the event and shall be removed within 24 hours following the event. The maximum sign area shall be limited to 32 square feet on each sign face.

~~(2)~~ **(3) Integral signs:Names of buildings, dates of erection, monumentalSigns**

Monumental citations and commemorative tablets that are carved into stone, concrete, or similar permanent materials and constructed as an integral part of a structure.

~~(3)~~ **(4) Nameplates:Public Entrance Signs**

One nameplatesign per public entrance per business, not exceeding ~~three~~four square feet of sign area per face.

~~(4)~~ **(5) Private sSigns:**

Signs not visible ~~beyond the boundaries of the lot or series of contiguous lots under the same ownership on which they are located or that are not visible~~ from any public right-of-way.

**(5) ~~(6)~~—Residential Garage Sale Event Signs**

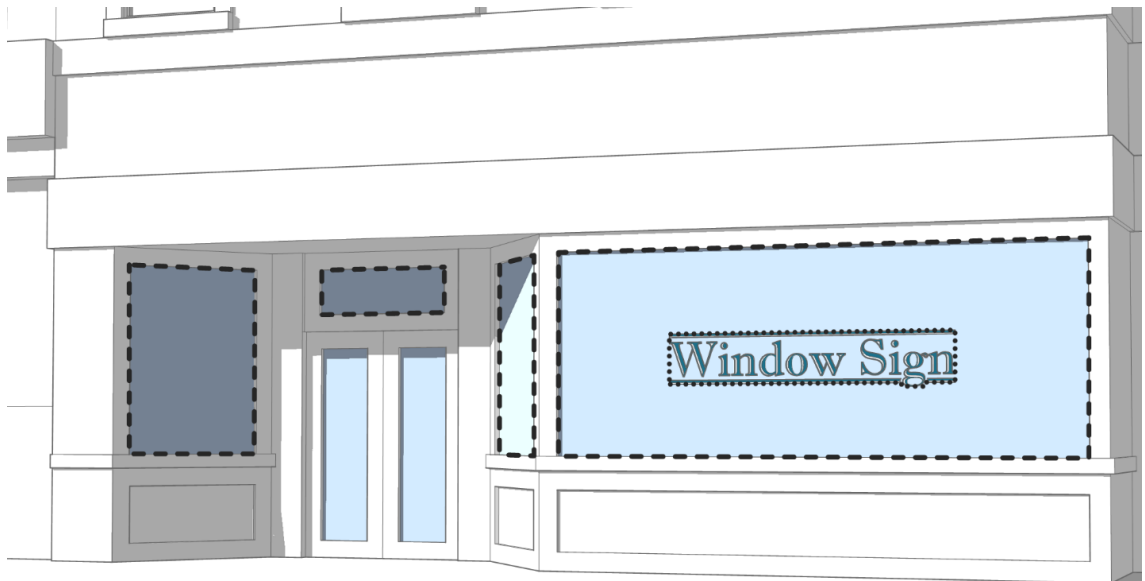
~~Residential garage sale signs. Garage sale event~~ signs may be installed only on private property with the consent of the property owner. Said signs shall not be installed earlier than 12:00 p.m. on the immediately preceding Thursday before the ~~sale event~~ and must be removed within 24 hours following the ~~sale event~~. The maximum sign area shall be limited to four square feet on each sign face. A ~~garage salespecial~~ permit is required. Signs shall not be to attached to any tree, fence, utility pole, or other location as outlined in Sec. 134-6(e).

**(6) ~~(7)~~—Menu ~~boards. Board Signs~~**

Eating establishments with drive-through service are permitted two menu board signs per premises, limited to 36 square feet in area and six feet in height.

**(7) ~~(8)~~—Incidental Window ~~signs. Window Signs~~**

~~Incidental window~~ signs are exempt from the provisions of this chapter, provided ~~inged~~ not more than 40 percent of the transparent window area is occupied at any one time ~~(reference graphic~~



**Figure 134-1: Incidental Window Sign**

~~9).~~ See Figure 134-1.

~~Note(s)—See editor's note, ch. 134Note(s)—.~~

**(8) ~~(9)~~—Gasoline/service station signage. Signs located beneath a canopy that do not advertise the premises are exempt, including, but not limited to, the following information: "Self-Service," "Full Service," "Unleaded Gasoline" and "Regular Gasoline."**  
**Gasoline and Service Station Signage**

Governmentally mandated signage and signage contained within the individual pumps are also exempt. In addition, ~~ten~~10 square feet of signage is permitted per side under the canopy per set of gasoline product dispensers. ~~Signage located beneath the canopy that is intended to advertise to individuals using the gasoline product dispensers only, and not intended for advertisement to the public right-of-way, is exempt.~~ Letters less than three inches in height shall not be counted as part of the sign allowance.

**(9) ~~(10)~~—Government ~~signs. Flags~~**

Government ~~signs/flags~~ are allowed, ~~as defined/permitted~~ in the definitions in section 134-4 ~~in conjunction with any use for which a building permit or certificate of occupancy has been issued,~~ provided that each ~~such sign/flag~~ does not exceed 40 square feet. ~~One~~

~~advertisement/identification flag or three government~~ A maximum of three flags are permitted with a maximum of three such signs per premises per site.

~~(10)~~ **(11) Political signs. Such signs that primarily contain a political message** **Vehicular Signs**

~~Vehicular signs or trailers with signs are permitted, provided that the vehicle or trailer on which the sign is located move from a site at least once every 24 hours, and are not being used to serve in the same manner as an additional freestanding sign or temporary sign. Vehicles, vans, trailers or trucks that satisfy the requirements of V.T.C.A., Local Government Code § 216.903(d), as amended.~~

~~(12) Real estate signs. Such signs shall be non-illuminated, shall not exceed six square feet in area per face, and shall pertain to the sale or lease are parked within view of the premises.~~

~~(13) Agricultural signs. One sign, advertising agricultural uses, not exceeding 32 square feet in area and eight feet in height, shall be allowed per owner. On large tracts that exceed 0.25 mile of a public right-of-way frontage, said owner may have one sign per 0.25 mile or portion thereof.~~

(14) **Vehicular signs.** Vehicular signs are allowed for the purpose of identifying a vehicle used for a particular business (i.e., delivery service, professional and business, construction trailers, etc.), but not when the primary use of the continuously at the same site for longer than 24 hours, and that are being used to display signs are prohibited. Any such vehicle is that of a sign (reference graphic 11). The vehicle on which signage is located shall be operable and currently registered and licensed to operate on public streets. See Fig. 134-2.

~~(15) Protective signs. The occupant of any premises may erect two protective signs in accordance with the following provisions:~~

~~(a) a. Each sign must not exceed two square feet in area.~~

~~(b) b. Detached signs must not exceed two feet in height.~~

~~(c) c. Letters must not exceed four inches in height.~~

~~(16) On-site movement control signs. On-site movement control signs may be erected at any occupancy or any premises, other than a single family or duplex premises, may be attached or detached and may be erected without limit as to number; provided that such signs shall comply with all other applicable requirements of this chapter. The occupant of any premises who erects an on-site movement control sign shall comply with the following requirements:~~

~~(d) a. Each sign must not exceed four square feet in area and a maximum of six feet in height.~~

~~(e) b. If a sign is an attached sign, the letters must not exceed six inches in height.~~

~~(f) c. Each sign must convey a message which directs vehicular or pedestrian movement within or onto the premises on which the sign is located.~~

~~(g) d. Not more than 50 percent of such sign may be used for advertising or identification.~~

~~(17) —~~



**Figure 134-2: Vehicular Sign**

**(11) Human Signs-**

Human signs may be displayed daily from sunrise to sunset ~~each and every day~~ and shall comply with the following requirements:

- a. ~~a.~~ Each sign shall be located on private property or adjacent right-of-way where a sale, event, promotion, or a similar limited-duration event is taking place.
- b. ~~b.~~ Human signs are not permitted in residential districts.
- c. ~~c.~~ A person acting as a human sign is not permitted to hold or carry wind devices, flags, or balloons. Podiums, risers, stilts, vehicles, roofs, or other structures or devices shall not support a human sign.
- d. ~~d.~~ No more than one human sign per business location may be actively engaged per major thoroughfare.

**(12) ~~(18)~~ Mobile Billboards-**

Mobile billboards shall be permitted as long as they are not parked, driven, stationed, or moving in any manner on private property within the eCity limits for longer than 20 minutes per 24-hour day.

~~(19) Open house residential sign. Open house residential signs shall be in place only during the hours the house is open, plus one hour before and two hours after the event and shall comply with the following requirements:~~

- ~~(h) a. Such sign shall be used only when a salesperson, homeowner or homeowner's agent is present during the time of the open house.~~
- ~~(i) b. One open house residential sign per open house may be placed off-premises at the entrance to the subdivision on private property (either individual homeowner property or HOA maintained common area) with the consent of the property owner and/or HOA.~~
- ~~(j) c. Such signs shall not exceed four square feet in size.~~
- ~~(k) d. Such signs shall not be in place earlier than 8:00 a.m. and must be removed no later than 6:00 p.m. the same day.~~

~~(20) Temporary religious sign. A temporary religious sign may be erected during times of worship provided that the sign is placed no earlier than two hours prior to worship and removed no later than two hours after worship.~~

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- ~~(l) a. Such signs shall be placed on private property with consent of the property owner. Temporary religious signs shall be placed no closer than ten feet from the edge of any street pavement or dedicated roadway or right-of-way.~~
- ~~(m) b. The maximum area of a temporary religious sign shall not exceed six square feet. The maximum height of a temporary religious sign shall not exceed four feet. A temporary religious sign shall not contain balloons, streamers, flags, pennants, or wind devices.~~

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**(b) ~~(g)~~ Historic Sign Exceptions**

**(1) Generally**

In the Historic Neighborhood Improvement Zone (HNIZ), there may be signs which do not meet the criteria of this chapter, but which contribute to the historic character of the City. These are referred to as Exceptional Historic Signs. A list of Exceptional Historic Signs shall be maintained in the Planning Department and is available in the administrative manual. These signs shall be considered exempt from the requirements of this chapter.

**(2) Designation of Exceptional Historic Sign**

For designation as an Exceptional Historic Sign, the Historic Preservation Advisory Board must find that a sign:

- a. Is at least 50 years in age; and
- b. Possesses a unique quality or character that contributes to the historic character of the HNIZ, McKinney Town Center, the sign's immediate neighborhood, or the property on which the sign is located.

**(3) Appeals**

Any appeal of the determination of the Director of Planning, or their designee, with regard to denial of designation of an Exceptional Historic Sign shall be heard by the Board of Adjustments, convening as a Sign Board.

**(4) Replacement or Repair**

**a. Minor Repairs**

1. Minor repairs for Exceptional Historic Signs shall be exempt from the requirements of this section.
2. Minor repairs consist of cleaning, painting, and replacement of defective parts, which will keep the sign legible and safe, and which does not change the total area of the sign.

**b. Major Repairs or Replacement**

1. In the event that an Exceptional Historic Sign is damaged or destroyed, it may be rebuilt or repaired to its original dimensions.
2. In the event that the sign requires replacement or repair beyond those that constitute minor repairs as described above, a request in writing shall be submitted to the Director of Planning, or their designee.
3. Such a request shall specify the proposed materials, colors, and any other description of the replacement sign's character.
4. The sign shall be reconstructed or repaired using the same materials as the original, to the greatest extent feasible.

**c. Approval of Requests for Major Repair or Replacement**

Written requests for replacement or major repair of an Exceptional Historic Sign shall require approval by the Director of Planning, or their designee, and the Building Inspections Department, and shall meet the following standards, where applicable:

1. New signs replacing Exceptional Historic Signs shall comply with the current adopted building code.
2. Applications for attached signs shall show the method of attachment. For wall signs attached to historic buildings, attached signs shall be mounted in the mortar of the building, not the brick.



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3. Applications for illuminated signs shall include details for electrical wiring and connections. Electrical wiring shall meet current electrical code.

**(c) Appeals**

**(1) Generally**

The rules and regulations found in this chapter are the standard requirements of the City. Suspension of any of these rules and regulations may be granted by the Board of Adjustments, convening as the Sign Board, upon a good and sufficient showing by the sign owner or his or her agent that there are special circumstances or conditions affecting the property in question, or that enforcement of the provisions of this chapter will deprive the owner of a substantial property right, and that such suspension, if granted, will not be materially detrimental to the public welfare or to other property or property rights in the vicinity.

**(2) Application and Standing**

All appeals applications related to the denial of a permit or meritorious exception shall be deemed complete by the Chief Building Official before being accepted for filing within 7 days of the decision. The Board of Adjustments, convening as a Sign Board, is responsible for hearing appeals, except those related to content, which are the responsibility of the City Council, as described in paragraph 4 of this subsection. Appeals may be filed by the owner of the property, or his or her agent, or by a person aggrieved by the denial or a permit under this chapter, subject to the City's sign regulations.

**(3) Appeals of Board of Adjustments Determinations**

Any appeals of the Board of Adjustments' Sign Board determinations shall be made to a district court, county court, or a county court at law in accordance with state statute, V.T.C.A. Local Government Code, § 211.011 et seq., as amended.

**(4) Content-Based Appeals**

The City Council shall hear all variance requests related to content-based speech issues.

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**(d) Meritorious Exceptions**

**(1) Generally**

In the development of these criteria, a primary objective has been ensuring against the kind of signage that has led to low visual quality. On the other hand, an equally ~~primary~~ important objective has been guarding against over-regulation of signage.

**(2)**

**(2) Application and Standing**

a. It is not the intention of these ~~criteria~~ regulations to discourage innovation. It is entirely conceivable that signage proposals could be made that, while clearly nonconforming to this chapter, and thus not allowable under these ~~criteria~~ regulations, have obvious merit in not only being appropriate to the particular site or location, but also in making a positive contribution to the visual environment. ~~Such proposals will be seriously and fairly considered by the city council.~~ In such cases, the Chief Building Official, or their designee, may approve a meritorious exception if the proposal meets any of the following criteria:

- ~~(3) The fee for meritorious exceptions shall be specified in appendix A of the Code of Ordinances which may be amended from time to time by ordinance.~~

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~~(h) Variances. The city council may hear appeals from the denial of a permit. Criteria for granting such a variance is as stated in the state statute, V.T.C.A., Local Government Code § 211.008 et seq., as it may be amended. The fee of variances shall be specified in appendix A of the Code of Ordinances which may be amended from time to time by ordinance. Sec. 134-5. Prohibited signage.~~

- ~~1. The signage is creative, innovative, or otherwise visually appealing so as to result in a positive contribution to the built environment.~~
- ~~2. The signage contains an architectural element that positively supplements the visual environment;~~
- ~~3. The regulations in the Sign Ordinance do not adequately describe or regulate the proposed signage;~~
- ~~4. The signage will promote a strong public interest, including but not limited to, wayfinding and the positive identification of essential services; or~~
- ~~5. The relocation of allowed signage is necessary based on difficulties resulting from building design, orientation, or location.~~

~~(3) Board of Adjustments Consideration~~

- ~~a. The Chief Building Official, at their sole discretion, may refer the meritorious exception application to the Board of Adjustments, convening as the Sign Board, for consideration and action if the Chief Building Official.~~
- ~~b. The Chief Building Official, or their designee, may deny a meritorious exception if the proposed sign does not meet the criteria included in paragraph 2 of this subsection. The applicant of the denied meritorious exception may appeal the decision of the Chief Building Official, to the Board of Adjustments, acting as the Sign Board, in accordance with the procedures outlined in section 134-5(c) of this chapter.~~

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**Sec. 134-6 Prohibited Signage**

The following signs are specifically prohibited, except as otherwise prescribed within this chapter:

**(a) ~~(1) Certain Illuminated Signs~~**

~~Any illuminated signs. No sign shall be illuminated to an intensity that causes glare or operates at brightness levels of more than 0.3 foot-candles above ambient light conditions at the property line, or at a distance equal to the square root of the area of the sign x 100 ( $\sqrt{\text{Area of Sign in Sq. Ft.} \times 100}$ ), whichever is closer to a degree that could constitute the sign, as measured using a hazard or nuisance. Moving, flashing, intermittently lighted, color changing, beacons, revolving or similarly constructed signs shall not be allowed foot-candle meter. Illumination levels shall be measured at an approximate height of three feet above grade.~~

**(b) ~~(2) Signs containing obscene matter. Signs containing~~Containing Obscene Matter**

~~Any sign that contains statements, words, or pictures of an obscene character.~~

**(c) ~~(3) Signs Interfering with traffic. Signs~~Traffic**

~~Any sign that imitates an official traffic sign or signal, or which contain the words "stop," "go slow," "caution," "danger," "warning" or similar words used on official traffic signs or signals. Signs which are. Any sign that is of a size, location, movement, content, coloring, or manner of illumination which that may be confused with or construed as a traffic control device; or which hidethat hides from~~

view any traffic or street sign or signal; or ~~which obstruct~~that obstructs the view in any direction at a street or road intersection.

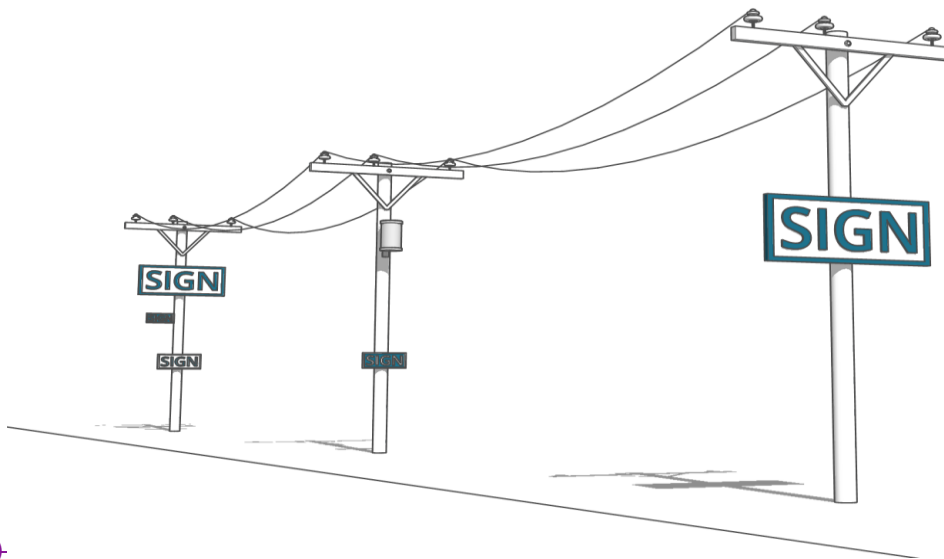
**(d) ~~(4) Portable and/or display signs. Display Signs~~**

Portable and/or display signs, except as described in ~~the MTC – McKinney Town Center zoning district section of this chapter, section 134-9(8).~~Sec. 134-9, Temporary Signs.

**(e) ~~(5) Painting, marking streets, sidewalks, buildings, utility poles, trees. Marking Streets, Sidewalks, Buildings, Utility Poles, Trees~~**

No person shall attach any sign, paper, or other material to, or paint, stencil, or write ~~any name or number (except house numbers)~~ on, or otherwise mark on any sidewalk, curb, gutter, street utility pole, tree, public building or structure unless authorized by this chapter or by the ~~city council~~City Council or its delegated representatives ~~(reference graphic 2).~~. See Fig. 134-3.

~~Note(s) – See editor's note, ch. 134~~Note(s) –



~~(6)~~

Figure 134-3: Prohibited Signs Affixed to Utility Poles

**(f) ~~Signs in, on or over public right-of-way, railroad right-of-way, public easements~~Public Right-Of-Way, Railroad Right-Of-Way, Public Easements or ~~designated fire lanes.~~Designated Fire Lanes**

No person shall place, erect, or allow to be placed or erected any sign in, on, or over public rights-of-way and easements, railroad right-of-way, or designated fire lanes except as described in ~~the MTC – McKinney Town Center zoning district provisions in section 134-9~~Sec. 134-10, or if erected by the ~~e~~City for public purposes. Detached signs shall maintain a setback as described in ~~section 134-7(e)(1).~~Sec. 134-8(b)(1)a.2.

**(g) ~~(7) Signs on fences, railings~~Fences, Railings, etc.**

No person shall paint a sign or attach a sign, ~~other than a nameplate,~~ to the outside of a fence or railing.

**(h) ~~(8) Searchlights.~~**

Searchlights are prohibited, unless specially permitted through the ~~chief building official.~~Chief Building Official, or their designee. An application for such permit shall be submitted to the ~~chief building official~~Chief Building Official or their designee 20 days prior to the event and shall indicate

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the number of searchlights, time of use, intended purpose, and location. ~~An application for such permit shall be submitted 20 days prior to the city council meeting when the permit is scheduled to be considered and shall indicate the number, time of use, intended purpose, and location. The fee for such permit application is as provided in Appendix A.~~

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**(i) ~~(9)~~ Roof Signs.**

Signs that are erected upon or applied to any roof are prohibited. A mansard-style roof shall be considered as part of the building facade and not the roof for the purpose of attached sign location. The term "sign" ~~herein in this subsection~~ shall not apply to ~~a religious symbol, unaccompanied by lettering, when applied to~~ the cornice, tower, or spire of a place of worship.

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**(j) ~~(10)~~ Wind-driven signs. Driven Signs**

Wind-driven signs are prohibited in all ~~zones~~ zoning districts, except as permitted as part of a ~~grand opening~~ change in occupancy or ownership event as described in ~~section 134-7(g)~~. ~~Sec. 134-9(d).~~

~~(11) Handbills. It shall be unlawful for any person to scatter, distribute, throw or attach handbills, circulars, cards, tear sheets, or any other advertising device of any description along or upon any street, sidewalk, or vehicle in the city.~~

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**(k) ~~(12)~~ Handbills**

Distribution of handbills shall be in accordance with Chapter 78 of the Code of Ordinances.

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**(l) ~~(11)~~ Banners or Pennants.**

Banners or pennants, other than those described in ~~section 134-7(e)(8)~~ ~~Sec. 134-8(b)(1)f.3~~ and ~~(f)~~, ~~Sec. 134-9(c)~~, are prohibited; provided, however, that banners and pennants may be permitted as part of a ~~grand opening~~ change in occupancy or ownership event as described in ~~section 134-7(g)~~. ~~Sec. 134-9(d).~~

---

**(m) ~~(13)~~ Inflatable Signs.**

Inflatable signs are prohibited in all ~~zones~~ zoning districts, except as permitted as part of a ~~grand opening~~ change in occupancy or ownership event as described in ~~section 134-7(g)~~. ~~Sec. 134-9(d).~~

~~(14) Temporary directional signs (off-premises).~~

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**(n) ~~(15)~~ Billboards.**

All new billboard signs are prohibited, except for those Billboards ~~which were~~ permitted prior to July 1, 2012, ~~which~~ may remain in accordance with the terms of this chapter and the Code of Ordinances, as ~~they may be~~ amended.

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**Sec. 134-6. All zoning districts.**

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**~~Sec. 134-7. The contents of this chapter are applicable to the corporate limits of the city only. General Sign Standards~~**

The following general provisions apply to signs in all zoning districts: ~~with the exception of the McKinney Town Center Zoning District, which is governed by Sec. 134-10.~~

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**(a) ~~(1)~~ Illuminated Signs**

~~Detached signs shall be engineered to withstand a wind load of 30 pounds per square foot.~~

~~(2) Abandoned signs shall be removed within 30 days after such business ceases.~~

~~(3)~~ All illuminated signs shall bear the Underwriters' Laboratories, Inc., (UL) label or be built in conformance with the ~~e~~City's electrical code requirements, as ~~may be~~ amended. Additionally, illuminated signs shall comply with the following provisions:

~~(e)~~ a. Any light used for the illumination of a sign shall be shielded so that the beams or rays of light shine directly onto the sign and not into surrounding areas.

(1) b. No sign or associated luminaire shall create light spillover of more than 0.1 foot-candles at any property line within or bounding a residential use or residential district.

~~(1)(2)~~ Neither the direct nor the reflected light from any light source shall create a traffic hazard or distraction to operators of motor vehicles on public thoroughfares.

~~(2)(3)~~ c. External illumination is allowed on the following signs:

- a. ~~1.~~ Signs in the MTC - McKinney Town Center zoning district;
- b. ~~2.~~ Detached signs on tracts 25 acres or greater in industrial zoning districts;
- c. ~~3.~~ Ground signs in business districts; and
- d. ~~4.~~ Institutional signs and apartment/multifamily use signs.

## (b) ~~(4)~~ Maintenance and Inspection

~~(3)(1)~~ Any ~~person having an interest in the sign for whom a permit is issued under this chapterholder for a sign~~ shall maintain all parts and supports of the sign ~~covered by such permit~~ in good condition to prevent deterioration, oxidation, rust, and other unsightly conditions.

~~(4)(2)~~ ~~(5)~~ The Building Inspections Department shall inspect annually, or at such other times as deemed necessary, each sign regulated by this chapter for the purpose of ascertaining whether the ~~same~~sign is secure or insecure, whether it still serves a useful purpose, and whether it is in need of removal or repair.

## Sec. 134-8 ~~Sec. 134-7. Business and agricultural~~ Permitted Signs

### (a) Attached Signs

#### (1) Non-Residential Zoning Districts

The following attached signs are allowed only in non-residential zoning districts.

~~(5)(1)~~ ~~(a)~~ Billboards. ~~New billboards are prohibited. Existing billboards shall be considered non-conforming signs and shall comply with section 134-11, with the exception of billboards fronting on U.S. Highway 75/Central Expressway, which may be structurally altered and/or replaced, but shall not exceed a height of 40 feet or an area of 300 square feet per side. Height shall be measured from the ground level of the street or road upon which the sign faces (including frontage roads), or from the ground level of the billboard location, if such ground level is above the street or road level.~~

### ~~(p)~~ (b) On-premises attached signs.

#### a. (1) Sign allowance. Allowance

##### 1. Building Façade with street frontage:

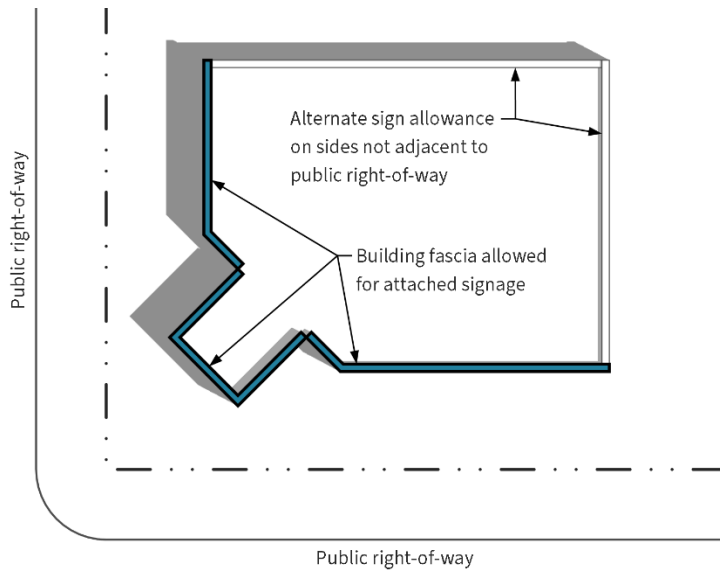
i. The total area per face of a sign shall not exceed 1½ square feet of face area for each linear foot of building ~~fascia length.~~ frontage. If the lot on which the building is located has frontage on more than one right-of-way, each side of the building with street frontage shall be used for purposes of determining attached sign allowance. See Fig. 134-4.

ii. Allowances for individual occupancies within a multiuse building shall be calculated on leased or occupied ~~fascia length.~~ If the lot on which the building is located has multiple right-of-way frontage, each street frontage shall be counted for purposes of determining attached sign allowance. Said signage is to be applied (distributed) on the sides of the building where facing directly adjacent to the public right-of-way. Alternate signage is allowed on sides of the building not

adjacent to the public right-of-way not to exceed one-third of the allowance or 25 square feet, whichever is less (reference graphic 3)-length of frontage.

~~Note(s) See editor's note, ch. 134~~~~Note(s)~~

2. ~~(2)~~ **Building Façade without street frontage:**
  - i. ~~Alternate signage is allowed on sides of the building not adjacent to a public right-of-way, not to exceed 25 square feet. See Fig. 134-4.~~
3. ~~The maximum calculated square footage for each building frontage applies per street frontage and may not be combined or distributed to other building frontages.~~



**Figure 134-4: Sign location Allowance**

**b. Sign Location**

Attached signs may be located on a building wall; but, if any part of the sign projects above the ceiling line of the first floor, then no window or part of a window shall be situated within or blocked by the flat wall sign. No such sign shall extend above the roofline of the building or more than 12 inches ~~from beyond~~ the building wall. (See ~~section 134-5(9) for description of Sec. 134-13, "Sign, roof-"~~). Where such signs are located on mansard-style roofs, and the building fascia is not vertical, the bottom of such sign shall not project more than 12 inches from said roof and the sign can be oriented in a vertical manner. ~~The staff shall promulgate such graphic to illustrate sign location and orientation.~~

**b.c. (3) Sign and ~~letter/logo height~~ Letter/Logo Height in ~~Relation to building height~~ Building Height**

1. ~~a.~~ **a.**—For multistory structures, attached signage as described in subsection ~~(b)(4)(1)(1)(1)a)~~ of this section is allowed between the ground ~~levels~~ level up to a height of 24 feet.
2. ~~b.~~ **b.**—For multistory structures that are four stories in height or more, the following standards ~~shown in Table 134-1: Sign and Letter Height on Multistory Structures~~ shall apply to letter/logo height in relation to building height:.

~~(2) 1.~~ **1.**—Maximum height is as follows:

**Table 134-1: Sign and Letter Height on Multistory Structures (4+ stories)**

Height of <del>sign, 4 stories or greater</del> Building	Maximum <del>letter/logo height</del> Letter/Logo Height (inches)
--	---

4 stories	36 inches
5 to 10 stories	48 inches
11 to 15 stories	60 inches
16 stories and above	72 inches

- i. When a sign is totally composed of individually mounted letters, either one letter or one logo may be 25 percent taller than the maximum letter/logo height.
- ii. ~~3.~~ Such signage shall be located between the floor level of the top floor and the top of the fascia wall ~~(reference graphic 4).~~ See Fig. 134-5.

~~Note(s) — See editor's note, ch. 134 Note(s) —.~~



**Figure 134-5: Permitted Sign Location**

~~(4)~~

**d. Projecting ~~signs.~~ Signs**

**1. Sign Allowance**

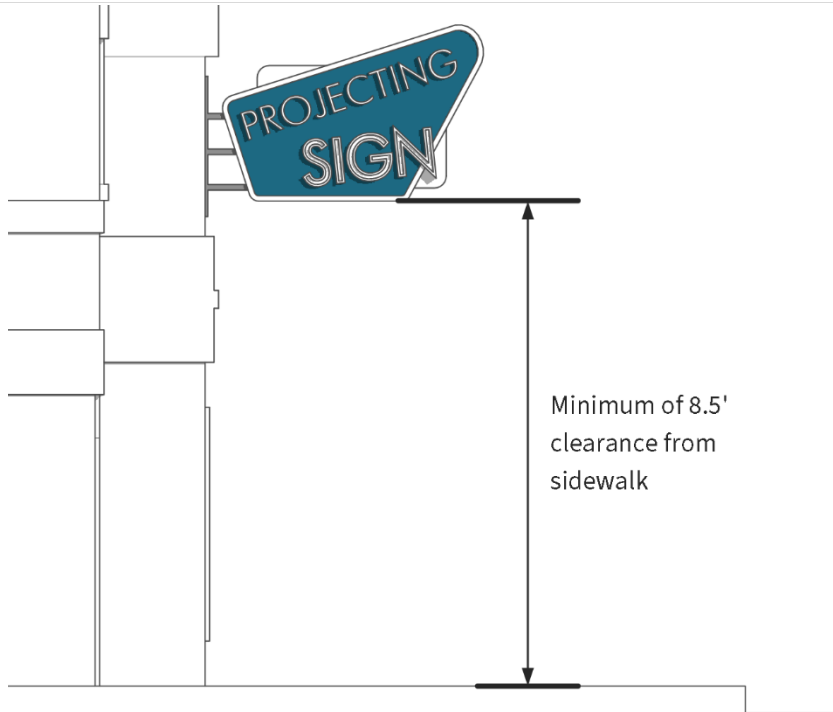
~~Projecting signs shall be no more than 15 square feet in size and shall not exceed 5 feet in height.~~

**2. Sign Location**

~~Projecting signs may project a maximum of five feet from the façade of the building and or 50 percent or less of the width of the sidewalk adjacent to the building, whichever is less. The sign may extend into right-of-way or above a pedestrian walkway or sidewalk as long as the sign is a minimum five feet back from the back of curb.~~

**3. Sign Clearance**

~~When projecting over a public or private sidewalk, a projecting sign shall have a minimum ground clearance of eight between the ground and one-half feet. Projecting signs shall be no more than 15 square feet in size the bottom of the sign of 8.5 feet. See Fig. 134-6.~~



**(b) Detached Signs**

**(1) Non-Residential Zoning Districts**

The following detached signs are allowed in non-residential districts only, subject to the following regulations:

**a. Pole and Ground Signs**

**1. Generally**

Detached signs shall be engineered to withstand a wind load of 30 pounds per square foot.

**~~(q) – (c) On-premises detached ground or pole signs.~~**

**2. ~~(1) Location~~**

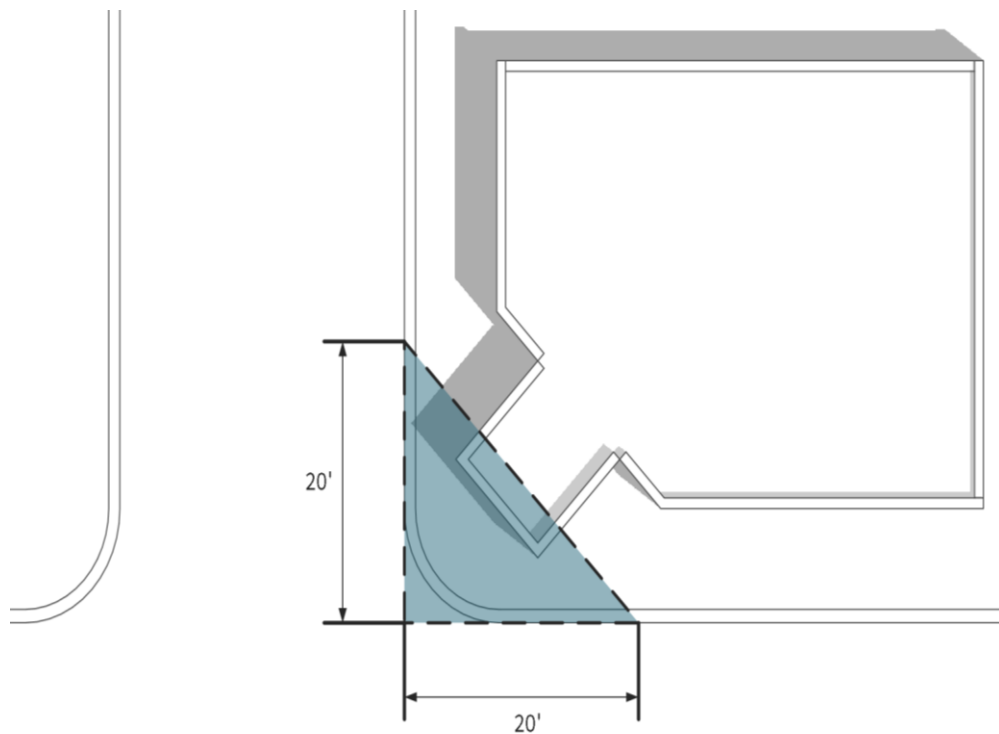
- i. Except for signs located within a distance of 50 feet from the right-of-way lines of the linear segments of streets listed in this subsection and situated so as to be viewed from such streets, on-premises, detached ~~advertisement and identification~~ signs shall be restricted to ground signs only. Pole signs shall be allowed only along the following linear segments of streets ~~(reference Table 1– Pole Signs):~~:
  - a. U.S. 75/Central Expressway, full length within the corporate limits of the City;
  - b. Texas Highway 121, full length within the corporate limits of the City;
  - c. University Drive, between Central Expressway and McDonald Street

~~Note: If the stated linear segment does not reference a beginning or ending cross street, the segment shall mean the entire length of such street within the corporate limits or from the stated cross street to the corporate limits, as the case may be.~~

- ii. ~~The city council~~The Board of Adjustments, convening as a Sign Board, upon specific application, may approve an exception to allow a pole sign at a location where prohibited herein if the ~~council~~Sign Board determines that ~~a general condition of~~ pole signs exists in the immediate vicinity and the proposed pole sign would be consistent with ~~such established~~existing conditions ~~in the vicinity.~~



- iii. a. *Pole sign regulations.* Where allowed, pole signs shall conform to the following restrictions and limitations (reference Table 1—No such sign shall be erected within 20 feet and must be out of the site visibility triangle of the street intersection, unless the bottom of the sign exceeds 42 inches in height above ground level, and the sign is set back from the right-of-way as stated in the Table 134-3: **Ground Signs** Table 134-32, Pole Signs. See Fig. 134-7.



**Figure 134-7: Visibility Triangle**

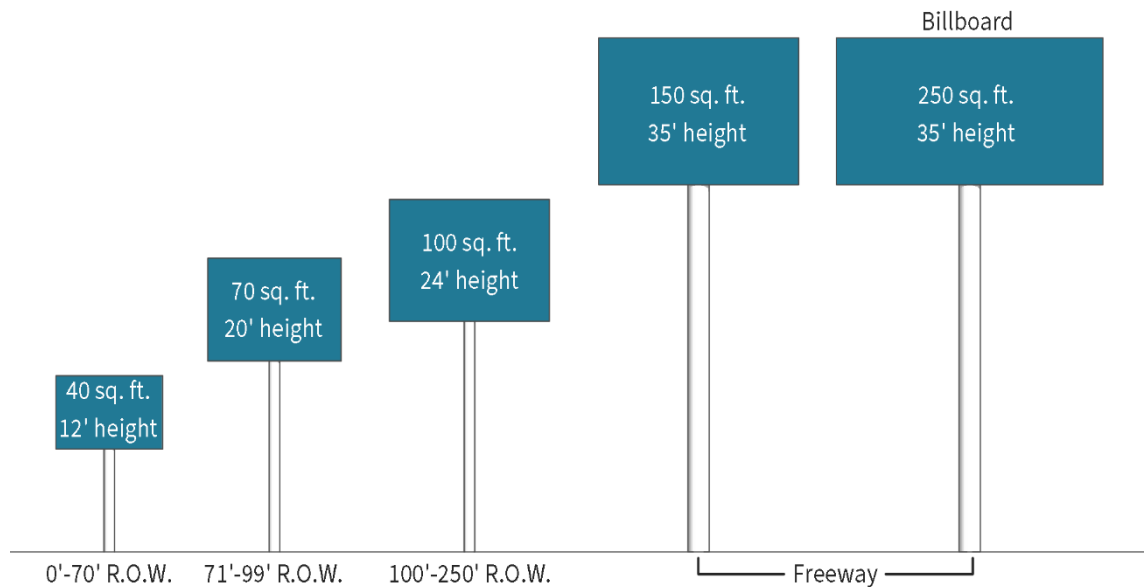
**(r) Pole Signs:**

\*Pole sign not allowed. See regulations for ground signs which follow.

**(s) b. On-premise detached ground signs.** Ground signs shall conform to the following restrictions and limitations (Table 2—**Ground Signs**):

**(t) c. Multiuse signs.** A multiuse sign that identifies a coordinated development site of more than one use, such as a shopping center, office center, or industrial park, may have a sign area not larger than 1.5 times the area allowed for a single use sign on the site, or a maximum of 200 square feet, whichever is less. A multiuse sign may contain a directory or listing of the occupants within a center or multiuse development. If a directory is utilized, the remainder of the sign area shall contain only the identification of the entire center or entire development. If a multiuse sign area exceeds that allowed for a single use, no detached ground or pole sign is allowed for any single use within the center or development, or for any use listed in a directory on such sign.

- iv. (2) When determining requirements for allowable detached ground or pole signs under the above table, pursuant to **Error! Reference source not found. Table 134-2** or **Table 134-3: Ground Signs** Table 134-3, first determine the right-of-way width adjacent to the subject lot, then determine the lot frontage. Next, determine the maximum square footage per side, setback from adjacent rights-of-way, and the maximum height by reading vertically below the applicable lot frontage. See Fig. 134-8.



**Figure 134-8: Sign Height and Square Footage**

- v. Where there is more than one detached sign on a site, there shall be a minimum separation of 20 feet between each detached sign.
- 3. **Size and Number of Signs**
  - i. Lots on which a building or buildings have multiple frontage:
    - a. **Lots three acres or greater:** one ground or pole sign is permitted per street frontage based on sign allowances in Table 134-2 and Table 134-3.
    - b. **Lots less than three acres:** one ground or pole sign is permitted per street frontage with a maximum of 60 square feet per side per sign and a maximum height of 20 feet.
    - c. **Lots located at the intersection of a major thoroughfare and a freeway:** one ground or pole sign is permitted per street frontage, the size to be based on allowances in Table 134-2 and Table 134-3
    - d. **Exception:** If two of the allowable detached signs are combined into one detached sign, then the signage may exceed by 50 percent the total allowable signage of the largest permitted sign up to a maximum of 200 square feet per side.
- 4. **Calculation of Sign Height**
  - i. To calculate the height of a sign, measurement shall be made from the top of the curb adjacent of the street upon which a sign faces or from the natural ground level, if above curb level, to the top of the sign.
  - ii. Construction of a berm or earthen mound for the purpose of increasing height of signage is prohibited. To calculate the height of a sign, measurement shall be made from the top of the curb adjacent of the street upon which a sign faces or from the natural ground level, if above curb level, to the top of the sign. Construction of a berm or earthen mound for the purpose of increasing height of signage is prohibited.
- 5. **Calculation of Sign Setback**
  - i. For the purpose of calculating the distance from a street right-of-way line where the existing street right-of-way width is less than that required in the thoroughfare plan and subdivision ordinance, such distance shall be measured from the line of

such right-of-way as required by such plan or ordinance (adding equal amounts to each side of the existing right-of-way) rather than from the existing right-of-way line. ~~Freeways are as proposed by the thoroughfare plan of the city.~~

~~(3) No such sign shall be erected within 20 feet of the street intersection, unless the bottom of the sign exceeds 42 inches in height above ground level, and the sign is set back from the right-of-way as stated in the table above (reference graphic 6).~~

~~Note(s)—See editor's note, ch. 134Note(s)—.~~

~~(4) If the lot on which a building or buildings are located has multiple right-of-way frontages and is three acres or greater, two detached ground or pole signs are permitted (one per frontage) based on sign allowances in subsection (c)(1) of this section. If such a building or buildings are located on a lot less than three acres, two detached ground or pole signs are permitted with a maximum of 60 square feet per side per sign and a maximum height of 20 feet. On lots located at the intersection of a major thoroughfare and a freeway, two detached ground or pole signs are permitted, the size to be based on subsection (c)(1) of this section. All detached signs shall have a minimum of 20 feet of separation from the largest permitted sign.~~

~~(5) If two of the allowable detached signs are combined into one detached sign, then the signage may exceed by 50 percent the total allowable signage of the largest permitted sign up to a maximum of 200 square feet per side.~~

~~ii. (6) Freeways are as proposed by the Master Thoroughfare Plan of the City.~~

**6. Other Regulations**

~~ii.i. When electrical service is provided to detached signs, all such electrical service shall be underground.~~

~~(7) All detached ground signs shall be framed, and finish materials used on the sign frame shall match or be complementary to exterior finishing materials of the primary structure on the site.~~

**b. Pole Signs**

Pole signs, only in locations expressly permitted in Sec. 134-8(b)(1)a.2, shall conform to the following restrictions and limitations:

**Table 134-2: Pole Signs**

	0-foot to 70-foot ROW (feet)			71-foot to 99-foot ROW (feet)			100-foot to 250-foot ROW (feet)		Freeway (feet)
Minimum width of lot frontage	50	100	150	50	80	100	100	200	125
Maximum square footage per side	20	30	40	50	60	70	80	100	150
Setback from street ROW line or any property line	5	5	10	10	10	15	15	15	15
Maximum height	[1]	8	10	20	20	20	24	24	40

**Notes:**

[1] Lots with multiple frontages are permitted one sign per frontage. Sign area allowances for multiple frontages may be combined into one sign, with area up to 150% of the largest allowance, or 200 square feet, whichever is less.

**c. Ground Signs~~(8)~~**

Ground signs shall conform to the following restrictions and limitations:

**Table 134-3: Ground Signs**

	0-foot to 70-foot ROW (feet)			71-foot to 99-foot ROW (feet)			100-foot to 250-foot ROW (feet)		Freeway (feet)
Minimum width of lot frontage	50	100	150	50	80	100	100	200	125
Maximum square footage per side	20	30	40	50	60	70	80	100	150
Setback from street ROW line	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5
Setback from any property line other than ROW	5	5	10	10	10	15	15	15	15
Maximum height	3.5	6	6	6	6	6	8.5	8.5	10

**Notes:**

[1] Lots with multiple frontages are permitted one sign per frontage. Sign area allowances for multiple frontages may be combined into one sign, with area up to 150% of the largest allowance, or 200 square feet, whichever is less.

**d. Multiuse Signs**

A multiuse sign located at the entrance of a coordinated development site with more than one use, such as a shopping center, office center, or industrial park, may have a sign area not larger than one and one-half times the area allowed for a single-use sign on the site, or a maximum of 200 square feet, whichever is less. If a multiuse sign area exceeds the allowance for a single use, no additional detached ground or pole sign is allowed for any single use within the center or development.

**e. Development Entrance Signs**

1. Detached ground signs are permitted at the entrances of residential development located in commercial zoning districts located on more than one lot and bisected by one or more publicly dedicated streets. Such signs shall conform to the following restrictions and limitations:

**Table 134-4: Development Entrance Signs**

<u>Size</u>	<u>Maximum size (square feet)</u>	<u>Maximum height (feet)</u>
<u>Under 10 acres</u>	<u>36</u>	<u>6</u>
<u>10 acres and above</u>	<u>64</u>	<u>8</u>

2. Signs may be located at each corner of the intersection.

**b-f. Automobile dealership signs-Dealership Signs**

**1. a. ~~Number per lot~~ Per Lot**

**i. ~~1.~~ Primary detached signs. ~~There~~**

Each franchise within an automobile dealership shall not be more than allowed one primary sign for each franchise up to a maximum of detached sign, although no automobile dealership shall be allowed more than three primary signs per dealership.

**ii. ~~2.~~ Secondary detached signs. ~~Secondary signs shall be permitted only if used for pre-owned automobiles and limited to one per~~**

One secondary detached sign per automobile dealership shall be allowed.

2. ~~b.~~ **Area, Location and height requirements, Height Requirements**
  - i. ~~1.~~ **Primary detached signs.** All primary detached signs shall conform to provisions within this section.
  - ii. ~~2.~~ **Secondary detached signs.** Secondary signs shall be limited to one-half of the area of the primary detached sign and a maximum of 24 feet in height.
  - iii. ~~3.~~ **Minimum separation.** All signs shall be separated by a minimum distance of 100 feet.
3. ~~c.~~ **Banners and pennants.**  
Such signage is allowed on light standards and poles, as long as signage does not exceed 20 square feet per pole or sign and is not strung or affixed in any manner other than from brackets on single poles ~~(reference graphic 7)~~. See Fig. 134-9.  
~~Note(s) — See editor's note, ch. 134 Note(s) —~~

~~(u)~~ **(d) Development identification signs.**

(1) Project information or identification detached ground signs are permitted at the entrances of major offices or industrial park developments located on more than one lot and bisected by one or more publicly dedicated streets. They shall be allowed under the following size restrictions:

Size	Maximum size (square feet)	Maximum height (feet)
Under 10 acres	36	6
10 acres and above	64	8

(2) Signs may be located at each corner of the intersection of an entrance street.

~~(v)~~ **(e) Real estate signs.**

- (1) ~~Generally.~~ One real estate sign, not exceeding 32 square feet in sign area and 12 feet in height, shall be permitted on tracts of 50 acres or less, and not exceeding 96 square feet in area and 16 feet in height for tracts of land over 50 acres. On tracts of 50 acres or greater with 1,000 feet of frontage adjacent to the public right of way, a sign not to exceed 200 square feet per side and 16 feet in height shall be permitted. The sign shall be removed no later than 30 days after the closing of the real estate conveyance. For setback requirements, refer to subsection (c)(1) of this section. Such signs shall not require a permit if they measure 32 square feet or less.
- (2) ~~Temporary directional signs.~~ Nonpremises directional signage shall be prohibited within the city limits.
- (3) ~~Construction sites.~~ On building construction sites, one sign shall be permitted for all participating building contractors and subcontractors, one for all participating professional firms, one for all participating lending institutions and one for each property owner on the construction site, subject to a maximum of three signs for each construction site, each such sign to be 32 square feet in sign area or less, and that such signs must be removed prior to the issuance of a certificate of occupancy for said building.
- (4) ~~Nonpremises real estate signs.~~ Nonpremises real estate signs shall be permitted based on the following criteria:

- ~~(w)~~ a. One such sign shall be permitted per area between 100 acres and 249 acres;
- ~~(x)~~ b. Two such signs shall be permitted per area between 250 acres and 499 acres;
- ~~(y)~~ c. Three such signs shall be permitted for 500 acres and three additional signs shall be permitted for each 500 acres thereafter;
- ~~(z)~~ d. The allowable signage shall be based on the original size of the zoning area;
- ~~(aa)~~ e. Real estate signs shall be allowed in all nonplatted zoning districts;
- ~~(bb)~~ f. The size of such sign shall be a maximum of 32 square feet and eight feet in height unless adjacent to U.S. Highway 121, 75, or 380, where 96 square feet and 16 feet in height is allowed;
- ~~(cc)~~ g. A permit shall expire after two years. Said permit may be renewed upon request by the property owner for another two-year period;
- ~~(dd)~~ h. A permit fee as determined from time to time by city council per sign shall be paid; and

~~(ee) i.—There shall be a minimum separation between each sign of 500 feet.~~

~~(ff) (f) Temporary promotional banners, posters, and pennants. Temporary promotional signs, including, but not limited to, banners, posters and pennants, containing, but not limited to, the following verbiage: "Now Hiring," "Applications Here," "We Finance," "Open 24 Hours," "Sale," or "Price Special," shall be permitted, subject to the following guidelines:~~

~~(1) Food-service businesses. For businesses whose primary purpose is the sale of food for immediate consumption, such signage shall be considered as part of the overall sign allowance and shall not be limited as to time of display; and the means of attachment shall not be visible from the public right-of-way.~~

~~(gg) a.—New business. For a new business, such signage shall not exceed 25 square feet and shall be included as part of the total allowable attached or detached signage. Such signage shall have a permanently affixed location, which is integrated and compatibly designed as a component of the building, canopy, fascia wall or detached sign. The fee for such signage shall be included as part of the original sign package, and no subsequent fees will apply if included as part of the permanent signage.~~

~~(hh) b.—Existing businesses. For businesses that are existing at the time of the effective date of the ordinance from which this chapter is derived, such signage shall be permitted at a permanently designated location on the building, canopy or fascia wall and shall not exceed 25 square feet. There shall be a permit obtained for the manner of designation and affixing of temporary banners and a one-time permit fee as determined from time to time by city council shall be charged for each such location designation.~~

~~(2) Non-food-service businesses. For businesses other than food service, such signage shall be permitted four times per year, maximum 50 square feet for a maximum of a 30-day period. A permit fee as determined from time to time by city council shall be applicable per 30-day period, unless all four periods are scheduled in advance; then a permit fee as determined from time to time by city council will be applicable covering all four such periods.~~



**Figure 134-9: Banner Attachment to Poles**

~~The means of attachment shall not be visible from the public right-of-way.~~

~~(3) Signs in interior of windows. For new and/or existing businesses that are food or non-food service establishments, such signage is permitted in the interior of windows without a permit; provided that not more than 40 percent of the transparent area is occupied at one time (reference graphic 9).~~

~~Note(s)—See editor's note, ch. 134Note(s)—.~~

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~~(ii) (g) Grand opening signage. A permit for grand opening signage is allowed one time only for each new business. A change of ownership of less than 75 percent of the owners does not qualify as a new business. A permit for grand opening signage may include banners, balloons, pennants, feather flags and wind driven signs. Grand opening permits may only be issued within 90 days of the issuance of a certificate of occupancy and shall be limited to seven days. The fee for grand opening signage shall be as set forth in Appendix A, and as determined from time to time by city council.~~

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- ~~(1) Securing signs. Banners, balloons, pennants and wind driven signs shall be securely tethered, fastened or affixed to the ground or structure.~~  
~~(2) Number of signs. Feather flags used for a grand opening event shall be limited to two flags per site.~~
- 

~~(jj) (h) Items of information. An item of information is defined as a symbol, a word, a logo, an initial, an abbreviation or a group of numbers. The amount of information that any attached or detached sign can contain shall be based on the following criteria:~~

---

- ~~(1) No sign shall display more than ten items of information.~~  
~~(2) Lettering three inches in height or less is not included when determining an item of information.~~  
~~(3) Letters less than 19 inches high which are carved into the fabric of a building or decorative screening walls or attached securely to the wall are not counted as items of information; provided that they are not specially illuminated and are not constructed of a shiny material, or their color does not contrast sharply with that of the building surface, and they do not exceed two inches in thickness.~~
- 

~~(kk) (i) Apartment signs. All apartment complex signs located in business zoning districts shall conform to the provisions as defined in section 134-8(5).~~

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~~g. (j) **Changeable Electronic Variable Message Signs**~~

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~~(ll) **The size of a changeable electronic variable message signs:**~~

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- ~~1. (1) The size of a sign shall not exceed 60 square feet.~~
- ~~2. (2) A sign shall display static images for a period of at least eight seconds.~~
- ~~3. (3) Variable message signs shall not be animated, flash, travel, blink, fade, or scroll. Variable message signs shall transition instantaneously to another static image.~~
- ~~4. (4) In all zoning districts, signs shall come equipped with automatic dimming technology, which automatically adjusts the sign's brightness based on ambient light. A sign existing prior to the adoption of this ordinance shall only be required to include automatic dimming technology upon any upgrade or retrofit of the existing sign.~~
- ~~5. (5) A sign shall not exceed a brightness level of 0.3 foot-candles above ambient light as measured by the guidelines below:
  - ~~i. a. At least 30 minutes past sunset, use a foot-candle meter to record the ambient light reading for the area. This reading is performed while the digital sign is off or displaying all black copy.~~
  - ~~ii. b. Take a reading using foot-candle meter at five feet above grade and 45 feet from the sign.~~
  - ~~iii. c. The meter shall be aimed directly at the digital sign.~~
  - ~~iv. d. Turn the sign on and illuminate entirely in white or red.~~
  - ~~v. e. Take a reading using a meter at five feet above grade and 45 feet from the sign.~~
  - ~~vi. f. The meter shall be aimed directly at the digital sign.~~
  - ~~vii. g. If the difference between the two readings taken above is 0.3 foot-candles or lower, then the sign is in compliance. If the result is greater than 0.3 foot-candles, the sign is out of compliance and must be adjusted to meet standards or turned off until compliance can be met.~~
  - ~~viii. h. All measurements shall be taken in foot-candles.~~~~

6. ~~(6) Exception.~~ Temporary signs required by government agencies for road and street repairs, public notifications, traffic control, and similar activities ~~are exempt from the provisions of this section.~~

~~h. (k)~~ **Directional kiosk signs. Kiosk Signs**

Multi-tenant shopping centers, office parks, industrial parks, and medical centers shall be permitted no more than five directional kiosk signs. These signs must be located on private property within the development, shall not be located to be visible from the public right-of-way ~~and shall only list and provide direction to individual businesses within the overall development.~~ Such signs shall be limited to 6 feet in height and a maximum 16 square feet in sign area per side. Once permitted, the text content on a directional kiosk sign may be amended without the necessity of additional permitting as tenants change within the development.

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~~(mm) (l)~~ **Temporary directional signs during street construction. During periods where City, TxDOT or county road construction alters drive approaches or entrances into commercial property, temporary signs may be permitted to alert the public of entrance locations. Such signs, if permitted, shall conform to the following standards:**

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- ~~(1) (1)~~ Signs shall be limited to a total of 16 square foot in area and may not be more than six feet in height.
- ~~(2)(1) (2)~~ Only one sign is permitted per drive approach. Signs shall be attached to a temporary post and must be located on private property. Sign placement shall not block the line of sight for traffic and the sign shall be maintained by the property owner.
- ~~(3)~~ Signs shall consist of white lettering on a blue background and verbiage is limited to directional information such as "Business Open Enter Here" or similar language, but cannot advertise the business name or logo.

~~(2) (4)~~ **An application for a directional sign, including a map showing the proposed location of the sign, must be completed by the property owner prior to sign placement. Residential and Non-residential Districts**

The city maintains the right to remove the sign without notice in the event there is a violation of any of the above-listed requirements.

- ~~(5)~~ During the reconstruction of Highway 75, Central Expressway, (the "Reconstruction") additional temporary signs and banners may be permitted to alert the public of business locations fronting on Highway 75. Such signs, if permitted, shall conform to the following standards:

~~(nn) a.~~ Temporary banners, in addition to those described elsewhere in this section, may be permitted on properties fronting on Highway 75 during the Reconstruction only. Such banners shall be limited to one banner per property not to exceed 150 square feet in area. Each banner shall be securely fastened and mounted flat against the face of a permanent structure and facing toward Highway 75.

~~(oo) b.~~ Temporary signs alerting the public of entrance locations may be increased to a maximum of 36 square feet in area and may not be more than 8 feet in height. Signs shall be attached to one or more temporary posts and must be located on private property. One such sign is permitted per drive approach and shall not block the line of sight for traffic and the sign shall be maintained by the property owner.

~~(pp) c.~~ Signs shall consist of white lettering on a blue back ground. Business names and logos detached sign are permitted on such signs.

~~(qq) d.~~ An application for a directional sign, including a map showing the proposed location of the sign, must be completed by the property owner prior to sign placement. ~~allowed in both residential and non-residential. The City maintains the right to remove the sign without notice in the event there is a violation of any of the above-listed requirements.~~ All such signs and banners must be removed from the property within thirty (30) days of final completion of that portion of the Reconstruction immediately adjacent to the property in question.

~~(rr) e.~~ According to the schedule provided by the Texas Department of Transportation ("TxDOT"), the reconstruction of US 75 will be completed before June 1, 2015. By that date, all main lanes and frontage road lanes along this section of US 75 will be open to traffic and the disruption to adjacent properties resulting from the ongoing work by TxDOT's contractor will have ceased. Therefore, the temporary allowance for additional signage provided hereby shall expire on July 1, 2015 and all signs and banners approved in accordance with this section must be removed prior to that date.



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## **Sec. 134-8. Nonbusiness zoning districts.**

~~The, subject to the following signs are permitted in nonbusiness zoning districts unless specifically stated within regulations:~~

- ~~(1) *Nameplates.* A nameplate, not exceeding two square feet in area, containing only the name of the resident, the title of the person conducting a permitted home occupation, the name of the building and the sign of the agent.~~
- ~~(2) *Institutional signs.* An institutional sign, not exceeding 25 square feet per face, and eight feet in height, erected upon the premises of a church or other public or semipublic institution, for the purpose of displaying the name of the institution, and its activities or services. Such sign shall require a permit and may be illuminated according to the provisions contained within section 134-6(3).~~
- ~~(3) *Real estate signs.* A real estate sign, non-illuminated, advertising the sale or development of a subdivision containing an area of not less than seven lots erected upon the property developed and advertised for sale; provided such sign is not in excess of 32 square feet in size, and eight feet in height, and not more than one such sign is placed per street frontage. Such signs shall be removed when the property is sold.~~
- ~~(4) *Contractor's signs.* A contractor's sign, non-illuminated, advertising the development or improvement of a property by a builder, contractor or other person furnishing service, materials or labor to said premises during the period of construction; provided any such sign is not in excess of 32 square feet in size and eight feet in height; and such sign shall be removed prior to the issuance of a certificate of occupancy for said property.~~
- ~~(5) *Apartment signs.* One identification sign per multifamily development; provided such sign does not exceed 25 square feet in area at the primary entrance; and one sign per secondary entrance is not to exceed 16 square feet. Such sign shall require a permit and may be illuminated according to the provisions contained within section 134-6(3).~~
- ~~(6) *Bed and breakfast.* One attached sign shall be permitted on the premises. Such sign shall not exceed four square feet in area and shall not include the word "hotel" or "motel."~~
- ~~(7) *Nonpremises temporary directional signs.* Nonpremises directional signs shall be prohibited in the city limits as described in section 134-7(e)(2).~~

~~a. **(8) Development identification signs. Project information or identification Entrance Signs**~~

~~In residential zone districts, detached ground signs are permitted at the entrance of residential subdivisions that are bisected by one or more publicly dedicated streets. The maximum size shall be 32 square feet per sign with a maximum height of six feet. Signs may be located at each corner of the intersection of an entrance street.~~

~~b. **Sec. 134-9- Institutional Use Signs**~~

~~An institutional use shall be allowed one sign, not to exceed 25 square feet per face, and eight feet in height, erected upon the site of the institutional use. Such sign shall require a permit and may be illuminated according to the provisions contained within Sec. 134-7(a).~~

~~c. **Multi-Family Residential Use Signs**~~

~~One sign per multi-family residential development shall be allowed, provided such sign does not exceed 25 square feet in area at the primary entrance; and one sign per secondary entrance that is not to exceed 16 square feet. Such signs shall require a permit and may be illuminated according to the provisions contained within Sec. 134-7(a).~~

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## **Sec. 134-9 Temporary Signs**

This section is applicable in both residential and non-residential zoning districts.

### **(a) Yard Signs**

- (1) One temporary freestanding yard sign shall be allowed subject to the following standards:
  - a. On tracts of land 50 acres or less, one freestanding yard sign, not exceeding 32 square feet in sign area and 12 feet in height.
  - b. On tracts of land over 50 acres, one freestanding yard sign, not exceeding 96 square feet in area and 16 feet in height.

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c. On tracts of land over 50 acres with 1,000 feet of frontage adjacent to the public right-of-way, a sign not to exceed 200 square feet per side and 16 feet in height shall be permitted.

(2) For setback requirements, refer to Sec. 134-8(b)(1)c.

(3) Freestanding yard signs measuring 32 square feet or less shall not require a permit.

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**(b) A-Frame Sidewalk Signs**

Temporary A-frame sidewalk signs are only permitted in the MTC -- McKinney Town Center zoning district- for businesses that have an entrance immediately adjacent to a public sidewalk. The temporary signs shall meet the standards in section 134-10(f).

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**(c) Banners, Posters, and Pennants**

Temporary signs, including, but not limited to, banners, posters, and pennants shall be permitted, subject to the following standards:

(1) Temporary banners, posters, and pennants shall be permitted for a maximum of a 30-day period, up to four times per year.

(2) Such signs shall not exceed 50 square feet.

(3) ~~The means of attachment shall not be visible from the public right-of-way.~~

(4) A permit fee as determined from time to time by City Council shall be applicable per 30-day period, unless all four periods are scheduled in advance; then a permit fee as determined from time to time by City Council will be applicable covering all four such periods.

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**(d) Change in Occupancy or Ownership Temporary Event Signage**

(1) One additional permit may be obtained per year in conjunction with a change in occupancy or ownership event and be limited to seven day duration.

(2) ~~A change of ownership of less than 75 percent of the owners does not qualify as a new business.~~

(3) Such permits may only be issued within 90 days of the issuance of a certificate of occupancy and shall be limited to seven days.

(4) A permit for change of occupancy signage may include banners, balloons, pennants, feather flags and wind-driven signs.

(5) Banners, balloons, pennants, and wind-driven signs shall be securely tethered, fastened, or affixed to the ground or structure.

(6) Feather flags used for a change of occupancy or ownership event shall be limited to two flags per site.

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**(e) Temporary Signs During Public Right-of-Way Improvements**

During periods where the City of McKinney or the Texas Department of Transportation street improvements alter driveway approaches or entrances into non-residential property, temporary signs may be permitted. Such signs shall conform to the following standards:

(1) ~~Signs shall be limited to a total of 16 square feet in area and may not be more than six feet in height.~~

(2) Only one sign is permitted per driveway.

(3) ~~Signs shall be attached to a temporary post and must be located on private property. Sign placement shall not block the line of sight for traffic and the sign shall be maintained by the property owner.~~

(4) An application for a temporary sign under this subsection must include a map showing the proposed location of the sign, and must be completed by the property owner prior to sign

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placement. The City maintains the right to remove the sign without notice in the event there is a violation of any of the above-listed requirements.

(5) During reconstruction of any highway, arterial or collector street, additional temporary signs and banners may be permitted. Such signs shall conform to the following standards:

- a. One temporary banner, per property not to exceed 150 square feet in area. Each banner shall be securely fastened and mounted flat against the face of a permanent structure and facing the right-of-way under construction.
- b. Temporary signs placed at the public entrance of businesses and other uses may be increased to a maximum of 36 square feet in area and may not be more than 8 feet in height. Signs shall be located on private property. One such sign is permitted per driveway and shall not block the line of sight for traffic and the sign shall be maintained by the property owner.
- c. All such signs and banners must be removed from the property within 30 days of final completion of that portion of the reconstruction immediately adjacent to the property in question.

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**(f) Neighborhood Construction Signs**

One non-illuminated sign shall be permitted upon the approval of a plat for a residential subdivision containing an area of not less than seven lots. The neighborhood construction sign shall be erected upon the property and shall not exceed 32 square feet in area, and eight feet in height, and not more than one such sign is permitted per street frontage. Such signs shall be removed no later than 30 days after the closing of the final real estate conveyance or the issuance of a certificate of occupancy, whichever is later.

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**(g) Construction Site Signs**

**(1) Residential Districts**

On building construction sites, one non-illuminated sign shall be allowed on the site provided that the sign shall not exceed 32 square feet in area, and eight feet in height. Such sign shall be removed prior to the issuance of a certificate of occupancy or completion for said building.

**(2) Non-Residential Districts**

On building construction sites, one sign shall be permitted for all participating building contractors and subcontractors, one for all participating professional firms, one for all participating lending institutions and one for each property owner on the construction site, subject to a maximum of three signs for each construction site. Each sign shall be no greater than 32 square feet with a maximum height of 8 feet, and shall be removed prior to the issuance of a certificate of occupancy for said building.

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**(h) Undeveloped Real Estate Site Signs**

On undeveloped real estate sites, one non-illuminated sign per right-of-way frontage shall be allowed on the site provided that the sign shall not exceed 64 square feet in area, and 12 feet in height. Such sign shall not face a residential neighborhood, unless separated by a major thoroughfare.

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- (1) The sign shall be located a minimum of fifteen feet (15') from any property line.
  - (2) The sign may be constructed of wood, metal, plastic, or equivalent durable material.
  - (3) The sign shall have attached, written, or painted in a weatherproof manner the date of placement and the permit number of the sign, in letters not less than one inch (1") in height, in a conspicuous place thereon.

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## Sec. 134-10 MTC - McKinney Town Center Zoning District

### (a) Applicability

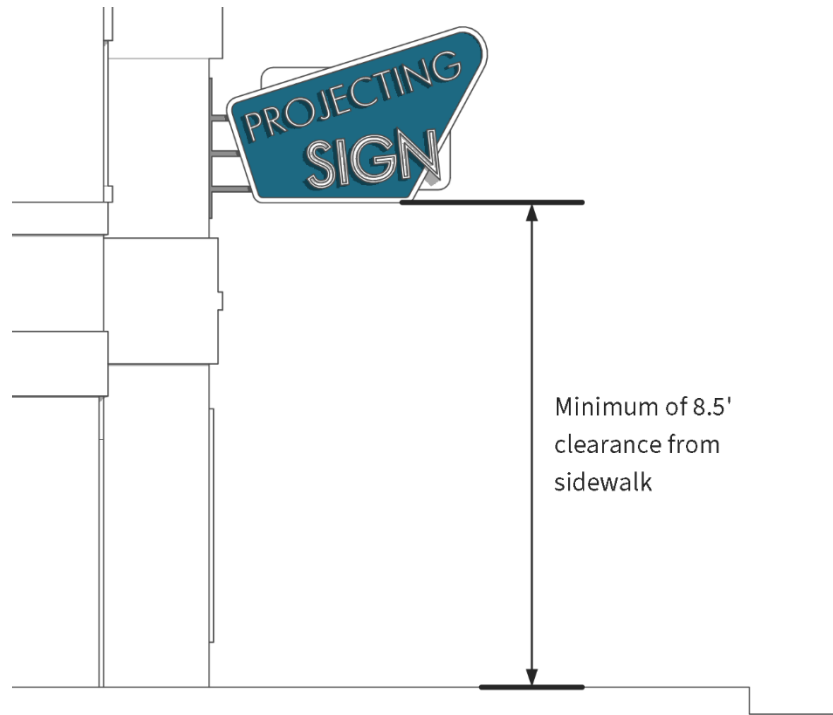
The MTC - McKinney Town Center zoning district is that area established by the "MTC" regulating plan as shown in appendix G-1 of the ~~city zoning regulations (chapter~~ City Zoning Regulations (Chapter 146). All signs within this district shall adhere to the ~~following criteria: standards in this~~ section.

### (b) ~~(4)~~ Design

- (1) Signs ~~must~~shall be designed and constructed in keeping with the historic character and pedestrian-oriented urban design of the district. Signs are subject to review by the ~~McKinney Town Center development coordinator (director~~ Director of ~~p~~ Planning or their designee), and ~~this coordinator's~~ approval is a prerequisite for the issuance of a sign permit.
- (2) ~~(2)~~—Materials suggested for use for signs are finished hardwoods, softwoods, metals, glass, or neon. ~~Materials not allowed include, but are not limited to, plastics, fluorescent materials, paper or fluorescent paints.~~
- (2)(3) Internally illuminated signs (three-dimensional cabinet, can, or box construction) with single-sided or double-sided face panels made of plastic or synthetic materials are also specifically not allowed. However, signs comprised of internally illuminated individual letters are allowed.

### (c) ~~(3)~~ Minimum Clearance

- (3)(1) Hanging signs shall be allowed when such signs have a minimum clearance of seven feet from the sidewalk and do not extend beyond an awning or canopy projection.
- (4)(2) ~~(4)~~—Projecting signs shall have a minimum clearance from the sidewalk of 8.5 feet and shall not project more than five feet from the building or more than 50 percent of the width of the sidewalk adjacent to the building, whichever is less ~~(reference graphic 10)-~~. See Fig. 134-10.
- (5)—



**Figure 134-10: Projecting Sign Clearance**

**(d) Size**

Maximum size shall be based on the following:

- ~~(5)~~(1) **a.** — For every one linear foot of building primary or entrance frontage, a maximum of one and one-half square feet of sign area shall be allowed.
- ~~(6)~~(2) **b.** — ~~Sign boards~~The area of a sign on secondary side-street frontage shall not exceed one-half the size of ~~sign boards~~the area of a sign on the primary or entrance frontage.
- ~~(7)~~(3) **c.** — Window signs shall cover no more than 40 percent of the total glass area, and this will count as one of the signs permitted ~~(reference graphic 9)~~.
- ~~(8)~~(4) **d.** — Each face of a hanging sign shall be no more than five square feet.
- ~~(9)~~(5) **e.** — Projecting signs shall be no more than 15 square feet in size.
- ~~(6)~~ ~~(6)~~ — Temporary A-frame signs placed on any public sidewalk shall be no greater than 24 inches in width.

**(e) Number**

- ~~(10)~~(1) — Two signs are permitted per primary entrance, plus one additional hanging sign, if a canopy is used.
- ~~(11)~~(2) ~~(7)~~ — One secondary entrance sign is permitted.

**(f) ~~(8) Menu boards~~ A-Frame Signs, Portable Signs, or Display Signs**

A-frame signs, portable signs, or display signs are allowed, provided they adhere to the following criteria:

~~(12)~~(1) a. — One such sign shall be permitted per primary entrance.

~~(13)~~(2) b. — Such signs may extend out a maximum of two feet from the building, with the maximum distance parallel to the right-of-way being four feet.

(3) c. — ~~A maximum of~~ Such signs shall not occupy more than six square feet ~~of the public right-of-way.~~

~~(14)~~(4) d. — A clear path of a minimum of three feet in width shall be ~~permitted in the area of maintained on the sign or the area of the sidewalk used.~~ public right-of-way at all times.

~~(15)~~(5) e. — Materials not allowed include plastics, fluorescent materials, paper, or fluorescent paints. Such signs shall also not be illuminated or lighted.

~~(16)~~(6) f. — Such signs shall be displayed during business hours only.

### ~~Sec. 134-10. Multiple building lot coordinated signage.~~

### ~~Sec. 134-11 (a) — Comprehensive Sign Package~~

#### ~~(a) Non-Residential zoning districts, PD planned development district or MTC - McKinney Town Center district. Zoning Districts~~

(1) Notwithstanding anything contained in the foregoing, if property is developed in a non-residential zoning district, in a PD planned development district, or in the MTC - McKinney Town Center district, all signs on such property may be reviewed and approved as part of a comprehensive sign package.

(2) Total signage allowed for all sites in the development may be aggregated and the total allowance redistributed.

(3) Sign locations, types, and sizes may be varied; however, they ~~must~~ shall be consistent with site and landscape planning principles and will be considered as part of the review process. Such signage shall also comply with the requirements of ~~subsection Sec. 134-4011~~(b).

~~(17)~~(4) Roof signs may be considered in the MTC - McKinney Town Center district only if reviewed and approved through ~~this~~ the comprehensive sign package process.

#### ~~(b) (b) Compatibility of Design.~~

All signs applied for under the provisions ~~within~~ of this section are subject to the approval by the ~~d~~Director of ~~p~~Planning or ~~their~~ designee. The following criteria shall be considered:

~~(18)~~(1) (1) — The sign's compatibility with surrounding signage as related to location, height, size, ~~and setback, etc.;~~

~~(19)~~(2) (2) — The sign's compatibility with aesthetics as related to color scheme, shapes, design, ~~and materials, etc.;~~

~~(20)~~(3) (3) — The sign's compatibility with surrounding urban design and context; and

~~(4)~~ (4) — The sign's relationship to proposed or existing landscaping. ~~Sec. 134-11.~~

### ~~Sec. 134-4~~ ~~Sec. 134-12~~ Nonconforming signs; removal of signs by city; exceptions; variances. ~~Signs~~

#### ~~(a) (a) Generally,~~

(1) (1) — Signs existing ~~at the time as of the effective~~ date of the ~~adoption of this~~ ordinance ~~from which this chapter is derived and that were~~ in compliance with the then-current ordinance and not in compliance herewith shall be regarded as nonconforming signs, which may continue to exist until structurally altered, removed, or destroyed as an act of God or until the business

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~~which~~that they are advertising is no longer in existence, except for ~~non-premises billboard~~ signs (third-party outdoor advertising). Nonconforming signs that are structurally altered, relocated, or replaced shall comply immediately with all provisions of this chapter.

- (2) ~~(2)~~—Any nonconforming sign ~~which~~that has been damaged by fire, wind, or other cause in excess of ~~60~~50 percent of its replacement cost shall not be restored except in conformance with the provisions of this chapter.
- (3) Those signs designated as Exceptional Historic Signs and located in the Historic Neighborhood Improvement Zone (HNIZ) as described in Sec. 134-5(b) shall be regarded as nonconforming signs. These signs may be repaired or replaced as described in Sec. 134-5(b)(4) with the approval of the Historic Preservation Advisory Board.

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### **(b) Billboard Signs**

- (1) New billboards are prohibited.
- (2) Existing billboards shall be considered nonconforming signs and shall comply with the provision of subsection (a) of this section, with the exception of billboards fronting on U.S. Highway 75/Central Expressway, which may be structurally altered and/or replaced, but shall not exceed a height of 40 feet or an area of 300 square feet per side. Height shall be measured from the ground level of the street or road upon which the sign faces (including frontage roads), or from the ground level of the billboard location, if such ground level is above the street or road level.
- (3) Sec. 134-4. An existing billboard sign may be converted to a digital billboard sign if:
  - a. A second billboard sign is removed; and
  - b. The digital billboard:
    1. Does not exceed 300 sq ft in size per side,
    2. Does not exceed 40 feet in height, and
    3. The pole is encased in brick, stone, or synthetic stone material.

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### **Sec. 134-5Sec. 134-13 Definitions.**

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

~~Automobile dealership sign franchise means franchises that are granted specifically by a motor vehicle manufacturer to an authorized dealer for sales only of a specific make of motor vehicle such as Ford or Chevrolet.~~

#### **Building means a**

A structure that has a roof supported by columns, walls, or air for the shelter, support, or enclosure of persons, animals, or chattel.

#### **Change in Occupancy or Ownership**

A commemoration that promotes the opening of a new business. A change in occupancy or ownership shall be limited to one occurrence to be held within 90 days of the issuance of a certificate of occupancy from the Chief Building Official and shall not exceed five consecutive days in length.

#### **Facade means any**

Any separate face of a building, including parapet walls and omitted wall lines, or any part of a building which encloses or covers usable space. Where separate faces are oriented in the same direction or in directions within 45 degrees of one another, they are to be considered as a part of a single facade.

#### **Feather ~~flag~~ means a Flag**

A wind device that contains a harpoon-style pole or staff driven into the ground for support.

#### **Frontage or ~~property frontage~~ means the Property Frontage**

The entire length of the boundary line of any one tract of real property adjacent to a public right-of-way, measured parallel to the right-of-way line in a horizontal manner.

~~Grand opening means a commemoration that promotes the opening of a new business. A grand opening shall be limited to one occurrence to be held within 90 days of the issuance of a certificate of occupancy from the building official and shall not exceed five consecutive days in length.~~

~~Nameplate sign means any sign showing only the name and address of the owner or occupant of the premises on which it is erected.~~

**Premises means a**

~~A lot or unplatted, parcel, tract that is recorded in the city, or plat of land together with the buildings and structures thereon.~~

**Repair, ~~major, means any~~Major**

~~Any repair, other than minor repair as defined below, of an existing sign, which through an act of God or other event has become damaged in excess of 60 percent of its replacement cost. Such repair work will require a permit and shall meet all provisions of this chapter. Verification of the percentage of damage will be supplied by the applicant to the permit office, and such verification shall be: two estimates from two different reputable sign companies, stating the total value of the sign and the total value of all costs to repair the sign to its original state. If the applicant agrees that the repair exceeds 60 percent of replacement cost, then the said estimates shall not be required.~~

**Repair, ~~minor, is~~Minor**

~~Is limited to painting, replacement of defective parts, cleaning or other similar minor maintenance to a sign, which will keep said sign at an acceptable level and which does not change the total area of the sign, and which repair is less than 60 percent of the replacement cost of the sign.~~

**Sign means and includes**

~~Includes any writing, letter, word, numeral, pictorial representation, emblem, symbol, trademark, object, design, or other identification that is designed or intended to identify, advertise, announce, or inform. The term "sign" shall not include:~~

- ~~1) (1) — Works of art that in no way identify a product or business and that are not displayed in conjunction with a numerical for-profit enterprise;~~
- ~~2) (2) — Temporary decorations or displays directly incidental to and customary and commonly associated with national, local, or religious holiday celebrations; or~~
- ~~3) (3) — Traffic and other official signs and devices of any public or governmental agency.~~

**Sign, ~~abandoned, means a~~Abandoned**

~~A sign that depicts or refers to a product, business, service, activity, condition, or person, which has changed in such a manner that the sign no longer correctly identifies or describes him/it, or which no longer exists at the location referred to in the sign, or which no longer exists in any way or at any place.~~

~~Sign, advertisement/identification flag, means and includes flags or insignia that bear identification other than defined in "Sign, government flag."~~

**Sign, ~~attached, means any~~Sign, A-Frame**

~~Any sign intended to be located on a sidewalk adjacent to the business it promotes, which sign can be readily moved, as it is not affixed to a building, vehicle, or the ground.~~

**Sign, Attached**

~~Any sign attached to, applied on, or supported by any part of a building (such as a wall, roof, window, canopy, awning, arcade or marquee) that encloses or covers usable space and does not extend more than 12 inches from the building facade.~~

**Sign, ~~billboard and~~Automobile Dealership Franchise**

~~Franchises that are granted specifically by a motor vehicle manufacturer to an authorized dealer for sales only of a specific make of motor vehicle, such as Audi or ~~non~~Mercedes-Benz.~~



### **Sign, Billboard**

A permanent structure sign erected for the purpose of ~~the display of commercial~~ directing attention to a business, commodity, service or non-commercial messages which are not related to the products or services entertainment conducted, sold, manufactured or distributed ~~or offered at a location other than~~ the premises on which the sign is located.

### **Sign, ~~changeable electronic variable message sign~~ Changeable Electronic Variable Message Sign (CEVMS), means a**

A sign ~~which that~~ permits light, ~~which that~~ may be flashing or pulsating, to be turned on or off intermittently or ~~which that~~ is operated in a way whereby light 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 time when such sign is in use, including an LED (light emitting diode) or digital sign, ~~which that~~ may or may not vary in intensity or color.

### **Sign, ~~detached, means any~~ Detached**

Any sign permanently placed on or anchored to the ground and structurally independent of any building or other structure.

### **Sign, Ground**

A detached ~~ground, means a~~ sign having a low profile, either made of or contained within stone, concrete, metal, wood, brick, or similar material, ~~which that~~ does not exceed six feet in height from the adjacent ground level.

### **Sign, Pole, or Pole Sign**

Any detached ~~pole, or pole sign, means any~~ sign supported by one or two freestanding poles and having no guys or braces to the ground or to any structure.

### **Sign, ~~directory kiosk, means a~~ Kiosk**

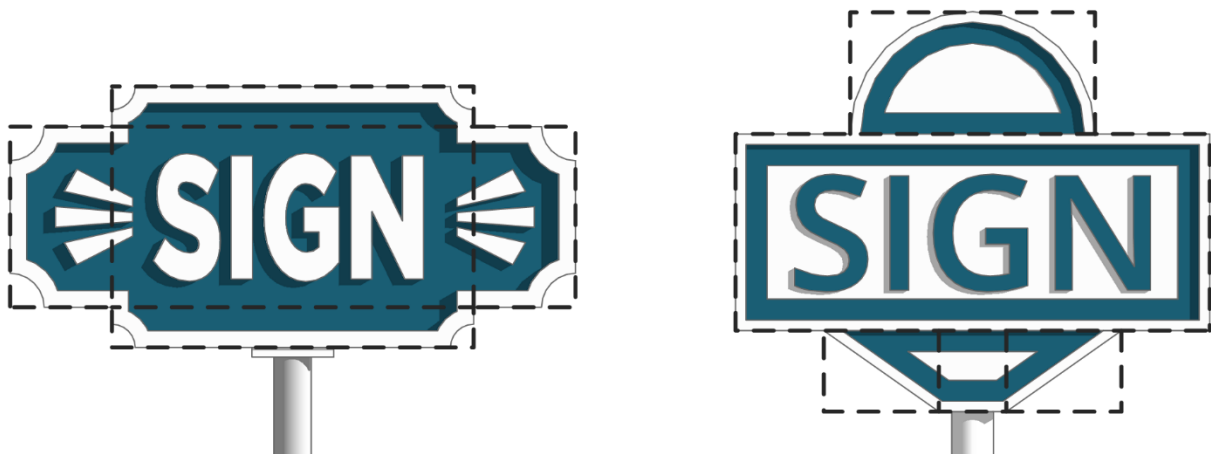
A sign within a multi-tenant shopping center, office park, or medical center ~~that lists and provides direction to individual tenants within the development or commercial use.~~

### **Sign, ~~effective sign area measurement, means the~~ Effective Sign Area Measurement**

The area enclosed by drawing one or more rectangles of horizontal and vertical lines that fully contain all extremities of the sign drawn to scale, exclusive of its supports. The measurement is to be calculated from the viewpoint that gives the largest rectangle of that kind as the viewpoint is rotated horizontally around the sign ~~(reference graphic 1).~~. See Fig. 134-11.

~~Note(s) — See editor's note, ch. 134 Note(s) —.~~

~~Sign, government flag, means flags or insignia of governments or fraternal, religious, civic or educational organizations and institutions that are not used in connection with a commercial promotion or to advertise a commercial product, service, business, activity, condition, or person.~~



**Figure 134-11: Measuring Sign Area**

**Sign, ~~hanging, means a~~Hanging**

A sign that is attached beneath an awning or canopy of a building.

**Sign, ~~human, means a~~Human**

A sign held by or attached to a human being who stands or walks on the premises or on adjacent right-of-way at a business location. A human sign includes a person dressed in costume, both for the purposes of advertising and/or otherwise drawing attention to an individual, business, commodity, service, activity, or product.

**Sign, ~~inflatable, means an~~Inflatable**

A sign manufactured of plastic, cloth, canvas, or other flexible or light fabric, inflated with air, secured to the ground, and does not exceed 30 feet in height. Inflatable signs are only permitted as part of a grand opening/change in occupancy or ownership signage display.

**Sign, ~~mobile billboard, means an~~Menu Board**

A sign erected adjacent to the drive-through ordering lane of a restaurant.

**Sign, Mobile Billboard**

An operable vehicle with illuminated or non-illuminated panels, other devices or appendages whose primary purpose is to advertise, promote, or draw attention to products, services, events, or other similar purpose.

~~*Sign, nonpremises temporary directional, means a temporary sign, generally with a plastic, metal or cardboard back and a wooden or steel stake, used to promote the sale of property, lots or homes within a subdivision.*~~

~~*Sign, on-site vehicle movement control, means a sign that directs vehicular or pedestrian movement within or onto the premises on which the movement control sign is located.*~~

**Sign, ~~portable and/or display, means a~~Sign, Portable and/or Display**

A sign that is not permanently attached to the ground or building or designed to be permanently attached to the ground or building. Portable signs include signs on wheels or on portable or mobile structures, such as, among other things, trailers, skids, banners, tents or other portable structures, A-frame signs, T-shaped signs, airborne devices, or other devices used for temporary display or advertising.

**Sign, ~~premises, means any~~On-Premises**

Any sign the content of which relates to the premises on which it is located, referring exclusively to the name, location, products, persons, accommodations, service or activities on those premises, or the sale, lease, or construction of those premises.

**Sign, ~~projecting, means a~~Projecting**

A sign attached to a building or extending, in whole or in part, 12 inches or more perpendicular to the surface of the building to which the sign is attached.

~~Sign, protective, means any sign that is commonly associated with safeguarding the permitted uses of the occupancy.~~

**Sign, ~~roof, means any~~Sign, Roof**

Any sign erected upon, against or directly above a roof, or on top of or above the parapet of the building.

**Sign, ~~special purpose, means a~~Special Purpose**

A sign temporarily supplementing the permanent signs on the premises.

**Sign ~~support, means any~~Support**

Any pole, post, strut, cable, or other structural fixture or framework necessary to hold and secure a sign, providing that said support is not used as a sign.

~~Sign, temporary directional, means a non-premises sign that is temporarily placed to direct potential customers to a place of business and shall include signs placed by homebuilders directing potential customers to a residential development.~~

~~Sign, temporary religious, means a temporary sign used to provide the name of and direction to a location occupied by a religious organization or religious group that temporarily operates in a school or other facility. A temporary religious sign identifies the meeting location/address, website information, hours of service, and/or telephone number of a religious organization or group.~~

**Sign, ~~vehicular, means a~~Sign, Vehicular**

A sign that identifies a vehicle used for a particular business during the normal course of daily business operations; however, not when the primary use of the vehicle is that of a sign ~~(reference graphic 11)~~.  
Examples may include a magnetic door sign, car wrap sign, or car roof sign.

~~Note(s) — See editor's note, ch. 134~~  
~~Note(s) —~~

**Sign, ~~wind-driven, means any~~Wind-Driven**

Any sign consisting of one or a series of two or more banners, flags, pennants, ribbons, spinners, streamers, captive balloons, or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind or breeze.

**Zoning ~~district, agriculture, means any~~District, Non-Residential**

Any zoning district designated by the ~~comprehensive zoning ordinance~~Comprehensive Zoning Ordinance of the city as an agricultural district; refer to section 146-67.

~~Zoning district, business, means any zoning district designated by the comprehensive zoning ordinance of the city~~City as a commercial ~~and/or~~ industrial, agricultural or otherwise non-residential district ~~(BN, BG, C, O, GC, AP, ML, MH, PD)~~, or and any other ~~business~~non-residential districts that should replace these or be added to them in the future; refer to ~~a~~Article III of eChapter 146.

**Zoning ~~district, nonbusiness, means any~~District, Residential**

Any zoning district ~~not designated as a business district in accordance with~~by the definition of "Comprehensive Zoning district, business" (i.e., residential districts RED-1, RED-2, RS 120, RS 84, RS 60, RS 45, RD 30, RG 27, RG 25, RG 18, MP, PD), or any ~~nonbusiness~~Ordinance of the City as primarily for residential use, and any residential district that should replace these or be added to them in the future; refer to ~~a~~Article III of eChapter 146.