

## ARTICLE 7: SIGN REGULATIONS

### Section 7.01 Purpose and Applicability

#### A. Purpose

The purpose of these sign regulations are: to encourage the effective use of signs as a means of communication in the City; to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign regulations. These sign regulations are adopted under the zoning authority of the City in furtherance of the more general purposes set forth in the zoning ordinance.

#### B. Applicability

A sign may be erected, placed, established, painted, created, or maintained within the City and the City's extraterritorial zoning jurisdiction only in conformance with the standards, procedures, exemptions and other requirements of these sign regulations.

#### C. Definitions and Interpretation

Words and phrases used in this ordinance shall have the meanings set forth herein and in Article 2.

**ABANDONED SIGN** shall mean a sign which no longer identifies or advertises a business, lessor, service, owner, product, or activity on the parcel where the sign is located or a sign for which no legal owner can be found.

**AERIAL SIGN** shall mean a balloon or other airborne flotation or inflatable device which sits on a surface or is tethered to the ground or to a building that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered, regardless of whether it does or does not contain text or advertising copy.

**ADVERTISING SIGN** shall mean a sign which directs attention to any product, activity, or service; provided, however, that such sign shall not be related or make reference to the primary use, business activity, or service conducted on the premises.

**ANIMATED SIGN** shall mean any sign that uses movement or change of lighting to depict action or create a special effect or scene. An animated sign does not include time and temperature, or message center signs.

**ANNOUNCEMENT SIGN** shall mean a small announcement or professional signs, not over six square feet in area, except that an announcement sign or bulletin board not over 18 square feet in area, set back at least 20 feet from any highway, street, road, or roadway easement may be erected in connection with any of the permitted principal uses of a nonresidential nature, except the setback shall not apply in the Downtown District.

**ARCHITECTURAL CANOPY SIGN** shall mean an enclosed, illuminated (backlit awning) or non-illuminated structure that is attached to the wall of a building with the face of the sign approximately parallel to the wall and with the sign's area integrated into its surface.

**AUDIBLE SIGN** shall mean any sign that conveys either a written message supported by an audible noise including music, spoken message, and / or sounds to attract attention to the sign. Audible signs also include signs conveying only the audible noise including music, spoken message, and/or sounds to attract attention.

**AWNING OR CANOPY SIGN** shall mean any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

**BACK-LIT SIGN** shall mean a sign whose light source is located behind fully opaque letters and/or graphics in the interior of the sign so that the rays go through the face of the sign.

**BALLOON SIGN** shall mean one or more balloons used as a permanent or temporary sign or as a means of directing attention to any business or profession, or to a commodity or service sold, offered, or manufactured, or to any entertainment.

**BANNER/FLAG SIGN** shall mean any sign of lightweight fabric or similar material that is permanently mounted to a pole or building by a permanent frame at one or more edges. National flags, state or municipal flags, or official flag of any institution or business shall not be considered banners. Banner signs shall not represent a commercial message.

**BANNER (COMMERCIAL) SIGN** shall mean an advertising sign of non-rigid material mounted on a building or structural frame.

**BILLBOARD SIGN** shall mean a large sign that identifies or communicates a commercial or noncommercial message related to an activity conducted, a service rendered, or a commodity sold on site or at a location other than where the sign is located.

**BUILDING SIGN** shall mean any sign supported by, painted on or otherwise attached to any building or structure.

**BUILDING MARKER SIGN** shall mean any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

**CENTER IDENTIFICATION SIGN** shall mean any sign erected to provide direction to a development including multiple uses and / or structures within the development. Center Identification signs shall include the name of said development and may include, when permitted, the names of major tenants of the development. Center Identification Signs shall typically be similar to Ground (Monument) signs.

**CHANGEABLE COPY SIGN** shall mean a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without, altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this ordinance. A sign on which the only copy changes is an electronic or mechanical indication of time or temperature shall be considered a “time and temperature” portion of a sign and not a changeable copy sign for purposes of this ordinance.

**CLOSED SIGN** shall mean a sign in which more than 50 percent of the entire area is solid or tightly closed or covered.

**COMMEMORATIVE SIGN** shall mean a permanent sign indicating the name of a structure or site, its address, or other information of commemorative or historical significance.

**COMMERCIAL MESSAGE SIGN** shall mean any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

**CONDITIONAL USE SIGN** shall mean a sign type requiring approval by the Planning Commission and City Council as a conditional use permit.

**CONSTRUCTION SIGN** shall mean a temporary sign identifying an architect, engineer, contractor, subcontractor, and/or building material supplier who participates in construction on the property on which the sign is located.

**DESTINATION SIGN** shall mean a sign used to inform and direct the public to important public places and buildings, landmarks, and historical sites in the most simple, direct, and concise manner possible.

**DIGITAL SIGN** shall mean a sign which displays an advertisement or message which is generated electronically and commonly utilizes computerized or electronic digital technology, including but not limited to digital display boards, electronic variable message signs and light emitting diode (LED) signs. (See also “Animated Sign”).

**DIRECT LIGHTING** shall mean illumination by means of an external source.

**DIRECTIONAL/INFORMATIONAL SIGN** shall mean an on-premises sign which provides direction for the safe and efficient flow of vehicular or pedestrian traffic to an activity on the premise. Directional/Informational signs shall include signs marking entrances, exits, parking areas, loading areas or other operational features of the premise.

**DIRECTORY SIGN** shall mean an on-premises sign identifying an activity, operational feature, or business name upon such premise. Directory signs shall include building names, offices, or activities in same size letters, colors and general design and shall be limited to one sign per street entrance.

**DISCONTINUED SIGN** (See “Sign, Abandoned”)

**DOUBLE-FACED SIGN** shall mean a sign constructed to display its message on the outer surfaces of two identical and opposite parallel planes. This does not include “V-type signs”.

**DWELL TIME** shall mean the duration or interval of time during which each individual advertisement or message is displayed on any sign which is capable of sequentially displaying more than one advertisement or message on its display surface.

**ELECTRONIC MESSAGE SIGN** shall mean a sign that uses changing lights to form a sign message or messages wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. (See also “Animated Sign”).

**EXTERNALLY ILLUMINATED SIGN** shall mean a sign whose illumination is derived entirely from an external source.

**FACADE** shall mean the entire building front, including the parapet.

**FENCE SIGN** shall mean a sign attached to or painted on a fence.

**FLASHING SIGN** shall mean a sign, which, by method or manner of illumination, flashes on or off, winks, or blinks with varying light intensity, shows motion, or creates the illusion of being on or off.

**FREESTANDING SIGN** shall mean any sign supported by uprights or braces placed on or in the ground, which is used principally for advertising or identification purposes and is not supported by any building.

**FRONTAGE** shall mean the length of the property line of any one premises along a public right of way on which it borders. A building or building complex which lacks frontage on a public right of way or buildings located on a private street have "internal frontage".

**GAS STATION PRICE SIGN** shall mean a changeable copy or electronic sign advertising fuel prices.

**GOVERNMENT SIGN** shall mean any temporary or permanent sign erected and maintained by the City, County, State, or Federal government, or in conjunction with the City, for public information, traffic control or for designation of or direction to any school, hospital, historic site, or public service, property, or facility.

**GROUND MONUMENT SIGN** shall mean a sign mounted directly to the ground.

**HAZARDOUS SIGN** shall mean a sign that by reason of design, inadequate maintenance, dilapidation, or obsolescence, or placement creates a hazard to the public health, safety and welfare.

**HOLIDAY DECORATION SIGN** shall mean a temporary sign, in the nature of decorations, clearly customary and commonly associated with federal, state, local, or religious holidays and contains no commercial message.

**IDENTIFICATION SIGN** shall mean a sign giving the nature, logo, trademark, or other identifying symbol; address; or any combination of the name, symbol, and address of a building, business, development, or establishment on the premises where it is located.

**ILLEGAL SIGN** shall mean any of the following: (1) a sign erected without first obtaining a permit and complying with all regulations in effect at the time of its construction or use; (2) a sign that was legally erected but whose use has ceased because the business it identifies is no longer conducted on the premises; (3) a nonconforming sign for which the amortization period has expired; (4) a sign that was legally erected but which later became nonconforming and then was damaged to the extent of 50 percent or more of its current replacement value; (5) a sign that is a danger to the public or is unsafe; (6) an abandoned or obsolete sign; or (7) a sign that pertains to a specific event that has not been removed within 48 hours after the occurrence of the event.

**ILLUMINATED SIGN** shall mean a sign illuminated in any manner by an artificial light source.

**INCIDENTAL SIGN** shall mean a sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as “no parking,” “entrance,” “loading only,” “telephone,” and other similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental. Incidental signs may be either attached or painted on the wall.

**INDIRECTLY ILLUMINATED SIGN** shall mean illumination of a sign that is affected by a source of light not contained within the sign itself.

**INFLATABLE SIGN** shall mean any sign designed or constructed with the ability to be mechanically filled with air or gas that displays a commercial message or an identifiable corporate character or logo.

**INTERNAL SIGN** shall mean a sign that is not visible or not intended to be viewed from outside the building.

**INTERNALLY ILLUMINATED SIGN** shall mean a sign that is illuminated by means of a light source in the interior of the sign so that light passes through the face of the sign.

**KIOSK SIGN** shall mean a freestanding bulletin board or information sign structure having more than two sides that is meant to provide announcements or direction to the public.

**LOGO SIGN** shall mean signs owned and operated by an agent for the Nebraska Department of Roads. The signs are located in the right-of-way on interstate or primary highways. The signs are designed to accommodate businesses that furnish gas, food, lodging, or camping and meet any criteria established by the Nebraska Department of Roads.

**MAINTENANCE** shall mean the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

**MARQUEE SIGN** shall mean any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

**MENU-BOARD SIGN** shall mean a permanently mounted sign displaying the bill of fare for a drive-through restaurant.

**MOBILE/VEHICLE SIGN** shall mean a sign mounted on a motor vehicle, or trailer, or other framework, not permanently attached to a pole, building or other structure.

**MONUMENT SIGN** shall mean a sign mounted directly to the ground with a maximum height not to exceed 10 feet.

**MOVING SIGN** shall mean any sign which in part or in total rotates, revolves, or otherwise is in motion.

**MURAL** shall mean a painted or sculpted sign or display on a side of building and intended to be made part of the building design.

**NAMEPLATE SIGN** shall mean a sign not exceeding two square feet for each dwelling.

**NEON SIGN** shall mean a sign containing glass tube lighting in which a gas and phosphors are used in combination to create a colored light.

**NON-CONFORMING SIGN** shall mean any sign that does not conform to the requirements of this ordinance

**OBSOLETE SIGN** shall mean a sign that advertises a business no longer in existence or a product no longer offered for sale and has advertised such business or product for a period of six months after the termination of the existence of such business or the termination of sale of the product advertised.

**OFF-PREMISES SIGN** shall mean a sign including the supporting sign structure which directs the attention of the general public to a business, service, or activity not usually conducted, or a product not offered or sold, upon the premises where such sign is located.

**ON-PREMISE SIGN** shall mean a sign, display, or device-advertising activities conducted on the property on which such sign is located.

**OPEN SIGN** shall mean a sign attached to or hung from a marquee, canopy, or other covered structure, projecting from and supported by the building and extending beyond the building wall, building line, or street lot line.

**OUTDOOR ADVERTISING** shall include the definitions of "Advertising Structure" and "Sign".

**PAINTED WALL SIGN** shall mean a sign applied to a building wall with paint or similar substances on the face of a wall and which has no sign structure. A "Painted Wall Sign" is considered to be a wall mounted sign for calculation purposes.

**PARAPET SIGN** shall mean a sign attached to that portion of a building's exterior wall that projects above the plate line of a building.

**PENNANT SIGN** shall mean any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

**PERMANENT SIGN** shall mean a sign attached to a building, structure, or the ground in some manner that requires a permit and which is made of materials intended for long-term use.

**POLE SIGN** shall mean a sign that is mounted on a freestanding pole or other support so that the bottom edge of the sign face is six feet or more above grade.

**POLITICAL SIGN** shall mean a sign identifying and urging voter support for a particular election issue, political party, or candidate for public office.

**PORTABLE SIGN** shall mean a sign, usually of a temporary nature, not securely anchored to the ground or to a building or structure and which obtains some or all of its structural stability with respect to wind or other normally applied forces by means of its geometry or character. Examples are: menu and sandwich board signs, balloons used as signs, umbrellas used for advertising, and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations (deliveries and transportation of personnel) of the business. This definition also includes any and all sandwich boards supported by human beings or animals.

**PROJECTING SIGN** shall mean a projecting sign attached to a building in such a manner that its leading edge extends more than eight inches beyond the surface of such building or wall.

**PUBLIC/TRAFFIC INFORMATION SIGN** shall mean a sign, usually erected and maintained by a public agency that provides the public with information and in no way relates to a commercial activity. Such signs include but are not limited to, speed limit signs, stop signs, city limit signs, welcome signs, street name signs, vehicle identification signs, pedestrian wayfinding signs, and destination and directional signs.

**REAL ESTATE SIGN** shall mean a temporary sign that identifies property or properties that are for sale or lease.

**ROOF LINE** shall mean the top edge of the roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor projections.

**ROOF SIGN** shall mean a sign identifying the name of a business, enterprise, or the product sold on the premises and erected on and over the roof of a building and extending vertically above the highest portion of the roof.

**ROOF (INTEGRAL) SIGN** shall mean any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches. Such signs will be treated as a wall sign.

**ROTATING SIGN** shall mean a sign which in its entirety or in part moves in a revolving or similar manner. Such motion does not include methods of changing copy.

**SANDWICH BOARD SIGN** shall mean an advertising or business ground sign constructed in such a manner as to form an "A" or a tent-like shape, hinged or not hinged at the top; each angular face held at an appropriate distance by a supporting member.

**SEARCHLIGHT SIGN** shall mean a searchlight that is used to announce, direct attention to, or advertise businesses.

**SIGN** shall mean and include any outdoor sign, display, declaration, device, figure, drawing, illustration, message, placard, poster, billboard, insignia, or other things which are designed, intended, or used for direction, information, identification, or to advertise, to inform, or to promote any business, product activity, service, or any interest, except the following:

1. Signs less than 50 square feet in area and less than 25 feet in height of a public or quasi-public nature or other official notices that are authorized by the State of Nebraska, City of Ashland, or a Federal Government Agency, directional, informational, or other official signs or notices authorized by law.

**SIGN AREA** of a sign on which copy can be placed but not including the minimal supporting framework or bracing. The area of individually painted letter signs, individual letter signs or directly or indirectly illuminated individual letter signs, shall be calculated on the basis of the smallest geometric figure that will enclose the entire copy area of the sign. Any such calculation shall include the areas between the letters and lines, as well as the areas of any devices, illuminated or non-illuminated.

**SIGN BASE** shall mean any structural element extending upward from grade to the base of the sign.

**SIGN COPY** shall mean any combination of letters or numbers which are intended to inform, direct or otherwise transmit information.

**SIGN COPY AREA** shall mean the area of the sign occupied by sign copy. It is computed by measuring the area enclosed by straight lines drawn to enclose the extremities of the letters or numbers.

**SIGN FACE** shall mean the area or display surface used for the sign copy or message.

**SIGN GROSS AREA** shall mean the entire area within a single continuous perimeter enclosing the extreme limits of a sign. However, this perimeter shall not include any structural elements lying outside of the limits of the sign and not forming an integral part of the display.

**SIGN HEIGHT** shall mean the vertical distance measured from the highest point of the sign, excluding embellishments of not more than five feet in height above the sign, to the average ground grade beneath the sign.

**SIGN SETBACK** shall mean the horizontal distance from the property line to the nearest projection of the existing or proposed sign.

**SIGN STACKING** shall mean the placing of one sign above another at the same location.

**SIGN STRUCTURE** shall mean the base, supports, uprights, bracing, or framework of any structure exhibiting a sign, be it single-faced, double-faced, or V-type or otherwise.

**SIGN SURFACE** shall mean the entire area of a sign.

**SIGNAGE PLAN** shall mean a scaled or dimensioned graphic representation showing a comprehensive detailed presentation of all signage proposed for a particular lot.

**SNIPE SIGN** shall mean an off-premises sign that is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, or to other objects.

**SPECIAL EVENT SIGN** shall mean a sign advertising display that is temporary in nature, is not permanently attached to the ground, building or sign structure surface, and is used for special events, such as, but not limited to, grand openings, seasonal sales, liquidations, going-out-of-business sales, fire sales, and promotions.

**STATIC DWELL TIME** (see Dwell Time)

**STATIC MESSAGE** shall mean an advertisement or message which, when displayed contains no motion, flashing, changeable copy, running lights, variations in brightness, or animation.

**SUBDIVISION IDENTIFICATION SIGN** shall mean a sign that is permanently constructed at the entrance(s) of the subdivision and identifies a recognized subdivision, condominium complex, or residential development, and includes the name of the subdivision in the form of attached letters or sign. The subdivision entrance sign may include specific types of landscaping such as water, stone, brick, etc.

**SUSPENDED SIGN** shall mean a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

**TEMPORARY PORTABLE SIGN** shall mean a movable reusable sign structure made of durable material, mounted on wheels and towed or on a rigid frame and trucked, which is regularly and periodically moved from parcel to parcel.

**TEMPORARY SIGN** shall mean a sign constructed of cloth, fabric, or other material with or without a structural frame intended for a limited period of display, including displays for holidays or public demonstrations. Temporary signs shall include portable signs as defined in this section. Examples are: menu and sandwich board signs, inflatable signs, balloons used as signs, umbrellas used for advertising, and signs attached to or painted on vehicles or trailers parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations (deliveries and transportation of personnel) of the business. This definition also includes any and all sandwich boards supported by human beings or animals.

**TETHERED SIGN** shall mean a sign which is anchored by a rope, wire, chain or similar method.

**TIME AND TEMPERATURE SIGN** shall mean an electrically controlled sign which contains only public service, time, temperature, and/or date information.

**TRANSITION TIME** shall mean the duration or interval of time between which each individual advertisement or message is displayed on any sign which is capable of sequentially displaying more than one advertisement or message on its display surface.

**TOURIST ORIENTED DIRECTIONAL SIGN** shall mean a sign owned and operated by a contracted agent of the Nebraska Department of Roads and located in the right-of-way on rural highways and cannot be erected on the interstate or interchanges on expressways. These signs shall meet all applicable criteria established by the Nebraska Department of Roads.

**VIDEO SIGN** shall mean any on-premises or off-premises sign that conveys either a commercial or non-commercial message, including a business or organization name, through means of a television or other video screen. (See also “Animated Sign”).

**WALL SIGN** shall mean any sign attached parallel to, but within eight inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

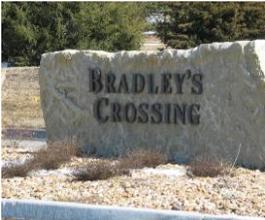
**WARNING SIGN** shall mean a sign located on a property posting such property for warning or prohibitions on parking, trespassing, hunting, fishing, swimming, or other activity.

**WINDOW SIGN** shall mean any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

**Illustrative Definitions**

 <p><b>Animated Sign</b></p>	 <p><b>Announcement Sign</b></p>	 <p><b>Awning Sign</b></p>	 <p><b>Balloon Sign</b></p>
 <p><b>Banner/Flag Sign</b></p>	 <p><b>Banner Sign (Commercial)</b></p>	 <p><b>Building Marker Sign</b></p>	 <p><b>Canopy Sign</b></p>
 <p><b>Center Identification Sign</b></p>	 <p><b>Changeable Copy Sign</b></p>	 <p><b>Commemorative Sign</b></p>	 <p><b>Construction Sign</b></p>
 <p><b>Destination Sign</b></p>	 <p><b>Directional / Informational Sign</b></p>	 <p><b>Directory Sign</b></p>	 <p><b>Double-faced Sign</b></p>

 <p><b>Electronic Message Sign</b></p>	 <p><b>Freestanding Sign</b></p>	 <p><b>Gas Station Price Sign</b></p>	 <p><b>Identification Sign</b></p>
 <p><b>Ground Monument Sign</b></p>	 <p><b>Incidental Sign</b></p>	 <p><b>Inflatable Sign</b></p>	 <p><b>Kiosk Sign</b></p>
 <p><b>Marquee Sign</b></p>	 <p><b>Menu-Board Sign</b></p>	 <p><b>Billboard Sign</b></p>	 <p><b>Painted Ghost Wall Sign</b></p>
 <p><b>Painted Wall Sign</b></p>	 <p><b>Parapet Sign</b></p>	 <p><b>Pennant Sign</b></p>	 <p><b>Pole Sign</b></p>
 <p><b>Political Sign</b></p>	 <p><b>Projecting Sign</b></p>	 <p><b>Public/Traffic Information Sign</b></p>	 <p><b>Real Estate Sign</b></p>

 <p><b>Roof Sign</b></p>	 <p><b>Roof (integrated) Sign</b></p>	 <p><b>Sandwich Board Sign</b></p>	 <p><b>Sign, Digital</b></p>
 <p><b>Sign Stacking</b></p>	 <p><b>Subdivision Identification Sign</b></p>	 <p><b>Suspended Sign</b></p>	 <p><b>Wall Sign</b></p>
 <p><b>Warning Sign</b></p>	 <p><b>Window Sign</b></p>	 <p><b>Portable Sign</b></p>	

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**Section 7.02 Design Criteria and Limitations****A. General Sign and Street Graphics Regulations****1. *Compliance***

Each sign or part of a sign erected within the zoning jurisdiction of the City of Ashland must comply with the provisions of this Article and of other relevant provisions of the City of Ashland's Municipal Code; and relevant building codes including the Rules and Regulations Relating to the Control of Advertising in Areas Adjacent to the Interstate and Federal Aid Primary Highways (Nebraska Department of Roads) and with the regulations of the Corridor and Historic Overlay Districts.

**2. *Resolution of Conflicting Regulations***

This Article is not meant to repeal or interfere with enforcement of other sections of the City of Ashland's Municipal Code. In cases of conflicts between Code sections, State or Federal Regulations, the more restrictive regulations shall apply.

**3. *Prohibited Signs***

The following signs are prohibited in all zoning districts:

- a. Signs painted on or attached to rocks, trees, or other natural objects.
- b. Signs or sign structures which resemble or conflict with traffic control signs or devices, which mislead or confuse persons traveling on public streets, or which create a traffic hazard.
- c. Signs on or overhanging public property or public right-of-way, unless specifically authorized by the appropriate public agency.
- d. Signs which create a safety hazard by obstructing the clear view of pedestrians or vehicles, or which obscure official signs or signals.
- e. Abandoned signs. Any abandoned sign must be removed within six months of date of abandonment.
- f. Portable signs, including signs painted, mounted, or printed on parked vehicles and trailers, except as provided below.
- g. Signs that are not clean or in substantial good repair, or are not affixed to a sound structure.
- h. Signs advertising activities that are illegal under Federal, state, or local laws and regulations.

**4. *Exempt Signs***

The following signs are permitted in any zoning district and are exempt from other provisions of these regulations, provided such signs are not located in the designated sight triangle:

- a. Bulletin boards for religious assembly or school uses, provided that they have a maximum sign area of 20 square feet and are not located in a required sign setback.
- b. Real estate signs.
- c. Official signs authorized by a government or governmental subdivision which give traffic, directional, or warning information.
- d. Seasonal decorations for display on private or public property.
- e. On-premise construction signs.

- f. One temporary sign per zoned lot for grand openings or special events, provided that such sign remains in place for a maximum of seven days and is not located within the designated sight triangle.
  - g. Works of graphic art painted or applied to building walls which contain no advertising or business identification messages.
  - h. Residential signs under 2 square feet in size.
  - i. Neighborhood or subdivision identification signs under 50 square feet.
  - j. Street numbers.
  - k. Signs which are not visible from a public right-of-way, private way, or court or from a property other than that on which the sign is installed.
5. *Bufferyards*  
No sign other than on-premise directional signs shall be placed within any required bufferyard, except when the bufferyard is adjacent to a street.
6. *Vision-Clearance Area*  
The provisions of Section 4.09 shall be met and no sign may project into or be placed within a vision-clearance area.
- B. General Regulations: Design Elements
- 1. *Illumination*
    - a. Lighting, when installed, must be positioned in such a manner that light is not directed onto an adjoining property or onto a public street or highway.
  - 2. *Marquees and Marquee Signs*
    - a. Signs placed on, attached to, or constructed on a marquee are subject to the maximum projection and clearance regulations of projecting signs.
  - 3. *Banners*
    - a. Banners and Flags displaying advertising, other than for Federal, State, Local, Civic and Institutional uses, shall be considered signs.
    - b. A banner sign projecting from a building may not exceed the wall height of the building.
    - c. Maximum projection for any banner is five feet with a minimum clearance of ten feet.
    - d. Maximum size of a banner is the lesser of twice the permitted size of a projecting sign or 120 square feet.
  - 4. *Clocks*  
For the purposes of this section, clocks are not considered a moving sign.
- C. Method and Standard of Measurement
- 1. *Maximum Permitted Sign Area*  
Maximum permitted sign area for a premises is set forth as a numerical limit or as a function of the frontage of the premises on a street or private way. For properties having one sign with frontage on more than one street or private way, the total frontage shall be calculated as the longest frontage plus one-half the length of all additional frontages.
  - 2. *Sign Area*
    - a. Sign area includes the entire area within the perimeter enclosing the extreme limits of the sign, excluding any structure essential for support or service of the sign, or architectural elements of the building.

- b. The area of double-faced signs is calculated on the largest face only.
  - c. The sign area for ground signs, monument signs, and architectural sign bands is calculated as the area enclosing the extreme limits of the copy only.
  - d. In the case of individual letters mounted to a wall, only the total area of the letters themselves is included within the sign area.
3. *Height*  
The height of a sign is measured from the average grade level below the sign to the topmost point of the sign or sign structure.
  4. *Setback*  
The setback of a sign is measured from the property line to the supporting frame, mast, pole or base of the sign.
- D. General Permit Procedures
1. *Applicability*  
Any installation, modification, or expansion of any sign that is not exempt from the provisions of this Article shall be subject to the following permit procedure prior to installation.
  2. *Maintenance of Valid Sign Permit*  
The owner of a property containing signs requiring a permit under this ordinance shall at all times maintain in force a sign permit for such property. Sign permits shall be issued for individual zoned lots. A sign permit may be revoked if the sign is not maintained in good condition.
  3. *Sign Permit Applications*  
All applications for sign permits shall be submitted to the city in accordance with application specifications established by the city.
  4. *Application Fees*  
Each application for a sign permit shall be accompanied by any applicable fees, which shall be established by the City Council.
  5. *Action*  
Within ten working days of the submission of a complete application for a sign permit, the Building Inspector shall either:
    - a. Issue the sign permit, if the sign conforms to the provisions of this Article.
    - b. Reject the sign permit if the sign(s) that is the subject of the application fails in any way to conform with the requirements of this Article.
  6. *Permit Expiration*  
If a sign is not constructed in accordance with an approved permit within six months of the date of approval, such permit shall lapse.
  7. *Assignment of Sign Permits*  
A current and valid sign permit shall be freely assignable to a successor as owner of the property or holder of a business license for the same premises.
- E. Nonconforming Signs
1. All permanent signs in place and lawfully established on the effective date of this Ordinance shall be considered as legal nonconforming signs. The copy of such a sign may be changed from

time to time, provided that the sign area shall not be enlarged beyond the sign area in existence on the effective date.

2. Any nonconforming sign which presently is or becomes structurally damaged or deteriorated, or is altered by more than 50% of its replacement cost, shall be either removed or altered so as to comply with this Article.

F. Discontinuance of Nonconforming Signs

Within any zoning district, all on-premises signage must comply fully with the provisions of this Ordinance, unless otherwise provided, within fifteen years of the effective date of this Ordinance.

**Section 7.03 Sign Type and Regulations**

- A. Real Estate. Not more than 2 signs per lot may be used as a temporary sign no larger than 6 square feet, except TA may be up to 32 square feet and B-3, R-1, R-2, and R-3 new developments may have one sign per development entrance up to 40 square feet, and set back 20 feet from the road right-of-way or road easement boundary line.
- A. Announcement. Small announcement or professional signs, not over 6 square feet in area, except that an announcement sign or bulletin board not over 18 square feet in area, set back at least 20 feet from any highway, street, road, or roadway easement boundary line may be erected in conjunction with any of the permitted principal uses of a nonresidential nature.
- B. Elevated or Roof. A sign erected upon, against, or directly above a roof or on top of or above the parapet, cornice or façade of a building, subject to the same height limitations of the district. An integral roof sign must be mounted parallel to the wall of the building that it faces.
- D. Name plate. One nameplate not exceeding 2 square feet for each dwelling or principal business.
- E. Billboard. Billboards, signboards, and other similar advertising signs subject to the same height and location requirements as other structures in the district and also subject to the following conditions and restrictions.
  1. No billboard, signboard, or similar advertising signs shall be located at intersections so as to obstruct vision, hearing, or interfere with pedestrian or vehicular safety.
  2. No billboard, signboard, or similar advertising signs shall be located within 50 feet of any lot in a residential district.
  3. No billboard, signboard, or similar advertising signs shall exceed 400 square feet in area.
  4. No billboard, signboard, or similar advertising signs shall be so constructed or located where it will unreasonably interfere with the use and enjoyment of adjoining property.
- F. Ground. Ground signs at least 5 feet from any lot line with a maximum height of 10 feet and maximum size of 50 square feet.
- G. Pole. One free standing sign per lot containing not more than 100 square feet per sign face for all enterprises on the premises, at no point closer to the front line or a side line than one-half of the required building setback distance, and not exceeding 30 feet in height from the established grade level. The lowest horizontal projecting feature of any post or pole mounted sign shall be eight feet above the established grade level.
- H. Projecting. One projecting sign per lot containing not more than 60 square feet per sign face for all enterprises on the premises. The lowest horizontal projecting feature of any projecting mounted sign shall be eight feet above the established grade level.
- A. Wall. Signage written upon or a sign installed flat against an outside wall of a building not exceeding one per street frontage and not exceeding two square feet per lineal building/storefront front footage,

not to exceed 300 square feet. Murals shall be considered wall signs. Wall signs appertaining to a nonconforming use on the premise shall not exceed, in the aggregate, 50 square feet in area except as may be authorized by the Board of Adjustment. Wall signs are also subject to the following conditions and restrictions:

1. A wall sign shall not extend more than 30 inches from the wall to which it is attached.
  2. A wall sign must be parallel to the wall to which it is attached.
  3. A wall sign may not extend beyond the corner of the wall to which it is attached, except where attached to another wall sign, it may extend to provide for the attachment.
  4. A wall sign may not extend beyond its building's roof line.
  5. A wall sign attached to a building on its front property line may encroach upon public right-of-way by no more than 18 inches. Such a wall sign shall provide minimum clearance of eight feet, six inches.
  6. For the purpose of calculating permitted sign areas pursuant to these regulations, signs painted on the walls of buildings shall be considered wall signs.
  7. Where permitted, canopy signs are counted as wall signs when calculating total permitted sign area.
- B. **Temporary.** A maximum of four temporary signs permitted per lot per calendar year not to exceed 32 square feet in size and not more than 60 days per permit, after which a new sign permit application must be submitted and approved or the sign must be removed by the owner. Temporary signs for non-profit civic campaigns or events, political campaigns, or other non-commercial events are permitted in any zoning district and are exempt from other provisions of this Article, subject to the following requirements:
1. Such signs are subject to the permit procedures set forth in this section.
  2. Such signs are installed no earlier than 30 days before the date of the event or election and removed no later than 7 days after the date of the event or election.
  3. The maximum size of such signs is 10 square feet when located in any residential zoning district; and 100 square feet in any other zoning district.
- C. **Off-Premises.** Off-premises temporary banners are allowed in zoning districts B-1 and B-2 at one perm lot; off-premises signs are allowed in zoning districts B-3, FX and I-1 at one per lot; provided such sign conforms to any overlay district regulations, follows the sign type, quantity, schedule, setback, and permitting requirements for the district, and is advertising a business within the city of Ashland or its one-mile zoning jurisdiction.
- D. Signs hung from, applied upon, or attached to canopies and awnings shall be no closer than 84 inches from the bottom edge of the sign or canopy to the walking surface or grade below.

**Section 7.04 Sign Schedule**

- A. Signs shall be permitted in conjunction with permitted uses located upon the premise in which said signs are located in the various districts according to the following schedule:

Sign Schedule

<u>Zoning District</u>	<u>FW</u>	<u>TA</u>	<u>RE</u>	<u>RT</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>B-1</u>	<u>B-2</u>	<u>B-3</u>	<u>FX</u>	<u>I-1</u>	<u>PD</u>	<u>CO</u>	<u>PUB</u>
<u>Sign Type</u>															
Announcement	-	C	C	+	+	+	+	+	C	+	+	+	C	+	+
Billboard	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-
Elevated/Roof	-	-	-	-	-	-	-	+	C	+	+	+	C	-	-
Ground	-	C	C	+	C	C	C	+	C	+	+	+	C	+	C
Name Plate	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+
Pole	-	C	-	-	-	-	-	+	C	+	+	+	+	C	-
Projecting	-	C	C	-	-	-	-	+	C	+	+	+	C	C	C
Real Estate	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+
Wall	-	C	C	+	-	-	-	+	C	+	+	+	C	+	C
Temporary	-	+	-	+	-	-	-	+	+	+	+	+	+	+	+

+: permitted

-: not permitted

C: Conditional Use