# COUNCIL OF THE CITY OF ABERDEEN Ordinance No. 13-O-06

**Introduced By:** 

Mayor Michael E. Bennett

**Date Introduced:** 

April 22, 2013

**Public Hearing:** 

May 20, 2013

**Amendments Adopted:** 

**Date Adopted:** 

June 3, 2013

**Date Effective:** 

June 24, 2013

#### AN ORDINANCE concerning

# REVISION OF CITY OF ABERDEEN SIGN REGULATIONS

**FOR** the purpose of comprehensively revising City of Aberdeen sign regulations, including provisions for administration, enforcement and penalties for violations; providing certain tables as part of revised sign regulations; providing that the City's sign regulations are part of the City's Development Code and repealing existing sign regulations; providing that the provisions of this Ordinance are severable; and matters generally related to revisions to the City's sign regulations.

BY repealing

Chapter 456. SIGNS

Sections 456-1 THROUGH 456-18, inclusive

Code of the City of Aberdeen (2010 Edition as amended)

BY adding

Chapter 235. DEVELOPMENT CODE

Sections 235-41 through 235-54

Code of the City of Aberdeen (2010 Edition as amended)

#### **EXPLANATION:**

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW ((Double Parenthesis)) indicate matter deleted from existing law. Underlining indicates amendments to bill.

Strike-Out indicates matter stricken from bill by amendment or deleted from the law by amendment.

\* \* \* indicates existing unmodified text omitted from Ordinance

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# **SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN**, that Chapter 456, SIGNS, consisting of Sections 456-1 through 456-18, inclusive, of the Code of the City of Aberdeen (2010 Edition as amended), are repealed.

**SECTION 2. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN,** that new Sections 235-41 through 235-54, inclusive, are added to Chapter 456 of the Code of the City of Aberdeen (2010 Edition as amended), Chapter 235, DEVELOPMENT CODE, to follow immediately after Section 235-40, and to read as follows:

# **Chapter 235, DEVELOPMENT CODE**

# 235-41. GENERAL PURPOSE

THE PURPOSE OF THIS ARTICLE IS TO REGULATE ALL EXTERIOR SIGNS SO AS TO PROTECT PROPERTY VALUES AND THE CHARACTER OF THE VARIOUS NEIGHBORHOODS; TO PRESERVE AND ENHANCE NATURAL SCENIC BEAUTY; TO PROTECT PUBLIC SAFETY; AND TO PROMOTE THE GENERAL WELFARE.

# 235-42. <u>DEFINITIONS AND INTERPRETATIONS</u>

FOR THE PURPOSES OF THIS ARTICLE, THE FOLLOWING WORDS AND PHRASES HAVE THE MEANING PROVIDED BELOW. WORDS AND PHRASES NOT SPECIFICALLY INCLUDED BELOW ARE DEFINED ELSEWHERE IN THIS ARTICLE OR CHAPTER, OR, IF NOT DEFINED ELSEWHERE IN THIS ARTICLE OR CHAPTER, SHALL HAVE THEIR USUAL AND COMMONPLACE DEFINITION.

- A. <u>BANNER SIGN</u>. ANY SIGN MADE OF FABRIC OR ANY NON-RIGID MATERIAL THAT IS MOUNTED TO A POLE OR A BUILDING BY A PERMANENT FRAME AT ONE OR MORE EDGES. NATIONAL FLAGS, STATE, COUNTY, OR MUNICIPAL FLAGS, OR THE OFFICIAL FLAG OF ANY INSTITUTION OR BUSINESS SHALL NOT BE CONSIDERED BANNERS.
- B. <u>BEACON.</u> ANY LIGHT WITH ONE OR MORE BEAMS DIRECTED INTO THE ATMOSPHERE OR DIRECTED AT ONE OR MORE POINTS NOT ON THE SAME LOT AS THE LIGHT SOURCE; ALSO, ANY LIGHT WITH ONE OR MORE BEAMS THAT ROTATE OR MOVE.
  - C.<u>BILLBOARD SIGN.</u> ANY FREESTANDING OUTDOOR ADVERTISING SIGN THAT PROMOTES OR ADVERTISES PRODUCTS, SERVICES, ACTIVITIES, OR BUSINESSES NOT RELATED TO THE SITE OR BUILDING OR USE ON WHICH IT IS LOCATED.

D.BOARD. THE ABERDEEN BOARD OF APPEALS.

- E. <u>BUILDING MARKER SIGN.</u> ANY SIGN INDICATING THE NAME OF A BUILDING, DATE OF THE BUILDING, AND INCIDENTAL INFORMATION ABOUT ITS CONSTRUCTION, WHICH IS CUT INTO A MASONRY SURFACE OR ON A BRONZE TABLET OR OTHER PERMANENT MATERIAL.
- F. <u>CANOPY SIGN</u>. ANY SIGN THAT IS A PART OF OR ATTACHED TO AN AWNING OR OTHER FABRIC, PLASTIC, OR STRUCTURAL PROTECTIVE COVER OVER A DOOR, ENTRANCE, WINDOW, OR OUTDOOR SERVICE AREA. FOR PURPOSES OF THIS ARTICLE, A MARQUEE IS NOT A CANOPY.
- G. <u>CHANGEABLE COPY SIGN.</u> A SIGN OR PORTION THEREOF WITH CHARACTERS, LETTERS, OR ILLUSTRATIONS THAT CAN BE CHANGED OR REARRANGED BY HAND WITHOUT ALTERING THE FACE OR THE SURFACE OF THE SIGN. THIS DEFINITION DOES NOT APPLY TO PORTABLE SIGNS.
- H. <u>DIRECTORY SIGN.</u> A SIGN UTILIZED TO IDENTIFY THE NAME, ADDRESS, AND/OR OCCUPANTS OF A BUILDING OR NON-RESIDENTIAL DEVELOPMENT.
- I. <u>DISTRICT</u>. A ZONING DISTRICT.
- J. <u>ELECTRONIC MESSAGE SIGN.</u> A SIGN WITH A FIXED OR CHANGING DISPLAY THAT USES MOVEMENT OR CHANGE OF ILLUMINATION TO DEPICT ACTION OR CREATE A SPECIAL EFFECT OR SCENE.
- K. <u>ENTRANCE SIGN</u>. A SIGN THAT IDENTIFIES A RESIDENTIAL NEIGHBORHOOD OR SUBDIVISION, LOCATED AT THE ENTRANCE TO THAT NEIGHBORHOOD OR SUBDIVISION.
- L. <u>ERECT.</u> THE ACT OF BUILDING, CONSTRUCTING, ATTACHING, HANGING, PLACING, SUSPENDING, OR AFFIXING, AND INCLUDING THE PAINTING OF WALL SIGNS, BUT NOT INCLUDING THE CHANGING OF ADVERTISING COPY OR MESSAGES ON BILLBOARDS AND OTHER ADVERTISING STRUCTURES WHICH ARE DESIGNED FOR REPLACEABLE COPY.
- M. <u>FACE.</u> THE SURFACE OF THE SIGN UPON, AGAINST, OR THROUGH WHICH MESSAGE IS DISPLAYED OR ILLUSTRATED.

- N. <u>FLAG.</u> ANY FABRIC, BANNER, OR BUNTING CONTAINING DISTINCTIVE COLORS, PATTERNS, OR SYMBOLS, USED AS A SYMBOL OF A GOVERNMENT, POLITICAL SUBDIVISION, INSTITUTION, BUSINESS, OR OTHER ENTITY.
- O. <u>FREESTANDING SIGN.</u> ANY SIGN SUPPORTED BY STRUCTURES OR SUPPORTS THAT ARE PLACED ON, OR ANCHORED IN, THE GROUND AND THAT ARE INDEPENDENT FROM ANY BUILDING OR OTHER STRUCTURE. FOR PURPOSES OF THIS ARTICLE, A MONUMENT SIGN IS NOT A FREESTANDING SIGN.
- P. <u>ILLUMINATED SIGN</u>. ANY SIGN WHICH HAS CHARACTERS, LETTERS, FIGURES, DESIGNS, OR OUTLINE LIGHTED IN ANY MANNER.
- Q. <u>INCIDENTAL SIGN.</u> A SIGN, GENERALLY INFORMATIONAL, THAT HAS A PURPOSE SECONDARY TO THE USE OF THE LOT ON WHICH IT IS LOCATED, SUCH AS "NO PARKING," "ENTRANCE", "LOADING ONLY", "TELEPHONE", "NO TRESPASSING", "BEWARE OF DOG", AND OTHER SIMILAR DIRECTIVES.
- R. <u>INFORMATIONAL SIGNS.</u> ANY TEMPORARY SIGN PLACED IN ORDER TO ADVERTISE A POLITICAL, CHARITABLE, EDUCATIONAL, OR RELIGIOUS FUNCTION.
- S. <u>MAINTENANCE</u>. THE PAINTING, REPAINTING, CLEANING AND OTHER REPAIR OF A SIGN OR STRUCTURAL TRIM. FOR PURPOSES OF THIS ARTICLE, A MESSAGE CHANGE IS NOT CONSIDERED MAINTENANCE.
- T. MARQUEE. 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.
- U. MARQUEE SIGN. ANY SIGN ATTACHED TO, IN ANY MANNER, OR MADE A PART OF A MARQUEE.
- V. MONUMENT SIGN. A PERMANENT GROUND SIGN GENERALLY CONSTRUCTED OUT OF BRICK, STONE, OR CAST CONCRETE MATERIAL SUPPORTED ON A CONCRETE FOUNDATION ACROSS THE ENTIRE BASE OF THE STRUCTURE AND WHICH MAY HAVE AN OPEN SPACE BETWEEN THE BOTTOM OF THE SIGN AND THE GROUND THAT DOES NOT EXCEED ONE (1) FOOT.
- W. <u>NONCONFORMING SIGN.</u> ANY SIGN THAT DOES NOT CONFORM TO THE REQUIREMENTS OF THIS ARTICLE, OR ANY AMENDMENT TO THIS

- ARTICLE, BUT WHICH WAS LAWFUL WHEN THIS ARTICLE OR ANY AMENDMENT TO THIS ARTICLE BECAME EFFECTIVE.
- X. <u>PARAPET.</u> THE EXTENSION OF A FALSE FRONT OR WALL ABOVE A ROOFLINE.
- Y. <u>PENNANT SIGN.</u> 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 A SERIES, DESIGNED TO MOVE IN THE WIND.
- Z. <u>POLITICAL CAMPAIGN SIGN.</u> SIGNS THAT ANNOUNCE CANDIDATES SEEKING PUBLIC OFFICE, OR THAT ADVOCATE SUPPORT OR DEFEAT OF PUBLIC ISSUES.
- AA. PORTABLE SIGN. ANY SIGN NOT PERMANENTLY ATTACHED TO THE GROUND OR OTHER PERMANENT STRUCTURE, OR A SIGN DESIGNED TO BE TRANSPORTED, INCLUDING, BUT NOT LIMITED TO, SIGNS DESIGNED TO BE TRANSPORTED BY MEANS OF WHEELS; SIGNS CONVERTED TO A OR T-FRAMES; MENU AND SANDWICH BOARD SIGNS; BALLOONS USED AS SIGNS; UMBRELLAS USED FOR ADVERTISING; AND SIGNS ATTACHED OR PAINTED ON VEHICLES PARKED AND VISIBLE FROM THE PUBLIC RIGHT-OF-WAY.
- AB. <u>PRINCIPAL BUILDING.</u> THE BUILDING IN WHICH IS CONDUCTED THE PRINCIPAL USE OF THE LOT ON WHICH IT IS LOCATED. STORAGE BUILDINGS, GARAGES, AND OTHER CLEARLY ACCESSORY USES SHALL NOT BE CONSIDERED PRINCIPAL BUILDINGS.
- AC. <u>PRIVATE TRAFFIC CONTROL SIGN.</u> SIGNS DIRECTING TRAFFIC MOVEMENT ONTO AND/OR WITHIN A PROPERTY.
- AD. <u>PROJECT DEVELOPMENT SIGNS.</u> TEMPORARY SIGNS FOR UNDEVELOPED PARCELS OFFERING THE SALE OR LEASE OF THE PROPERTY.
- AE. <u>PROJECTING SIGN.</u> ANY SIGN AFFIXED TO A BUILDING OR WALL IN SUCH A MANNER THAT ITS LEADING EDGE EXTENDS MORE THAN SIX (6)INCHES BEYOND THE SURFACE OF SUCH BUILDING OR WALL.
- AF. <u>PUBLIC SIGNS.</u> SIGNS ERECTED BY OR ON THE ORDER OF PUBLIC OFFICIAL IN THE PERFORMANCE OF DUTY, SUCH AS, LEGAL NOTICES, DIRECTIONAL SIGNS, REGULATORY SIGNS, WARNING SIGNS, INFORMATIONAL SIGNS, OR DECORATIVE BANNERS.

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- AG. <u>REAL ESTATE SIGNS.</u> SIGNS INDICATING REAL ESTATE FOR SALE OR LEASE AND LOCATED ON THE SUBJECT PROPERTY OR TRACT.
- AH. ROOF SIGN. ANY SIGN ERECTED AND CONSTRUCTED WHOLLY ON AND OVER THE ROOF OF A BUILDING, SUPPORTED BY THE ROOF STRUCTURE, AND EXTENDING VERTICALLY ABOVE THE HIGHEST PORTION OF THE ROOF.
- AI. ROOF SIGN, INTEGRAL. ANY SIGN ERECTED OR CONSTRUCTED AS AN 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 (6) INCHES.
- AJ. <u>SETBACK.</u> THE DISTANCE FROM THE PROPERTY LINE TO THE NEAREST PART OF THE APPLICABLE BUILDING, STRUCTURE, OR SIGN, MEASURED PERPENDICULARLY TO THE PROPERTY LINE.
- AK. <u>SIGN.</u> A PERMANENT OR TEMPORARY DEVICE, FIXTURE, PLACARD, OR STRUCTURE (INCLUDING A BANNER AND PENNANT) THAT USES ANY COLOR, FORM, GRAPHIC, ILLUMINATION, SYMBOL, OR WRITING TO ADVERTISE, ANNOUNCE THE PURPOSE OF, OR IDENTIFY THE PURPOSE OF A PERSON OR ENTITY, OR TO COMMUNICATE INFORMATION OF ANY KIND TO THE PUBLIC.
- AL. SIGN AREA. THE SURFACES, INCLUDING THE OUTER EXTREMITIES OF ALL LETTERS, FIGURES, CHARACTERS, AND DELINEATIONS, OR SURFACE MAKING CONTACT WITH THE OUTER FRAMEWORK OR BACKGROUND OF THE SIGN, WHICHEVER IS GREATER. COLUMNS, PYLONS, OR BUILDINGS, OR PART THEREOF, SHALL NOT BE INCLUDED IN THE SIGN AREA UNLESS USED FOR ADVERTISING PURPOSES.
- AM. <u>STREET.</u> A STRIP OF LAND SUBJECT TO VEHICULAR AND PEDESTRIAN TRAFFIC THAT PROVIDES DIRECT OR INDIRECT ACCESS TO PROPERTY, INCLUDING, BUT NOT LIMITED TO, ALLEYS, AVENUES, BOULEVARDS, COURTS, DRIVES, HIGHWAYS, LANES, PLACES, ROADS, TERRACES, TRAILS, OR OTHER THOROUGHFARES.
- AN. <u>STREET SIGN.</u> A SIGN THAT IDENTIFIES A STREET.
- AO. <u>STREET FRONTAGE</u>. THE DISTANCE, FOR WHICH A LOT LINE ADJOINS A PUBLIC STREET, FROM ONE LOT LINE INTERSECTING SAID

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STREET TO THE FURTHEST DISTANT LOT LINE INTERSECTING THE SAME STREET.

- AP. <u>STRUCTURE.</u> A COMBINATION OF MATERIALS TO FORM A CONSTRUCTION FOR USE, OCCUPANCY, OR ORNAMENTATION, WHETHER INSTALLED BELOW OR ABOVE THE SURFACE OF LAND OR WATER.
- AQ. <u>STRUCTURE TRIM.</u> THE MOLDING, BATTENS, CAPPINGS, NAILING STRIPS, LATTICING, AND PLATFORMS WHICH ARE ATTACHED TO THE SIGN STRUCTURE.
- AR. <u>SUSPENDED SIGN.</u> A SIGN THAT IS SUSPENDED FROM THE UNDERSIDE OF A HORIZONTAL PLANE SURFACE AND IS SUPPORTED BY SUCH SURFACE.
- AS. <u>TEMPORARY SIGN.</u> ANY SIGN THAT IS NOT PERMANENTLY MOUNTED AND IS FOR A PERIOD NOT EXCEEDING THIRTY (30) CONSECUTIVE DAYS OR SIXTY (60) DAYS IN ANY ONE-YEAR PERIOD.
- AT. <u>WALL SIGN.</u> A SIGN THAT IS ATTACHED TO THE EXTERIOR WALL OF A BUILDING, PROJECTS NOT MORE THAN SIX (6) INCHES FROM THE WALL, IS CONFINED WITHIN THE LIMITS OF THE WALL, IS SUPPORTED BY SUCH WALL OR BUILDING, AND DISPLAYS ONLY ONE SIGN SURFACE. FOR PURPOSES OF THIS ARTICLE, A SIGN PAINTED ON THE SURFACE OF THE WALL IS CONSIDERED A WALL SIGN.
- AU. <u>WINDOW SIGN</u>. ANY SIGN, PICTURES, SYMBOLS, 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 WINDOWPANES OR GLASS AND IS VISIBLE FROM THE EXTERIOR OF THE WINDOW.

#### 235-43. SIGN PERMITS AND FEES

- A. <u>PERMIT REQUIREMENTS.</u> A PERSON MAY NOT ERECT, PLACE, ATTACH, SUSTAIN, ALTER, RECONSTRUCT, RELOCATE, OR MODIFY ANY SIGN OR OTHER ADVERTISING STRUCTURE WITHOUT FIRST OBTAINING A SIGN PERMIT AND MAKING PAYMENT OF THE REQUIRED FEE. ALL ILLUMINATED OR ELECTRONICALLY OPERATED SIGNS SHALL, IN ADDITION, BE SUBJECT TO THE PROVISIONS OF THE HARFORD COUNTY ELECTRICAL CODE.
- B. <u>PERMIT EXCEPTION</u>. IF THE PANEL OF A SIGN IS MODIFIED TO REFLECT A CHANGE IN THE LOGO OR AD COPY OF AN EXISTING BUSINESS AT THE SAME LOCATION, A NEW PERMIT IS NOT REQUIRED.

- C. <u>APPLICATION</u>. AN APPLICATION FOR A SIGN PERMIT SHALL BE FILED WITH THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT ON A FORM PRESCRIBED BY THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT, TO INCLUDE SUCH INFORMATION AND DOCUMENTATION AS THE DIRECTOR MAY REQUIRE TO ENSURE THAT THE PROPOSED SIGN OR ADVERTISING STRUCTURE WILL COMPLY WITH THIS ARTICLE. THIS INFORMATION INCLUDES, BUT MAY NOT BE LIMITED TO, THE NAME AND ADDRESS OF THE SIGN/PROPERTY OWNER; NAME AND ADDRESS OF THE APPLICANT; NAME AND ADDRESS OF THE SIGN ERECTOR; DRAWINGS SHOWING THE COPY, DESIGN, DIMENSIONS, HEIGHTS, AND LOCATION OF THE SIGN; AND SIGNATURE OF THE OWNER, TENANT, OR AUTHORIZED AGENT.
- D.  $\underline{\text{FEES.}}$  FEES FOR SIGN PERMITS SHALL BE AS ESTABLISHED AND SPECIFIED IN THE CODE OF THE CITY OF ABERDEEN, CHAPTER A550, FEES.
- E. <u>NULLIFICATION</u>. A SIGN PERMIT SHALL BECOME NULL AND VOID IF THE WORK FOR WHICH THE PERMIT WAS ISSUED HAS NOT BEEN COMPLETED WITHIN TWELVE (12) MONTHS AFTER THE DATE OF FINAL APPROVAL OF THE PERMIT.
- F. ISSUANCE AND REVOCATION. PROVIDED THE APPLICATION IS PROPER IN FORM, IS ACCOMPANIED BY ALL REQUIRED INFORMATION, AND THE APPLICABLE FEE IS PAID, THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT, OR THE DIRECTOR'S DESIGNEE, SHALL APPROVE THE APPLICATION AND ISSUE THE PERMIT WITHIN FIVE (5) BUSINESS DAYS. THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, OR THE DIRECTOR'S DESIGNEE, MAY REFUSE TO ISSUE ANY PERMIT OR, AFTER WRITTEN NOTICE AND A REASONABLE OPPORTUNITY TO BE HEARD, MAY REVOKE ANY PERMIT ISSUED UPON FAILURE TO COMPLY WITH ANY PROVISIONS OF THIS ARTICLE.

# 235-44. CALCULATION OF SIGN AREA

- A. <u>DOUBLE-FACED SIGNS.</u> ONE (1) FACE OF A SIGN HAVING OBVERSE AND REVERSE FACES SHALL BE CONSIDERED IN CALCULATING THE SIGN AREA. IN THE EVENT THAT THE AREA OF FACES IS DIFFERENT, THE FACE HAVING THE LARGER AREA SHALL DETERMINE THE AREA OF THE SIGN.
- B. <u>MULTI-FACED OR CURVED SURFACE SIGNS</u>. THE SIGN OF A MULTI-FACED OR CURVED SURFACE SIGN SHALL BE CALCULATED FROM DIMENSIONS DERIVED FROM ITS GREATEST PLANE PROJECTION.

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- C. <u>IRREGULARLY SHAPED SIGNS</u>. THE AREA OF IRREGULARLY SHAPED SIGNS SHALL BE CALCULATED BY TOTALING THE AREA OF ONE OR MORE RECTANGLES COMPLETELY ENCLOSING THE EXTREMITIES OF THE SIGN.
- D. <u>CYLINDRICAL SIGNS</u>. THE AREA OF CYLINDRICAL SIGNS SHALL BE COMPUTED BY MULTIPLYING ONE-HALF (1/2) OF THE CIRCUMFERENCE BY THE HEIGHT OF THE SIGN.

# 235-45. STRUCTURAL REQUIREMENTS OF SIGNS

ALL SIGNS AND SUPPORTING STRUCTURES SHALL COMPLY WITH THE PERTINENT REQUIREMENTS OF THE INTERNATIONAL BUILDING CODE (IBC) AS ADOPTED BY THE CITY OF ABERDEEN.

# 235-46. MISCELLANEOUS PROVISIONS

- A. NO SIGN OR SIGN STRUCTURES SHALL CREATE A SAFETY HAZARD.
- B. NO SIGN MAY BE LOCATED SO THAT IT SUBSTANTIALLY INTERFERES WITH THE VIEW NECESSARY FOR PEDESTRIANS OR MOTORISTS TO PROCEED SAFELY THROUGH INTERSECTIONS OR TO ENTER OR EXIT PUBLIC STREETS OR PRIVATE ROADS.
- C. NO SIGN MAY BE ERECTED SO THAT ITS LOCATION, COLOR, SIZE, SHAPE, NATURE, OR MESSAGE WOULD OBSTRUCT THE VIEW OF OR BE CONFUSED WITH OFFICIAL TRAFFIC SIGNS OR OTHER SIGNS ERECTED BY GOVERNMENT AGENCIES.
  - D. FREESTANDING SIGNS.
    - 1. FREESTANDING SIGNS SHALL BE SECURELY FASTENED TO THE GROUND.
    - 2. NO COMMERCIAL FREESTANDING SIGN SHALL BE PLACED WITHIN FIFTY (50) FEET OF RESIDENTIALLY ZONED PROPERTY.
    - 3. THE HEIGHT OF ANY FREESTANDING SIGN SHALL BE NO MORE THAN TWENTY-FIVE (25) FEET ABOVE FINISHED GRADE.
    - 4. FREESTANDING SIGNS SHALL BE SET BACK ONE-THIRD (1/3) OF THE REQUIRED BUILDING SETBACK DISTANCE FOR THE UNDERLYING ZONING DISTRICT AND OUT OF ANY RIGHT-OF-WAY OR EASEMENT.

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- 5. A FREESTANDING SIGN MUST BE SET BACK TEN (10) FEET FROM THE CITY'S PUBLIC UTILITIES, PLUS ONE-HALF (1/2) FOOT FOR EVERY FOOT ABOVE TEN (10) FEET IN HEIGHT OF THE SIGN.
- 6. NON-CONFORMING FREESTANDING SIGNS IN DESIGNATED OVERLAY DISTRICTS MAY REMAIN AS LONG AS THE ONLY CHANGES ARE TO THE SIGN COPY. IN THE EVENT A FREESTANDING SIGN IN A DESIGNATED OVERLAY DISTRICT IS TO BE REPLACED, IT MUST BE REPLACED WITH A MONUMENT SIGN ADHERING TO THE REQUIREMENTS IN THIS ARTICLE.

#### E. MONUMENT SIGNS.

- 1. MONUMENT SIGNS SHALL BE SECURELY FASTENED TO THE GROUND.
- 2. NO COMMERCIAL MONUMENT SIGN SHALL BE PLACED WITHIN FIFTY (50) FEET OF RESIDENTIALLY ZONED PROPERTY.
- 3. MONUMENT SIGNS SHALL BE SET BACK ONE-THIRD (1/3) OF THE REQUIRED BUILDING SETBACK DISTANCE FOR THE UNDERLYING ZONING DISTRICT AND OUT OF THE RIGHT-OF-WAY OR EASEMENT.
- 4. MONUMENT SIGNS SHALL HAVE A COPY AREA NOT EXCEEDING A HORIZONTAL TO VERTICAL RATIO OF TWO (2) TO ONE (1).
- 5. THE STRUCTURE OF A MONUMENT SIGN SHALL NOT EXCEED EIGHT (8) FEET IN HEIGHT ABOVE FINISHED GRADE.
- 6. MONUMENT SIGNS ARE MANDATORY IN DESIGNATED OVERLAY DISTRICTS AS DEFINED IN THIS CHAPTER.
- 7. NO MONUMENT SIGNS MAY BE PLACED IN A RECORDED EASEMENT AREA OR OVER CITY UTILITIES.
- 8. A MONUMENT SIGN MUST BE SET BACK TEN (10) FEET FROM THE CITY'S UTILITIES OR TWO TIMES THE DEPTH OF THE UTILITY, WHICHEVER IS GREATER.
- F. SIGNS THAT ARE NOT COMMERCIALLY PRODUCED ARE PROHIBITED IN COMMERCIAL OR INDUSTRIAL ZONING DISTRICTS.
- G. PROJECT DEVELOPMENT SIGNS SHALL BE SET BACK AT LEAST TEN (10) FEET FROM THE ROAD RIGHT-OF-WAY, SHALL NOT EXCEED TEN (10) FEET IN

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HEIGHT ABOVE THE ROAD GRADE, AND SHALL NOT EXCEED THE SIZES AS EXPRESSED IN TABLE 3. PROJECT DEVELOPMENT SIGNS MUST BE REMOVED WITHIN FIFTEEN (15) DAYS AFTER SALE OR LEASE OF THE LAST LOT IN THE DEVELOPMENT.

- H. VEHICULAR SIGNS (SIGNS PAINTED OR MOUNTED ON THE SIDE OR REAR OF TRUCKS AND TRAILERS) PARKED ALONG A RIGHT-OF-WAY ARE PROHIBITED. FOR PURPOSES OF THIS CODE, BONA FIDE COMMERCIAL IMAGES, LOGOS, OR LANGUAGE RELATED TO THE USE OF OR PRODUCT CARRIED BY A GIVEN VEHICLE SHALL NOT BE CONSIDERED VEHICULAR SIGNAGE.
- I. SIGNS SHALL BE PERMITTED FOR INSTITUTIONS SUCH AS CHURCHES, PUBLIC AND PRIVATE SCHOOLS, AND FUNERAL HOMES LOCATED WITHIN A RESIDENTIALLY ZONED AREA, EXCEPT THAT ELECTRONIC MESSAGE SIGNS MAY ONLY BE ACTIVATED FROM DAWN TO DUSK, AND MUST BE SET BACK A MINIMUM OF FIFTY (50) FEET FROM AN ADJACENT RESIDENTIAL USE AND TWENTY (20) FEET FROM THE ROAD RIGHT-OF-WAY. SIGNS FOR THESE USES SHALL NOT EXCEED THIRTY-TWO (32) SQUARE FEET IN AREA AND SHALL NOT EXCEED EIGHT (8) FEET IN HEIGHT. FOR PURPOSES OF THIS SUBSECTION, DAY CARE CENTERS ARE NOT CONSIDERED INSTITUTIONS.
- J. INFORMATIONAL SIGNS SHALL BE SET BACK TEN (10) FEET FROM THE ROAD RIGHT-OF-WAY. THESE SIGNS SHALL NOT EXCEED SIX (6) SQUARE FEET IN SIGN AREA AND SHALL NOT EXCEED SIX (6) FEET IN HEIGHT ABOVE THE ROAD GRADE. ALL INFORMATION SIGNS MAY BE POSTED TEN (10) DAYS PRIOR TO A FUNCTION AND SHALL BE REMOVED WITHIN TWENTY-FOUR (24) HOURS AFTER THE FUNCTION.
- K. PROJECTING SIGNS SHALL BE AT LEAST TWO (2) FEET AWAY FROM THE VERTICAL STREET CURB LINE OR IMPROVED SHOULDER EDGE OF THE TRAVEL WAY, AND SHALL PROJECT NO MORE THAN FORTY-TWO (42) INCHES FROM THE WALL. THERE SHALL BE A CLEARANCE OF AT LEAST EIGHT (8) FEET FROM THE TOP OF THE SIDEWALK TO THE BOTTOM EDGE OF THE SIGN, OR FOURTEEN (14) FEET FOR VEHICLE ACCESS.
- L. REAL ESTATE SIGNS MUST BE REMOVED WITHIN SEVEN (7) CALENDAR DAYS OF THE TRANSFER, LEASE, OR REMOVAL FROM THE MARKET OF THE REAL PROPERTY.
- M. SIGNS MAY BE PLACED ON FOUR (4) SIDES OF A COMMERCIAL OR INDUSTRIAL BUILDING, EXCEPT THAT A SIGN MAY NOT BE PLACED ON A SIDE OF A COMMERCIAL OR INDUSTRIAL BUILDING THAT FACES A RESIDENTIAL AREA.

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- N. ENTRANCE SIGNS SHALL NOT EXCEED SIX (6) FEET IN HEIGHT ABOVE FINISHED GRADE.
- O. AN OFF-PREMISES DIRECTORY SIGN FOR GENERAL IDENTIFICATION IN SUPPORT OF AN OFFICE PARK OR SIMILAR PROJECT IN THE IBD ZONING DISTRICT IS PERMITTED, PROVIDED THAT SUCH A SIGN IS WITHIN 2,000 FEET OF THE PROPERTY LINE OF THE OFFICE PARK OR PROJECT. THIS TYPE OF SIGN SHALL BE LIMITED TO A MAXIMUM OF TWELVE (12) FEET IN HEIGHT ABOVE FINISHED GRADE, AND A MAXIMUM OF SEVENTY-FIVE (75) SQUARE FEET IN AREA.

#### 235-47. GENERAL RESTRICTIONS

- A. SIGNS DISPLAYING ANY STATEMENTS, WORDS, CHARACTERS, PHOTOGRAPHS, OR ILLUSTRATIONS THAT ARE OBSCENE OR THAT DEPICT CHILD PORNOGRAPHY ARE PROHIBITED. AS USED IN THIS SUBSECTION, THE TERM "OBSCENE" SHALL BE CONSTRUED IN ACCORDANCE WITH FEDERAL AND STATE LAW AND JUDICIAL PRECEDENTS THEN APPLICABLE IN MARYLAND.
- B. SIGNS OF A SIZE, LOCATION, MOVEMENT, CONTENT, COLORATION, OR MANNER OF ILLUMINATION THAT MAY BE CONFUSED WITH OR CONSTRUED AS A TRAFFIC CONTROL DEVICE, THAT HIDE FROM VIEW ANY PERMITTED SIGNS, OR WHICH DISTRACT OR OBSTRUCT THE VIEW OF ROAD OR PEDESTRIAN TRAFFIC IN ANY DIRECTION AT A ROAD INTERSECTION, SHALL BE PROHIBITED.
- C. SIGNS SHALL NOT BE DISPLAYED ON CITY PROPERTY, ROAD RIGHTS-OF-WAY, ON UTILITY POLES, OR IN SUCH A WAY AS TO PRESENT A DANGER TO PERSON OR PROPERTY, OR TO LIMIT THE VISUAL FIELD OF DRIVERS OR PEDESTRIANS.
- D. A SIGN SHALL NOT BE PLACED WITHIN TEN (10) FEET OF THE ROAD RIGHT-OF-WAY AND SHALL BE PLACED IN SUCH A MANNER SO AS NOT TO IMPEDE VISION.
- E. NO SIGN SHALL OBSTRUCT A MEANS OF INGRESS OR EGRESS FROM A BUILDING OR STRUCTURE.
- F. SIGNS THAT PRODUCE NOISE OR SOUNDS, OR EMIT SMOKE, VAPOR, PARTICLES, OR ODOR ARE PROHIBITED.
- G. SIGNS SHALL NOT BE PLACED WITHIN RIGHTS-OF-WAY OR BUFFER YARDS BETWEEN BUSINESS OR INDUSTRIAL USES AND RESIDENTIAL USES.

# 235-48. INSPECTION, MAINTENANCE, AND REMOVAL

A. <u>INSPECTION</u>. SIGNS MAY BE INSPECTED BY THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT OR THE DIRECTOR'S DESIGNEE FOR COMPLIANCE WITH THIS ARTICLE.

B. <u>MAINTENANCE</u>. ALL SIGNS, COMPONENTS, AND SUPPORTING STRUCTURES SHALL BE KEPT IN GOOD REPAIR, APPEARANCE, QUALITY, AND CONDITION, AND MAINTAINED TO PROTECT AGAINST BREAKAGE, MATERIAL DISCOLORATION, AND DEFECTS IN OR OMISSION OF MATERIAL COMPONENTS.

#### C. REMOVAL.

- 1. IF ANY SIGN ADVERTISES A BUSINESS, SERVICE, COMMODITY, ACCOMMODATION, ATTRACTION, OR OTHER ENTERPRISE OR ACTIVITY THAT IS NO LONGER OPERATING OR BEING OFFERED OR CONDUCTED AT THAT LOCATION, THAT SIGN SHALL BE CONSIDERED ABANDONED AND SHALL, WITHIN NINETY (90) DAYS AFTER SUCH ABANDONMENT, BE REMOVED BY THE SIGN OWNER, OWNER OF THE PROPERTY WHERE THE SIGN IS LOCATED, OR OTHER PARTY HAVING CONTROL OVER SUCH SIGN.
- 2. IF THE MESSAGE PORTION OF A SIGN (OTHER THAN A BILLBOARD SIGN) IS REMOVED, LEAVING ONLY THE SUPPORTING "SHELL" OF THE SIGN, THE OWNER OF THE PROPERTY WHERE THE SIGN IS LOCATED, OR OTHER PERSON HAVING CONTROL OVER SUCH SIGN, SHALL, WITHIN THIRTY (30) DAYS OF THE REMOVAL OF THE MESSAGE PORTION OF THE SIGN, REMOVE THE REMAINING COMPONENTS OF THE STRUCTURE.

# 235-49. UNLAWFUL CUTTING OF TREES OR SHRUBS

NO PERSON MAY INCREASE OR ENHANCE THE VISIBILITY OF ANY SIGN BY DAMAGING, TRIMMING, DESTROYING, OR REMOVING ANY TREES, SHRUBS, OR OTHER VEGETATION LOCATED WITHIN THE RIGHT-OF-WAY OF ANY PUBLIC STREET OR ROAD.

# 235-50. <u>NONCONFORMING SIGNS</u>

A. NO PERSON MAY ENLARGE OR INCREASE THE SIZE OF A NON-CONFORMING SIGN.

B. A NONCONFORMING SIGN MAY NOT BE MOVED OR REPLACED EXCEPT TO BRING THE SIGN INTO COMPLETE CONFORMITY WITH THIS ARTICLE.

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- C. IF A NONCONFORMING SIGN IS DESTROYED, IT MAY NOT THEREAFTER BE REPAIRED, RECONSTRUCTED, OR REPLACED EXCEPT IN CONFORMITY WITH ALL THE PROVISIONS OF THIS ARTICLE, AND THE REMNANTS OF THE FORMER SIGN STRUCTURE SHALL BE CLEARED FROM THE LAND OR BUILDING.
- D. THE SIGN STRUCTURE IN PLACE WHEN A SIGN BECOMES NON-CONFORMING MAY NOT BE MODIFIED, EXCEPT TO BRING IT INTO CONFORMITY WITH THIS ARTICLE.

# 235-51. ILLUMINATION

- A. THE LIGHT FROM ANY ILLUMINATED SIGN OR FROM ANY LIGHT SOURCE, INCLUDING THE INTERIOR OF A BUILDING, SHALL BE SO SHADED, SHIELDED, OR DIRECTED THAT THE LIGHT INTENSITY OR BRIGHTNESS SHALL NOT ADVERSELY AFFECT SURROUNDING OR FACING PREMISES NOR ADVERSELY AFFECT THE VISION OF MOTOR VEHICLE OPERATORS.
- B. WITH THE EXCEPTION OF ELECTRONIC MESSAGE SIGNS, NO SIGN SHALL HAVE BLINKING OR FLASHING LIGHTS OR OTHER ILLUMINATION DEVICES WHICH HAVE A CHANGING LIGHT INTENSITY, BRIGHTNESS OR COLOR.
- C. NO EXPOSED REFLECTIVE-TYPE BULBS AND NO STROBE LIGHTS OR INCANDESCENT LAMPS SHALL BE USED ON THE EXTERIOR SURFACE OF ANY SIGN SO AS TO EXPOSE THE FACE OF THE BULB, LIGHT, OR LAMP TO ANY PUBLIC STREET OR ADJACENT PROPERTY.
- D. BEACON LIGHTS OR SEARCHLIGHTS SHALL BE TEMPORARILY PERMITTED FOR ADVERTISING SPECIAL EVENTS.

#### **235-52. SIGN TABLES**

PERMITTED SIGNS, NUMBER OF SIGNS ALLOWED, AND SIGN AREA FOR EACH SIGN IN EACH ZONING DISTRICT SHALL BE AS SET FORTH IN THE FOLLOWING TABLES AT THE END OF THIS ARTICLE:

- TABLE 1. PERMITTED SIGNS BY TYPE AND ZONING DISTRICT.
- TABLE 2. NUMBER OF SIGNS PER RECORDED LOT OR BUSINESS BY ZONING DISTRICT.
- TABLE 3. SIGN AREA FOR EACH SIGN ON A RECORDED LOT OR BUSINESS BY ZONING DISTRICT (SQUARE FOOTAGE).

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# 235-53. <u>APPEALS</u>

- A. A PERSON AGGRIEVED BY THE DENIAL OF AN APPLICATION FOR A SIGN PERMIT OR BY THE REVOCATION OF A SIGN PERMIT, MAY FILE AN APPEAL TO THE ABERDEEN BOARD OF APPEALS IN ACCORDANCE WITH THE PROVISIONS OF SECTION 235-11 OF THIS CODE.
- B. DISAPPROVAL OF SIGN LOCATIONS AS THEY RELATE TO EASEMENTS AND PUBLIC UTILITIES ARE NOT SUBJECT TO APPEAL OR REVIEW BY THE BOARD OF APPEALS.

# 235-54. <u>VIOLATIONS AND PENALTIES</u>

- A. ANY PERSON THAT VIOLATES THE PROVISIONS OF THIS ARTICLE SHALL BE DEEMED TO HAVE COMMITTED A MUNICIPAL INFRACTION AS SET FORTH IN CHAPTER 95, MUNICIPAL INFRACTIONS, OF THIS CODE, AND SUBJECT TO THE FOLLOWING ACTIONS:
  - 1. WARNING A WARNING NOTICE TO CORRECT THE VIOLATION WITHIN TEN (10) DAYS FROM THE DATE OF THE NOTICE SHALL BE MAILED, BY CERTIFIED AND REGULAR MAIL, TO THE OWNER, OCCUPANT, OR TENANT.
  - 2. FIRST OFFENSE \$100
  - 3. SECOND OFFENSE \$250
  - 4. THIRD OFFENSE \$400
  - 5. EACH SUBSEQUENT OFFENSE \$400
- B. EACH DAY THAT A VIOLATION CONTINUES, AND EACH REPEAT VIOLATION, IS A SEPARATE OFFENSE.
- C. NOTWITHSTANDING THE PROVISIONS HEREIN FOR VIOLATIONS, THE CITY MAY SEEK AN INJUNCTION OR OTHER RELIEF TO CORRECT A VIOLATION AS MAY BE AVAILABLE BY LAW.
- **SECTION 3. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN,** that Tables 1, 2 and 3 to the City of Aberdeen Sign Regulations referred to in Section 235-52 as adopted by Section 2 of this Ordinance are attached to this Ordinance as Exhibits 1, 2 and 3, respectively.
- SECTION 4. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN, that if any section or provision of this Ordinance, or its application to any

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particular circumstance, is declared by any court to be unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole, or any part thereof other than the part so declared unconstitutional or invalid.

SECTION 5. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN, that this Ordinance shall become effective at the expiration of twenty (20) calendar days following adoption.

# COUNCIL OF THE CITY OF ABERDEEN

Michael E. Bennett, Mayor

Ruth E. Elliott, Councilwoman

Bruce E. Garner, Councilman

Sandra J. Landbeck Councilwoman

Ruth Ann Young Councilwoman

ATTEST:

**SEAL:** 

Monica A. Correll, City Clerk

Date June 3, 2013

# **EXHIBIT 1**

TABLE 1. PERMITTED SIGNS BY TYPE AND ZONING DISTRICT

| TYPE                    | ZONING DISTRICT |       |       |     |     |     |     |     |     |                |
|-------------------------|-----------------|-------|-------|-----|-----|-----|-----|-----|-----|----------------|
|                         | R-1             | R-2   | R-3   | B-1 | B-2 | B-3 | M-1 | M-2 | IBD | AG             |
| ANIMATED                | N               | N     | N     | N   | S   | S   | S   | S   | N   | N              |
| BANNER                  | *P              | *P    | *P    | S   | S   | S   | S   | S   | S   | *P             |
| BILLBOARD               | N               | N     | N     | N   | Ñ   | N   | N   | N   | N   | N              |
| BUILDING MARKER         | Р               | Р     | Р     | Р   | Р   | Р   | Р   | Р   | P   | P              |
| CANOPY                  | *I, S           | *I, S | *I, S | S   | S   | S   | S   | S   | S   | s              |
| CHANGEABLE COPY         | N               | N     | N     | S   | S   | S   | S   | S   | S   | N              |
| ELECTRONIC MESSAGE      | *l, S           | *I, S | *I, S | N   | S   | S   | s   | S   | N   | N              |
| ENTRANCE                | *P, S           | *P, S | *P, S | N   | N   | N   | N   | N   | N   | N              |
| FREESTANDING            | N               | N     | N     | S   | S   | S   | S   | S   | ŝ   | S              |
| INCIDENTAL              | Р               | Р     | Р     | Р   | Р   | Р   | Р   | P   | P   | — <del>)</del> |
| INFORMATIONAL           | *P              | *P    | *P    | Р   | Р   | Р   | Р   | P   | P   | P              |
| MARQUEE                 | N               | N     | N     | S   | S   | S   | S   | S   | S   | N              |
| MONUMENT                | Ñ               | N     | N     | S   | S   | S   | S   | S   | S   | N              |
| OFF-PREMISES DIRECTORY  | Z               | N     | N     | N   | N   | N   | N   | N   | s   |                |
| PENNANT                 | N               | N     | N     | Р   | Р   | Р   | Р   | P   | P   | N              |
| POLITICAL CAMPAIGN      | Р               | Р     | Р     | Р   | Р   | Р   | P   | Р   | P   | P              |
| PRIVATE TRAFFIC CONTROL | Р               | Р     | Р     | Р   | Р   | Р   | P   | P   | P   | P              |
| PROJECT DEVELOPMENT     | S               | S     | S     | S   | S   | S   | S   | s   | S   | s              |
| PROJECTING SIGN         | N               | N     | N     | S   | S   | S   | s   | s   | s   | N              |
| PUBLIC                  | Р               | Р     | Р     | Р   | Р   | Р   | P   | P   | P   | P              |
| REAL ESTATE             | Р               | Р     | Р     | Р   | Р   | Р   | Р   | P   | P   | P              |
| ROOF                    | N               | N     | N     | N   | S   | S   | s   | S   | N   | N              |
| ROOF, INTEGRAL          | N               | N     | N     | Ñ   | S   | S   | S   | S   | N   | N              |
| STREET                  | Р               | Р     | Р     | Р   | Р   | Р   | P   | P   | P   | P              |
| SUSPENDED               | N               | N     | N     | S   | s   | s   | s   | S   | s   | N              |
| WALL                    | N               | N     | N     | S   | S   | s   | S   | s   | s   | N              |
| WINDOW                  | *P              | *P    | *P    | Р   | Р   | Р   | P   | P   | P   | N              |

P: Allowed without sign permit
\*P: Non-commercial only
S: Allowed only with sign permit
\*I: Institutional only

N: Not allowed

# **EXHIBIT 2**

TABLE 2. NUMBER OF SIGNS PER RECORDED LOT OR BUSINESS BY ZONING DISTRICT

| TYPE                    | ZONING DISTRICT |        |        |       |       |       |       |       |       |                  |
|-------------------------|-----------------|--------|--------|-------|-------|-------|-------|-------|-------|------------------|
|                         | R-1             | R-2    | R-3    | B-1   | B-2   | B-3   | M-1   | M-2   | IBD   | AG               |
| ANIMATED                | Х               | Х      | Х      | Х     | 1     | 1     | 1     | 1     | Х     | X                |
| BANNER                  | 1               | 1      | 1      | 3     | 3     | 6     | 3     | 3     | 6     | 3                |
| BILLBOARD               | Х               | Х      | Х      | Х     | Х     | Х     | Х     | X     | X     | X                |
| BUILDING MARKER         | 1               | 1      | 1      | 1 (A)            |
| CANOPY                  | *1 (I)          | *1 (l) | *1 (I) | 1 (A)            |
| CHANGEABLE COPY         | Χ               | Х      | Х      | 1 (B) | X                |
| ELECTRONIC MESSAGE      | *1 (l)          | *1 (I) | *1 (I) | X     | 1     | 1     | 1     | 1     | X     | $\frac{x}{x}$    |
| ENTRANCE                | *1              | *1     | *1     | Х     | X     | X     | Х     | X     | X     | $\frac{x}{x}$    |
| FREESTANDING            | Х               | X      | Х      | 2     | 2     | 2     | 2     | 2     | 2     | 1                |
| INCIDENTAL              | U               | U      | U      | υ     | U     | · U   | U     | U     | Ū     | <del>i</del>     |
| INFORMATIONAL           | *U              | *U     | *U     | U     | _     | U     | U     | U     | Ü     | Ū                |
| MARQUEE                 | Х               | Х      | Х      | 1 (A) | X                |
| MONUMENT                | Х               | Х      | Х      | 2     | 2     | 2     | 2     | 2     | 2     | - <del>\ \</del> |
| OFF-PREMISES DIRECTORY  | Х               | Х      | Х      | Х     | X     | Х     | Х     | Х     | 1     | X                |
| PENNANT                 | Х               | Х      | Х      | Ū     | U     | U     | U     | Ü     | Ú     | X                |
| POLITICAL CAMPAIGN      | U               | U      | Ü      | Ū     | U     | U     | υ     | Ü     | Ū     | - X              |
| PRIVATE TRAFFIC CONTROL | Ü               | U      | U      | U     | U     | U     | Ū     | U     | Ū     | Ū                |
| PROJECT DEVELOPMENT     | *1              | *1     | *1     | 1     | 1     | 1     | 1     | 1     | 1     | 1                |
| PROJECTING SIGN         | Χ               | X      | X      | 1     | 1     | 1     | 1     | 1     | 1     | X                |
| PUBLIC                  | U               | U      | U      | υ     | U     | U     | U     | U     | U     | U                |
| REAL ESTATE             | 2               | 2      | 2      | 2     | 2     | 2     | 2     | 2     | 2     | 2                |
| ROOF                    | Х               | X      | Х      | Х     | 1     | 1     | 1     | 1     | X     | X                |
| ROOF, INTEGRAL          | Х               | X      | Х      | X     | 1     | 1     | 1     | 1     | X     | X                |
| STREET                  | Ü               | U      | Ü      | U     | Ū     | U     | U     | U     | U -   | Ü                |
| SUSPENDED               | X               | Х      | Х      | 1     | 1     | 1     | 1     | 1     | 1     | X                |
| WALL                    | X               | Х      | X      | 1 (A) | X                |
| WINDOW                  | *U              | *U     | *U     | Ü     | Ù     | Ù     | Ù     | Ù     | U     | $\frac{x}{x}$    |

A: Per store front or building

B: Per building

U: Unrestricted number

<sup>\*</sup>U: Unrestricted number (non-commercial)

<sup>\*:</sup> Each entrance

<sup>\*1 (</sup>i): Institutional only
X: Not allowed

### **EXHIBIT 3**

TABLE 3. SIGN AREA FOR EACH SIGN ON RECORDED LOT OR BUSINESS BY ZONING DISTRICT (IN SQUARE FEET)

| TYPE                    | ZONING DISTRICT |        |        |     |     |     |     |     |     |    |
|-------------------------|-----------------|--------|--------|-----|-----|-----|-----|-----|-----|----|
|                         | R-1             | R-2    | R-3    | B-1 | B-2 | B-3 | M-1 | M-2 | IBD | AG |
| ANIMATED                | X               | Х      | Х      | Х   | 80  | 80  | 80  | 80  | Х   | X  |
| BANNER                  | 12              | 12     | 12     | 12  | 24  | 24  | 24  | 24  | 24  | 12 |
| BILLBOARD               | Х               | Х      | X      | Х   | Х   | X   | Х   | Х   | X   | X  |
| BUILDING MARKER         | 6               | 6      | 6      | 6   | 6   | 6   | 6   | 6   | 6   | 6  |
| CANOPY                  | 12 (l)          | 12 (l) | 12 (l) | 24  | 24  | 36  | 24  | 24  | 24  | 12 |
| CHANGEABLE COPY         | Х               | Х      | Х      | 50  | 50  | 50  | 50  | 50  | 50  | X  |
| ELECTRONIC MESSAGE      | 32 (l)          | 32 (I) | 32 (I) | X   | 80  | 80  | 80  | 80  | Х   | X  |
| ENTRANCE                | 80              | 80     | 80     | Х   | Х   | X   | X   | Х   | Х   | X  |
| FREESTANDING            | Χ               | X      | Χ      | 50  | 100 | 150 | 100 | 100 | 100 | 50 |
| INCIDENTAL              | 12              | 12     | 12     | 12  | 12  | 12  | 12  | 12  | 12  | 12 |
| INFORMATIONAL           | 6               | 6      | 6      | 6   | 6   | 6   | 6   | 6   | 6   | 6  |
| MARQUEE                 | Х               | Х      | Х      | 100 | 150 | 150 | 150 | 150 | 150 | X  |
| MONUMENT                | X               | Х      | Х      | 128 | 128 | 128 | 128 | 128 | 128 | Х  |
| OFF-PREMISES DIRECTORY  | Χ               | Х      | Х      | Х   | Х   | Х   | X   | Х   | 75  | X  |
| PENNANT                 | X               | Х      | Х      | 12  | 12  | 12  | 12  | 12  | 12  | X  |
| POLITICAL CAMPAIGN      | U               | U      | U      | U   | U   | U   | U   | U   | U   | U  |
| PRIVATE TRAFFIC CONTROL | 6               | 6      | 6      | 6   | 6   | 6   | 6   | 6   | 6   | 6  |
| PROJECT DEVELOPMENT     | 36              | 36     | 36     | 72  | 72  | 72  | 72  | 72  | 72  | 36 |
| PROJECTING SIGN         | X               | Х      | X      | 36  | 36  | 36  | 36  | 36  | 36  | X  |
| PUBLIC                  | U               | U      | U      | Ü   | U   | U   | U   | U   | U   | U  |
| REAL ESTATE             | 10              | 10     | 10     | 24  | 24  | 24  | 50  | 50  | 50  | 10 |
| ROOF                    | Х               | Х      | Х      | Х   | 100 | 150 | 150 | 150 | X   | Х  |
| ROOF, INTEGRAL          | X               | Х      | Х      | Х   | 100 | 150 | 150 | 150 | Х   | X  |
| STREET                  | 6               | 6      | 6      | 6   | 6   | 6   | 6   | 6   | 6   | 6  |
| SUSPENDED               | X               | Х      | Х      | 36  | 36  | 36  | 36  | 36  | 36  | X  |
| WALL                    | X               | Х      | Х      | Х   | 100 | 150 | 150 | 150 | 100 | Х  |
| WINDOW                  | *U              | *U     | *U     | U   | U   | U   | U   | U   | U   | Х  |

U: Unrestricted

\*U: Unrestricted (non-commercial)

I: Institutional only

X: Not allowed