

Chapter 12-27 SIGNS

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12-27-101. Purpose and Scope.

The City Council of Woods Cross City finds and declares that the provisions set forth in this Chapter recognize the unique interests to be balanced in regulating signs in a manner that is fair, comprehensive, and enforceable, allowing Woods Cross to create and maintain a safe and aesthetically pleasing atmosphere, while allowing businesses and other interests to communicate with the public. To implement these objectives and the goals of the General Plan, the City hereby establishes standards and procedures to control the size, type, number, design, placement, illumination and maintenance of signs. The objectives of this Chapter are as follows:

- (a) Reduce potential hazards to motorists and pedestrians by providing adequate signage in order to identify a business or facility while eliminating excessive, obtrusive, and confusing sign displays.
- (b) Encourage sign owners to integrate signs with buildings and sites through use of similar building materials and moderate sign proportions.
- (c) Preserve and improve the aesthetic appearance of the City as a place in which to live and work by reducing or prohibiting signage that is overbearing, creates visual clutter, or is not consistent with the design guidelines of Woods Cross City.
- (d) Allow each business to clearly identify itself and the goods and services which it offers.
- (e) Safeguard and enhance property values by allowing for aesthetically pleasing signage that will help to promote economic development and attract quality businesses to the City.
- (f) Protect public and private investment in buildings and open space.

(g) Preserve freedom of speech.

(h) Promote the public health, safety, and general welfare of the citizens of Woods Cross City.

12-27-102. Interpretation.

(a) The provisions of this Chapter shall be plenary. Signs not specifically allowed herein shall be prohibited.

(b) Nothing contained in this Chapter shall prevent the erection, location, or construction of signs on private property where such erection, location, or construction of signs is required by law.

(c) Nothing in this Chapter shall prevent anyone from engaging in noncommercial speech as guaranteed by the First Amendment to the United States Constitution.

12-27-103. Definitions.

(a) "A-frame sign." Any sign composed of two (2) sign faces mounted or attached back-to-back or a sign structure built in such a manner as to form a basically triangular vertical cross section through the faces or structure.

(b) "Area of sign." The area of a sign shall be computed by enclosing the entire area within a geometric shape of the smallest size sufficient to cover the entire area of the sign and then computing the area of the geometric shape. Where a sign has more than two (2) faces, the area of the third face and all additional faces shall be included in determining the area of the sign. The area of all legal signs in existence at the time of the enactment of this Chapter shall be included in the computation of the total area of signs per property allowed by this Chapter, but properties whose existing sign area exceeds the permitted total area of signs per property as of the date this ordinance takes effect are not subject to any penalty beyond the City's refusal to permit the creation of additional sign area on that property.

(c) "Awning sign." Any sign that is a part of or attached to an awning, canopy, marquee or other fabric, plastic, metal or similar structural protective cover over a door, entrance, window, or outdoor service area.

(d) "Back-lit Awning." Any awning which is made from fiberglass, plastic, or other translucent material that allows for illumination of the entire awning when lighting is placed behind or underneath it.

(e) "Balloon sign." Any sign that is any lighter-than-air or gas-filled balloon attached by means of a rope or tether to a definite or fixed location. Displays designed to inflate - or move by use of a fan or blower - shall also be considered a balloon sign.

(f) "Banner sign." Any sign made of fabric or any non-rigid material with no enclosing framework.

(g) "Building face or wall." All of the window, door, and wall area of a building in one plane or elevation.

(h) “Changeable Copy sign – Electronic.” Any sign whose informational content, display or copy can be changed or altered by electronic means - such as an LED sign, flat-panel digital screen, video projection or other similar electronic method.

(i) “Changeable Copy sign – Manual.” Any sign whose informational content, display or copy can be changed or altered by manual means. (Commonly seen as a sign with a white background and removable black lettering.)

(j) “Changeable Copy sign – Mechanical.” Any sign whose informational content, display or copy can be changed or altered by mechanical mechanisms, gears or other similar method.

(k) “Clear Vision Areas.” A triangular area established at the intersection of two (2) streets or at the intersection of a street and a driveway. Such a triangle shall have legs of thirty feet (30’) along the right-of-way and/or the driveway.

(l) “Commercial Complex.” A group of two (2) or more businesses in one (1) or more freestanding building(s) and contained on one (1) parcel of record or which is approved as a part of an overall site plan or commercial subdivision. For the purposes of this Chapter, planned commercial developments and commercial condominium projects are considered commercial complexes.

(m) “Commercial condominium project.” See “Commercial complex.”

(n) “Copy.” The wording or display on a sign face.

(o) “Directional sign.” Any sign used to direct traffic flow into or out of a parking lot through a City approved drive approach.

(p) “Flag Signs.” Any sign constructed of fabric, canvas, or similar material bearing information relating to or identifying a business (with the exception of a national or state flag) the pole or post of which is securely affixed or mounted on a structure or on a foundation in such a way as to allow wind movement and intended to be displayed in a free-flowing manner.

(q) “Flashing sign.” Any sign which has a flashing light source, such as a strobe light, or rapidly blinking LED lights. Flashing signs are prohibited.

(r) “Freeway Oriented sign.” A sign situated within five hundred (500’) feet of Interstate 15 and erected in a manner such as to be clearly visible to motorists on Interstate 15.

(s) “Frontage.” The width of the parcel of land that faces a dedicated street. The frontage definition for the “Monument Sign Table” shall mean the street frontage from which the sign is designed to be read.

(t) “Grade (ground level).” The average elevation of the ground level at the point that a sign emerges from the ground. For signs located on a bermed surface, grade shall mean the average elevation of the ground level at the base of the berm.

(u) “Height of sign.” The vertical distance measured from the grade to the highest point of the sign or sign structure.

(v) "Interior property line." A property line other than one having frontage along a dedicated street or a private street.

(w) "Interior sign." Any sign placed within the interior of a building and which is not intended to be visible from a public street.

(x) "LED sign." (LED stands for 'Light Emitting Diode'). LED signs typically produce a high intensity light by having many individual LED bulbs placed together in a series and are commonly seen displaying changing copy or messages that flash, scroll, or move across the sign. Many LED signs are bright red, yellow, or auburn and are considered a type of electronic 'Changeable Copy' sign.

(y) "Low Profile sign." This ordinance considers a low profile sign to be the equivalent of a monument sign and makes no distinction between them.

(z) "Marquee." Any permanent roof-like structure projecting beyond a building or wall of the building, generally designed and constructed to provide protection from the weather.

(aa) "Monument sign." Any on-premise sign which is mounted directly to the ground having no visible uprights or freestanding poles with a foundation or pedestal that is as wide, or wider than, the actual sign with a maximum height and area as indicated by the Monument Sign Table.

(bb) "Nameplate; Nameplate Sign." Any sign identifying the name, occupation, profession, and/or address of any occupant of the premises.

(cc) "Nonconforming sign." Any sign which was lawfully erected but which currently fails to conform to all of the requirements of this Chapter.

(dd) "Off-premise sign." Any sign erected for the purpose of advertising or promoting a product, event, person, or subject not entirely related to the premises on which the sign is located. For the purpose of this definition, bus benches and similar structures shall be defined as an off-premise sign. Off premise signs are prohibited.

(ee) "On-premise sign." Any sign advertising merchandise, services, or businesses available on the premises of the sign's location.

(ff) "Pennant sign." Any sign made of lightweight plastic, fabric, or other material whether or not containing a message of any kind, suspended from rope, wire, or string, usually in series, designed to move in the wind.

(gg) "Pole Sign." Any on-premise sign which is supported by one or more uprights, poles, or braces fastened to a foundation or embedded in the ground and not attached to any building. Pole signs typically have a sign face that is larger than the foundation or support structure of the sign.

(hh) "Portable sign." Any sign that is 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-frame or T-frame; umbrellas used for advertising; signs attached to or painted on vehicles parked and visible from

the public right-of-way, unless said vehicle is used in normal day-to-day operations; and, any banner type sign not attached parallel to a building wall.

(ii) "Projecting sign." Any sign attached to a building structure and extending in whole or in part more than eighteen inches (18") beyond the wall to which it is attached. Projecting signs are prohibited.

(jj) "Reader board sign." Any portable sign with changeable copy designed to be moved from one site to another and used for occasional promotional events. Reader board signs are prohibited.

(kk) "Roof sign (suspended)." 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. Roof signs (suspended) are prohibited.

(ll) "Roof sign (integral)." 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 that no part of the sign is separated from the rest of the roof. Roof signs (integral) do not include painted signs on roofs.

(mm) "Rotating sign." Any sign or portion of a sign which moves in a revolving or similar manner. Rotating signs are prohibited.

(nn) "Sign." Any device, fixture, placard, or structure that uses color, form, graphics, illumination, symbols, or writing to advertise, announce, identify, promote or communicate information of any kind to the public.

(oo) "Statue signs." Any three-dimensional likeness of a character, logo, trademark, animal, product, etc. that is intended to be used as a promotional display or advertisement for a business.

(pp) "Temporary sign." Any sign not permanently affixed or mounted and which is intended for display for a temporary period of time, such as signs advertising an open house.

(qq) "Wall sign." Any sign erected parallel with and attached to or painted on an exterior wall or fascia of a building, or any awning sign, including a back-lit awning sign.

(rr) "Window sign." Any sign installed upon a window for the purpose of being viewed from the outside of the premises, but not including displayed merchandise.

(ss) "Youth activity sponsor sign." Any sign that identifies and advertises the sponsors of youth teams or programs.

(tt) "Zone." Any land use regulatory zone as found in Title 12 of the Woods Cross City Code.

12-27-104. Construction of Terms.

Words in the present tense include the future and the future includes the present; the singular number includes the plural and the plural the singular. The words "lot", "plot", "tract" and "parcel" shall be considered synonymous when the context so requires. The term "erect" means

construct, alter, move, reconstruct, modify, expand, extend, rebuild, convert and similar terms bearing the connotation of construction of improvements on real property. The words “shall” and “must” are always mandatory. The term “City” shall mean Woods Cross City.

12-27-105. Permits.

(a) Permits required. Except as provided in this title it shall be unlawful for any person to erect, alter or relocate a sign within Woods Cross City without first obtaining a sign permit from the City.

(b) Permission of Property Owner. No person shall erect, construct or maintain any sign upon any property without the written consent of the owner.

(c) Application. Application for a permit shall be made to the Director upon a form provided by the City and shall contain such information as may be required to assure compliance with all appropriate laws and ordinances of the City, including but not limited to the following information:

(1) A site plan drawn to scale indicating the location of the proposed signage, existing signage, existing and future buildings, property lines, streets, sidewalks, landscaped areas, parking areas, and driveways.

(2) A drawing to scale indicating the proposed sign dimensions, construction specifications, electrical components and wiring, method of attachment, and character of structural members to which attachment will be made.

(3) An elevation drawing of existing or future buildings that will display the attached signage.

(4) Any other reasonably related information deemed necessary by the City.

(d) Sign inspections. All signs requiring a permit shall have the following inspections, unless waived by the Building Official:

(1) Footing inspections on all freestanding signs.

(2) Electrical inspections on all illuminated or electrical signs.

(3) Expansion inspections where evidence shall be provided to show that the existing sign can structurally support an increase in size and weight to the sign.

(4) Final inspections which shall cover the sign location, structural members and placement of the insignia.

(e) Fees required by this Chapter shall be paid in an amount set by resolution of the City Council.

(f) The Director shall have authority to review all sign permit applications; provided however that the following applications may be referred by the Director to the Planning Commission for review:

- (1) Any sign requiring Planning Commission review under this Chapter; and
- (2) Any sign presenting novel or unusual circumstances which, in the opinion of the Director may justify or deserve consideration by the Planning Commission.

12-26-106. Appeals.

Any person who has been ordered by the City to alter or remove any sign, or any person whose application for a sign permit has been refused, may appeal such Order. All appeals shall be made as follows:

(a) The appeal from a decision of the Director (or if applicable the Planning Commission) shall be filed with the City Recorder within ten (10) calendar days of the receipt of the City's decision. Appeals will be heard by the Hearing Officer as provided in Chapter 4 of this Title.

(b) The notice of appeal shall specify, in detail, the action and grounds upon which the applicant is aggrieved. An appeal may summarily be dismissed without prejudice if the notice fails to specify the grounds for appeal. An appeal dismissed under this subsection may be re-filed within ten (10) days of the summary dismissal. A second decision, whether a summary dismissal or a decision on the merits shall be final.

(c) All documents constituting the record upon which the action being appealed is based shall be transmitted to the Hearing Officer. The Hearing Officer shall decide, based upon a review of the record, whether or not the decision regarding removal of a sign or the grant or denial of an application for a sign permit was correct. Factual determinations underlying the decision appealed from shall be given deference and shall only be overturned if they are against the clear weight of evidence.

(d) The Hearing Officer shall set a date for hearing the appeal. Notice of the appeal hearing shall be given by mail, email, delivery or other manner allowed by law. The appellant may appear in person or may be represented by an attorney or other authorized agent at any hearing. Written authorization shall be required for an agent. After hearing the appeal, the Hearing Officer may reverse or affirm the order, wholly or in part, or may modify the City's order. The Hearing Officer shall provide a written decision within a reasonable time after the hearing.

(e) The City or any person aggrieved by any decision of the Hearing Officer under this Section may appeal such decision to a court of competent jurisdiction. Such appeal shall be made within thirty (30) days from the written decision of the Hearing Officer. The appeal shall address specifically the alleged error(s) in the decision of the Hearing Officer. The Court shall determine if the decision of the Hearing Officer was correct. No new evidence shall be presented, and the appeal shall be based on the record of proceedings before the Hearing Officer. The Court may direct the filing of appeal briefs in its discretion. The Court shall issue a written decision on the appeal

(f) Upon filing of an appeal, the City shall take no further action with regard to the removal of the sign involved until the Hearing Officer, or as applicable, the court makes a final decision on the appeal. However, if the City finds that the sign presents an immediate or serious danger to the public, the City shall proceed immediately to have the sign altered or removed.

(g) All proceedings before the Hearing Officer shall be governed by the provisions of Section 12-4-103 of this Title

12-27-107. Maintenance.

All signs shall be kept in good repair, maintained in a safe and attractive condition by the owner, and displayed so as to conform to all conditions of the sign permit. Signs in disrepair that have not been repaired for sixty consecutive days shall be removed from the building or premises by the owner, the person having control of the sign and/or premises or the person receiving the benefit of such sign. If not removed after 60 days written notice from the City, the City is authorized to remove the sign, may institute legal proceedings to effectuate the removal of the sign, or may issue a citation for violation of this Ordinance.

12-27-108. Prohibited Sign Locations.

No person shall erect or maintain a sign on or overhanging public property or a public right-of-way, nor shall any sign extend over an adjoining property line; provided, however, that governmental signs, and signs erected by a public utility company and approved by the City which are necessary for public safety are exempt from this section. The City is authorized to erect banners promoting a public purpose which overhang public property or a public right-of-way. No person shall erect any sign that will interfere with or restrict access to windows, fire escapes, or required exits. No person shall erect any sign which constitutes a safety hazard as determined by the City.

12-27-109. Prohibited Signs.

The following signs are prohibited in the City:

- (a) Abandoned signs.
- (b) Flashing Signs.
- (c) Off-premise signs, including off-premise "billboards".
- (d) Portable signs, except those expressly allowed in this title.
- (e) Projecting signs.
- (f) Reader board signs.
- (g) Rotating signs.
- (h) Roof signs (suspended).
- (i) Temporary signs, except those expressly allowed in this title.

12-27-110. Confiscation of Signs.

The City is hereby authorized to immediately confiscate any sign located on public property in violation of City ordinances. Confiscated signs shall be stored at a location determined by the Public Works Director for a period of 30 days, during which time the owner or

person having charge, control or benefit of the confiscated sign may redeem the sign after payment of enforcement costs to the City in an amount determined by the Public Works Director. Payment of costs to the City shall be made to the Community Development Department which shall issue a release notice for redemption of the sign upon payment of costs. Woods Cross City shall be held harmless for any damages incurred to signs as a result of their confiscation. In addition to enforcement costs, sign owners and persons having charge, control and/or benefit of any sign erected in violation of this title shall be liable for any damages caused to public property, public facilities or public utilities by reason of the placement, attachment and/or removal of such unlawful signs. Signs not redeemed within 30 days shall be deemed abandoned and at the discretion of the Public Works Director may be destroyed.

12-27-111. Abandoned Signs.

(a) Abandoned signs shall be removed from any building or premise by the owner or person having control of the premises or the abandoned sign.

(b) Any approved or nonconforming sign which has been taken down or removed from its location for a period of one (1) year or more shall be deemed abandoned and shall not be reinstalled thereafter unless a new permit is issued in conformance with the provisions of this Chapter.

(c) Any approved or nonconforming sign whose display area has not been used for current and existing advertising purposes for a consecutive period of one (1) year or more shall be deemed abandoned and such sign and sign structure shall be removed at the expense of the owner, unless the owner obtains a new permit in conformance with the provisions of this Chapter.

12-27-112. Unsafe or Dangerous Signs.

The Building Official is authorized to determine if a sign is unsafe or presents a danger to the public or to any person. The Building Official shall give written notice by personal service or mail (return receipt requested) to the property owner of an unsafe or dangerous sign, requiring removal or repair of the sign within seven (7) calendar days. If the unsafe or dangerous sign is not repaired or removed within the required time the Building Official may at once abate the sign according to the procedures in the Uniform Code for the Abatement of Dangerous Buildings.

12-27-113. Lighting of Signs.

The section provides guidelines for signs located on or within any residential, commercial, industrial, or professional development. These articles relate specifically to sign lighting.

(a) Sign lighting shall be stationary. No lighting shall blink, flash, or be of unusually high intensity or brightness so as to be distracting to motorists or other properties within the vicinity.

(b) Sign lighting shall be directed away from all adjacent properties and public streets and rights-of-way.

(c) Sign lighting shall be shielded or recessed so that direct glare and reflections are contained within the boundaries of the parcel upon which the sign is located.

(d) The lighting of a single sign or group of signs shall not exceed one foot candle in brightness as measured at the property line and shall be carefully directed so that light is not obtrusive or a nuisance to adjacent properties.

(e) Signs that include or incorporate neon lights, strings or lines of LED lighting, other electrically activated gas tubing or similar lighting placed around the perimeter of a sign, along a building elevation as building accents, or within a window (where such lighting is intended to be visible from the exterior of the building) are prohibited. Neon tubing may only be allowed to illuminate or outline wording, copy, or logos within a sign face.

12-27-114. General Regulations for All Signs.

(a) All mounting structures, sign casings, poles, monument bases, foundations for a sign or other materials used in housing a sign shall be constructed with subdued, earth-tone colors. For monument and pole signs, the use of natural materials such as wood or stone (or materials imitating the same) is strongly encouraged in the design of the sign frames and bases. This shall not be construed to mean that the City regulates the colors or copy of a sign face, but only the housing materials on which the sign is positioned.

(b) The size of the total combined signage for any face of a building shall not exceed 12 percent coverage of a building face. This includes signage on windows, wall signs, roof signs, etc. No building shall be deemed to have more than four (4) building faces.

12-27-115. Off Premise Commercial Center Directory Signs.

Upon review and approval by the Planning Commission, off premise commercial center directory signs may be allowed only for commercial center properties with six (6) or more separate tenants or businesses, on property held under one ownership. Such signs may be located off the premise it identifies, provided that such signs meet the following requirements:

(a) Be located on one of the following streets:

(1) 500 South Street.

(2) 500 West Street.

(3) 2600 South Street.

(4) Redwood Road.

(b) Be within one thousand (1000) feet of the property it identifies.

(c) Be located with written permission of the owner of the property on which the sign is to be located.

(d) Total allowable sign area (counting one side of a two-sided sign) shall not exceed one hundred (100) square feet plus an additional ten (10) square feet per tenant located in the commercial center; however, no off premise commercial center directory sign shall exceed two

hundred fifty (250) square feet in total sign area per side. Ground monument signs shall not exceed ninety-six (96) square feet per side.

(e) Maximum allowable height shall be twenty-five (25) feet.

(f) Pole signs shall provide a minimum clearance of ten (10) feet above the grade.

(g) Each such sign shall be located in an area with a minimum of two hundred fifty (250) square feet of landscaping. Landscaping details and plans shall be reviewed and approved by the Planning commission.

(h) Square pole covers shall be used for commercial center signs.

(i) Commercial center signs shall be located so as not to project over any property lines or public right of ways. Decisions relating to ground monument sign locations shall be made by the Director after review and comment by the City Engineer of such factors as safe sighting distances and clear vision requirements.

(j) The top portion of the sign shall identify the name of the commercial center along with its logo, if any.

(k) Up to twenty percent (20%) of the total sign area may be used as a changeable copy marquee or electronic message center. If only an electronic message center is used, without any other sign panels except the required commercial center identification sign at the top portion, the total sign area shall not exceed sixty-four (64) square feet. In addition, an electronic message center sign shall rotate continuously through all tenant messages and shall not be for the exclusive use of one or a few tenants of the commercial center.

(l) Only one (1) sign per commercial center shall be allowed.

(m) Off-premise commercial directory signs are allowed within the C-2, C-3, C2-A, CRT, S-1 and I-1 zones.

(n) Meet all other requirements of this Chapter, and as applicable any specific sign-related regulations of a particular zone.

12-27-116. Specific Regulations by Sign Type.

(a) A-Frame Signs:

(1) A-frame signs not exceeding thirty-six (36) by forty-five (45) inches (36" x 45") do not require a permit. A-frame signs exceeding these dimensions shall be prohibited.

(2) A-frame signs shall not be placed or displayed within the public right-of-way.

(3) No business shall display more than one A-frame sign for each location, except on a corner lot where one A-frame sign shall be allowed on each fronting street.

(4) A-Frame signs are allowed in the A-1, C-1, C-2, C2-A, C-3, CRT, S-1, AP, I-1, I-1A, and I-2 Zones.

(b) Balloon Signs:

(1) Balloon signs shall be subject to conditional use review by the Planning Commission, including evaluation of the requirements of Chapter 31 (Airport Protective Zone) of this title.

(2) Balloon signs shall:

(i) Be placed at a distance not less than ten (10') feet from the nearest public right-of-way;

(ii) Not be placed in a clear vision area; and

(iii) Not obstruct the vision of any motorist from seeing any traffic or traffic control devices.

(3) Businesses may only display balloon signs a maximum of ninety (90) days per site in any one (1) calendar year.

(4) Balloon signs may be displayed in the C-3, C2-A, C-2, S-1 and I-1 zones by persons obtaining the necessary conditional use permit.

(c) Banner Signs:

(1) Banner signs that are attached to a building through use of screws, bolts, nails or other fasteners are considered 'anchored' banner signs and do not require a sign permit. Anchored banner signs are not allowed for long-term permanent use. Anchored banner signs shall:

(i) Be allowed for use by any business or entity for no longer than twelve (12) months;

(ii) After twelve (12) months, be removed and/or replaced with a permanent sign meeting Woods Cross City requirements;

(iii) Be anchored approximately every 18" or less along the perimeter of the banner;

(iv) Be maintained in a neat and attractive condition. Frayed or torn signs shall be removed;

(v) Be attached to any wall of a building;

(vi) Not exceed ten percent (10%) of the wall area to which the sign is attached or ten percent (10%) of the wall dedicated to an individual unit within a commercial complex. Notwithstanding the foregoing, no more than two (2) banner signs shall be allowed for any business;

(vii) Not extend above the roofline;

(viii) Not be used on the same building or unit within a complex which has an Integral Roof Sign; and

(ix) Not project more than eighteen inches (18”) from the face of the part of the building to which it is attached.

(2) Temporary banner signs used for promotional events or other limited advertising purposes (not the primary signage for a business) do not require a sign permit. Temporary banner signs shall:

(i) Be attached parallel to a wall of the main building of the business or along a fence on the same lot as the business;

(ii) Not exceed ten percent (10%) of the wall area to which the sign is attached; if placed on a fence or similar structure, shall be no larger than thirty-two (32) square feet;

(iii) Not be used on the same wall where an existing “wall sign” or other banner sign is located unless the combined area of all signs on the wall at issue is less than ten percent (10%) of the wall area to which the signs are attached;

(iv) Not be attached to, or between telephone poles, utility poles, public or private light poles, trees, vehicles, temporary fence post or any other apparatus other than a building wall or fence,

(v) Not be placed on the roof of any building;

(vi) Be maintained in a neat and attractive condition; and

(vii) Be allowed for a maximum of ninety (90) days in one (1) calendar year.

(3) Banner signs are allowed in the C-1, C-2, C2-A, C-3, CRT, AP, S-1, I-1, I-1A, and I-2 zones.

(d) Changeable Copy Signs – Electronic or Mechanical:

(1) Zones, Conditional Use. Subject to the Location and Structure provisions herein, Electronic Changeable Copy signs (such as LED’s or other flat-panel digital technologies) and Mechanical Changeable Copy signs may only be erected in the C-3, C2-A, C-2, C-1 and I-1 zones and shall be subject to conditional use review and approval. Conditions may address a variety of factors including, without limitation, dimensions, structural considerations, materials of construction, compatibility with nearby uses, safety and other issues that may tend to mitigate the adverse effects of such signs.

(2) Size Requirements. Electronic Changeable Copy signs (such as LED's or flat-panel digital technologies) and Mechanical Changeable Copy signs shall not exceed fifty-six (56) square feet.

(3) Location and Structure.

(i) Electronic and Mechanical Changeable Copy signs may be utilized as a wall sign, pole sign, or ground monument sign in the following zones: C-3; C-2; C-2A; and I-1.

(ii) Electronic and Mechanical Changeable Copy signs located in the C-1 Zone may be utilized and located only as ground monument and wall signs. In the C-1 Zone, pole signs with electronic or mechanical changeable copy features are permissible only for prior nonconforming signs.

(4) The coverage and size limitations for wall, pole or monument signs shall also apply to any proposed Electronic Changeable Copy sign or Mechanical Changeable Copy sign.

(5) Minimum Hold Time – Times of Day – Transitioning – Background Color.

(i) During daylight hours (defined as the hours beginning at sunrise and ending at sunset for each day as determined by the public records of the National Weather Service), the minimum hold time between messages shall be not less than three (3) seconds.

(ii) During the hours beginning at sunset and ending at sunrise, and subject to the "dark period" requirements set forth below, the minimum hold time between messages shall be not less than six (6) seconds; and, during these same hours, in order to reduce the visual impact of illuminated images, the background for all images displayed shall be black or a similar dark color.

(iii) The time for fading, transitioning or dissolving of images shall be not less than one (1) second and not more than one and one-half (1.5) seconds.

(iv) Any sign that does not meet the minimum hold and transition times defined herein shall be deemed a prohibited "flashing sign" as defined in this chapter.

(6) Dark Period. During the hours beginning at 11:00 p.m. and continuing through 5:00 a.m. the luminosity of an electronic message sign shall be reduced to ten percent (10%) of its mid-day luminosity; the minimum hold time between messages shall be not less than thirty (30) seconds; and the background color of all images shall be black or a similar dark color.

(7) Electronic and Mechanical Controls. Each sign shall be equipped with electronic or manual controls that enable and ensure that an Electronic Changeable Copy or Mechanical Changeable Copy sign is fully consistent with the requirements of this section and is otherwise adjustable to meet the reasonable requirements of the City

related to luminosity, frequency and transitions for changes in copy and images, and background color.

(8) Traveling Messages. Traveling messages shall be defined as the display of words, copy or images that move or scroll within the face of a sign. Traveling messages are prohibited.

(e) Changeable Copy Signs - Manual:

(1) Manually Changeable Copy signs require a sign permit from the City.

(2) Manually Changeable Copy signs shall:

(i) Only be used in connection with pole signs, monument signs, or wall signs; and

(ii) Not have dimensions which exceed the requirements of the ordinance for pole, monument, or wall signs.

(3) Manually Changeable Copy signs are allowed in the C-1, C-2, C2-A, C-3, CRT, S-1, AP, I-1, I-1A, or I-2 zones.

(f) Directional Signs:

(1) Directional signs must be located on site and require a sign permit from the City.

(2) No more than one (1) Directional sign is allowed for each City approved drive approach.

(3) Directional signs shall:

(i) Not exceed three feet (3') in height; and

(ii) Not exceed six (6) square feet in area.

(4) Directional signs are allowed in all zones.

(g) Flag Signs:

(1) Flag signs must be located on-site and require a sign permit from the City.

(2) Flag signs are only allowed in the AP, C-3, C-2, C2-A, CRT, S-1, I-1, I-1A, and I-2 zones.

(3) Flag signs shall be kept in good repair (no frayed or torn edges, or excessive fading) or shall be required to be removed or replaced.

(4) All flag sign poles must be set back at least half the distance (measured in feet) of the flagpole height from any property line; the setback shall be not less than the flagpole height divided by 2.

(5) For purposes of calculating overall sign area or allowed signage, a flag sign shall be considered a pole sign.

(h) Interior Signs:

(1) No permit is required for Interior signs. (An electrical permit may be required when installing an illuminated interior sign)

(2) Interior signs are allowed in all zones.

(i) Monument signs.

The following provisions apply to monument signs:

(1) Monument signs require a sign permit from the City.

(2) Monuments signs shall be mounted directly to the ground with the entire base covered (no poles visible beneath base of sign). The base shall be as wide, or wider than, the sign face.

(3) Monument signs shall not exceed six feet (6') in height unless the length of lineal street frontage on the property is sufficient to provide for a larger single allowed sign height as specified in the "Monument Sign Table."

Monument Sign Table

Street Frontage (in feet)	Max Sign Area (sq ft)	Max Height (in feet)
175 feet or less	36	6
175 to 200	50	8
201 to 225	75	11
226 or more	110	14

(4) On corner lots, only the street frontage of the 'principal' or most traveled roadway adjacent to the lot shall be counted towards the street frontage allowed for obtaining a monument sign. For corner lots that have streets with similar traffic use, the side on which the sign will face shall be used to determine street frontage. The length of street frontage on lots with rounded property corners shall be measured from the point of intersection if both property lines on either side of the corner were continued in a straight line.

(5) Shall not exceed thirty-six square feet (36') in area unless otherwise specified on the "Monument Sign Table" as calculated by lot frontage.

(6) Shall be set back from the public right-of-way a minimum of ten feet (10').

(7) Shall be erected on a landscaped area of at least one hundred twenty square feet (120') with a minimum landscaped length and width of three feet (3').

(8) Shall not be erected in the clear vision area, except for signs which do not exceed three feet (3') in height from the adjacent street grade.

(9) Monument signs are allowed in the C-1, C-2, C2-A, C-3, CRT, S-1, I-1, I-1A, and I-2 zones.

(10) Each parcel or commercial complex may have one monument sign, however, one additional monument sign six feet (6') in height and thirty-six square feet (36') in area may be approved where the parcel or commercial complex has more than two hundred feet (200') of frontage on a dedicated street or has frontage on two (2) or more dedicated streets. The minimum distance between two (2) monument signs on the same parcel or commercial complex shall be one hundred feet (100').

(11) A berm, the height of which shall not exceed three feet (3') (measured from sidewalk grade level) may be placed beneath a monument sign. The berm must be landscaped and run along the entire length of the street frontage on which the sign is facing. The total height of a sign placed on any berm shall be measured from finish grade at the base of the sign.

(12) A landscaped 'clear vision area' is required within a distance of thirty feet (30') of either side of the sign as measured horizontally along the direction of the street for which the sign is facing. Any required trees or shrubbery within the 30' clear vision area that may block the view of a monument sign maybe moved elsewhere within the required front landscaping area; any tree or shrub must maintain a minimum three-foot (3') separation from any curb, sidewalk, or paved area. In no case shall the net number of required trees or shrubbery be reduced. Grass, flowers, or other low-lying landscaping around the sign will still be required per code and as shown on approved site plans.

(13) The use of natural materials such as wood or stone (or materials imitating the same) is strongly encouraged in the design of monument sign foundations, frames, or bases.

(j) Nameplate Signs:

- (1) No permit is required for Nameplates,
- (2) Nameplates shall not exceed three (3) square feet, and
- (3) Nameplates are allowed in all zones.

(k) Off-Premise Signs:

- (1) Off-Premise Signs are prohibited in all zones in the City.

(l) Pennant Signs:

- (1) Pennant signs require a sign permit from the City.

(2) Pennant signs shall:

(i) Not be placed in such a way as to obstruct the vision of any motorist from seeing any traffic or traffic control devices.

(ii) Businesses may only display pennant signs a maximum of ninety (90) days in any calendar year per site.

(3) Pennant signs are allowed in the AP, C-3, C-2, C2-A, CRT, S-1, I-1, I-A, I-1A and I-2 zones.

(m) Pole Sign:

(1) Pole signs require a sign permit from the City.

(2) Pole signs are only allowed in the AP, C-3, C-2, C2-A, S-1, I-1, I-1A and I-2 zones.

(3) Pole signs shall:

(i) Not exceed a maximum height of twenty-five feet (25') from the base of the sign located on the natural grade of the site. Freeway-oriented signs, if approved as a conditional use may be erected to a height of twenty-five feet (25') above the Interstate 15 grade level at a point perpendicular to the sign; however, in no case may a freeway-oriented sign exceed fifty feet (50') in total height. Pole signs that are oriented toward Legacy Parkway shall not be entitled to increased height or size allowances similar to those allowed for Freeway-oriented signs.

(ii) Be limited to not more than one (1) free standing or ground sign for each street frontage that is accessed by vehicular traffic; the size of each sign shall not exceed three (3) square feet for each lineal foot of frontage of the street adjacent to the sign. No sign shall exceed three hundred (300) square feet. Freeway oriented signs, however, may be erected without limitation by reason of the lineal feet of frontage of the lot upon which situated to a size not to exceed five hundred (500) square feet in area.

(iii) Not overhang or extend into or above the street right of way.

(n) Portable Signs: Portable signs are prohibited in all zones in the City.

(o) Projecting Signs: Projecting signs are prohibited in all zones in the City.

(p) Reader Board Signs: Reader Board signs are prohibited in all zones in the City.

(q) Roof Signs (Suspended): Roof signs are prohibited in all zones in the City.

(r) Roof Signs (Integral):

(1) Integral Roof signs require a sign permit from the City.

- (2) Integral Roof signs requirements and limitations:
 - (i) Limited to one (1) sign per building;
 - (ii) Shall not be allowed on any building having a wall sign;
 - (iii) The size shall not exceed ten percent (10%) of the square footage of the largest exterior wall of the building;
 - (iv) Allowed only in the AP, C-1, C-2, C2-A, C-3, CRT, I-1, I-1A, S-1 and I-2 zones.
- (s) Rotating Signs: Rotating Signs are prohibited in all zones in the City.
- (t) Statue Signs:
 - (1) Statue signs shall be allowed in the following zones: C-2; C-2A; C-3; CRT, S-1 and I-1. The size of the statue sign shall be counted within the size limitation of a sign area or coverage. (Examples: (a) If a monument sign for a feed store has a statue of a cow on top of the sign, the side elevation (or profile) of the sign and cow would need to fit within the square foot size limitation for monument signs; (b) If a restaurant has a statue of a chili pepper mounted to the front wall of their building, the statue would have to fit within the percentage coverage limitations of a wall sign when looking at the front elevation of the building.)
 - (2) Statues designed and located as public art and not as 'promotional commercial displays' are not regulated by this ordinance.
- (u) Temporary Signs:
 - (1) Duration. Temporary signs may be displayed for a period of time not exceeding sixty (60) days in any calendar year.
 - (2) Durability. All temporary signs, excepting A-frame signs, shall be securely attached to stakes or posts embedded in the ground or shall be securely attached to a permanent structure. Signs shall be made of durable materials such as will withstand the elements for the period of duration.
 - (3) Size and Setback. All temporary signs shall have an area no larger than fifteen (15) square feet in size. All Temporary Signs must be set back at least ten (10) feet from the property line.
 - (4) Owner consent. Any person wishing to display a sign must have the consent of the owner, lessee, or occupant of the property on which the sign will be located, prior to placement.
 - (5) Illumination. Temporary signs shall not be illuminated.
 - (6) Number. A maximum of one (1) sign shall be allowed on any lot.

(7) Public right-of-way. No sign shall be posted or displayed in the public right-of-way, or on any traffic regulatory sign pole or tree within any public street right-of-way, or on any utility pole, nor shall any sign be posted so as to obstruct sight lines within thirty (30) feet of any intersection or to inhibit travel along a public right of way.

(v) Wall Signs:

(1) Wall signs require a sign permit from the City.

(2) Wall signs shall:

(i) Be attached to any wall of a building;

(ii) Not exceed ten percent (10%) of the wall area to which the sign is attached or ten-percent (10%) of the wall face dedicated to an individual unit within a commercial complex;

(iii) Not extend above the roof line;

(iv) Not be used on the same building or unit within a complex which has an Integral Roof sign.

(v) Not project more than eighteen inches (18") from the face of the part of the building to which it is attached - including any light box or structural part of the sign, except for awning signs and back-lit awning signs which shall project not more than five (5) feet from the face of the part of the building to which it is attached.

(3) Wall signs are allowed in the AP, C-1, C-2, C2-A, C-3, CRT, S-1, I-1, I-1A, and I-2 zones.

(w) Window Signs:

(1) No permit is required for a Window sign.

(2) Window signs shall not exceed twenty percent (20%) of the total transparent area of all windows on one side of the building on which they are located.

(3) Flashing lights, LED signs, or strobe lights placed on the interior of a window but intended to be seen from the exterior of the building are prohibited.

(4) Window signs are allowed in the AP, C-1, C-2, C2-A, C-3, CRT, S-1, I-1, I-1A, and I-2 zones.

(x) Temporary Outfield Signs

(1) Subject to the terms and conditions of this Subsection, Temporary Outfield Signs may be allowed on a limited basis by license, contract, or use agreement with the City.

(2) Temporary Outfield Signs are only allowed for baseball fields located within Mills Park and must comply with all terms, conditions and requirements of this Section.

(3) Temporary Outfield Signs must be securely attached to a permanent baseball field fence and shall be secured to the fence every eighteen (18) inches or less along the perimeter of the sign.

(4) Temporary Outfield Signs shall only be allowed to be displayed on outfield fencing and shall be prohibited on infield fencing, backstops, or other park fencing.

(5) Temporary Outfield Signs shall face inward toward the playing field.

(6) Temporary Outfield Signs shall not exceed the height of the fence to which it is attached or five (5) feet from the ground, whichever is less.

(7) Temporary Outfield Signs shall not exceed a total of thirty-two (32) square feet in size for each sign.

(8) Temporary Outfield Signs shall be temporary in nature and must be a banner sign made of fabric or other non-rigid material with no enclosing framework and durable to withstand the elements.

(9) Temporary Outfield Signs must be maintained in a neat and attractive condition. Fringed or torn signs shall be removed and/or replaced immediately.

(10) Temporary Outfield Signs shall not be illuminated.

(11) Temporary Outfield Signs shall only be allowed for a maximum period of one hundred twenty-two (122) days and may only be displayed between April 1st through July 31st of any year.

12-27-117. Non-Conforming Signs.

(a) Continuation of legal non-conforming signs.

Any lawfully erected sign which has become unlawful solely by passage of this Chapter or a predecessor section or Chapter may continue to be maintained under the provisions of this section of the Woods Cross City Code.

(b) Alterations.

(1) A legal non-conforming sign shall not be structurally modified, reconstructed, raised, moved, placed, extended, or enlarged unless the sign is modified to conform with all of the provisions of this Chapter.

(2) The sign shall not be changed to or replaced by another nonconforming sign.

(3) Alterations shall not be interpreted to include changing the text or copy of advertising signs, signs for theaters, or other similar signs which are designed to accommodate changeable copy.

(4) Alterations shall not be interpreted to include changes in any sign face or copy as long as those changes do not require structural modifications to the sign. Content changes to a sign face do not require the sign to come into conformance with the current sign ordinance.

(c) Maintenance. Minor repairs and maintenance may be made to a nonconforming sign; however, in the event such sign has deteriorated such that the damage exceeds fifty percent (50%) of the reproduction cost of the sign, according to appraisal thereof by a competent appraiser, the owner will be given written notice of required repairs. If the sign is not repaired or restored within six months, the sign may be restored, reconstructed, altered or repaired only to conform with this Chapter. This does not include destruction caused involuntarily, in whole or in part due to fire or other calamity, unless the sign has been abandoned in accordance with 12-32-090.