

**ORDENANCE 09-35**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF SPRING HILL, TENNESSEE AS IT PERTAINS TO SIGNS**

**WHEREAS**, the Board of Mayor and Aldermen for the City of Spring Hill may, pursuant to its charter and general laws of the State of Tennessee, enact and amend zoning ordinance regulations in accordance with a comprehensive plan for the purpose of promoting the public health, safety, morals, convenience, order, prosperity, and general welfare of the community;

**WHEREAS**, the Spring Hill Planning Commission has recommended to the Board of Mayor and Aldermen that the Zoning Ordinance of the City of Spring Hill, Tennessee, be amended as hereafter described.

**BE IT THEREFORE NOW ORDAINED, BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF SPRING HILL, TENNESSEE:**

**THAT**; the Zoning Ordinance of the City of Spring Hill, Tennessee, is hereby amended by deleting the following sections in their entirety:

*Article IV, Section 10; Signs.*

*Article VI, Section 1.7; Limitation on Signs. [(AG) Agricultural Districts]*

*Article VI, Section 2.7; Limitation on Signs. [(R-1) Residential Districts (Low Density)]*

*Article VI, Section 3.7; Limitation on Signs. [(R-2) Residential District (Medium Density)]*

*Article VI, Section 5.7; Limitation on Signs. [(R-4) Residential District (High Density)]*

*Article VI, Section 6.7; Limitation on Signs. [(R-5) Residential District (Apartments)]*

*Article VII, Section 1.7; Limitation on Signs. [(B-1) Office and Limited Retail...]*

*Article VII, Section 2.7; Limitation on Signs. [(B-2) Neighborhood Shopping District]*

*Article VII, Section 3.7; Limitation on Signs. [(B-3) Intermediate Business District]*

*Article VII, Section 4.7; Limitation on Signs. [(B-4) Central Business District]*

*Article VIII, Section 1.7; Limitation on Signs. [(M-1) Industrial District (Light)]*

*Article VIII, Section 2.6; Limitation on Signs. [(M-2) Industrial District (Heavy)]*

*Article VIII, Section 3.7; Limitation on Signs. [(M-3) Industrial District (Special)]*

*Article X, Section 4.8; Provisions Governing Use and Operation of Signs.*

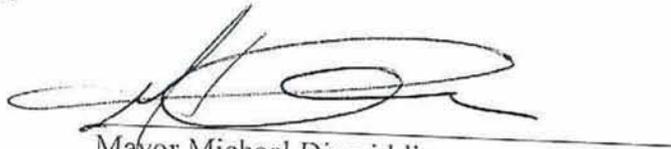
*Article X, Section 5.8; Permitted Signs. [Industrial Planned Unit Development]*

**THAT**; the Zoning Ordinance of the City of Spring Hill, Tennessee, is hereby amended by adding the Article XVI attached hereto and made a part of this Ordinance as a new Article XVI, titled "Signs".

**BE IT FURTHER ENACTED**, that any ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

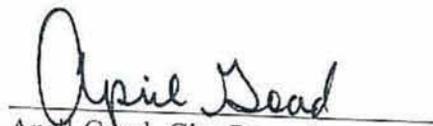
**BE IT FURTHER ENACTED**, that this ordinance shall take effect from and after its adoption, the public welfare requiring it.

Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 21<sup>st</sup> day of December, 2009.



Mayor Michael Dinwiddie

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Timothy P. Underwood, City Attorney

Passed on 1<sup>st</sup> Reading      November 16, 2009

Passed on 2<sup>nd</sup> Reading      December 21, 2009

## Article XVI. Signs

### 1.1 Purpose/Intent

Regulation of the location, size, placement, and physical attributes of signs is necessary in order for the public to locate facilities and receive a variety of messages easily and without confusion. In addition, it is important to encourage the general attractiveness of signs so as to enhance the community and protect property values. This sign ordinance is not intended to regulate the content or message of any sign. The regulations set forth in this ordinance include but are not limited to the following:

1. Promote and protect public health and safety
2. Aid in traffic flow by regulating the concentration of signs so they do not become distracting
3. Promote signs that are compatible with the surrounding area and community

### 1.2 Definitions

Attached Sign: A sign that is affixed to a wall or building that has a permanent or changeable copy face.

Awning: A secondary covering attached to the exterior of a building that may be placed above windows, doors and/or sidewalks.

Awning Sign: A sign attached to the front and/or side of an awning.

Banner: A sign made of fabric or non-rigid material.

Billboard: Any off-premise single panel sign of a monopole-type construction.

Canopy: A secondary covering, similar to an awning, that is attached to the exterior of a building and supported by columns, poles, and/or braces.

Canopy Sign: A sign attached to the front and/or side of a canopy.

Changeable Copy Sign: A sign where the frame or face is permanently attached and the message within the frame or face can be changed by manual or mechanical means.

Charitable Event: An event that raises funds for the benefit of a charitable organization recognized by the Department of the Treasury whose donors may

deduct contributions under section 170 of the Internal Revenue Code (26 U.S.C. Section 170).

Community Event: An event that raises funds for the benefit of any local or community cause that is not a charitable event or non-profit event.

Freestanding Sign: A sign intended to advertise a single business that is erected on a ground mounted base, frame, or pole, and not attached to any building.

Frontage, building: The length of a building which is substantially parallel to a public street or highway, and from which ingress to and egress from the building is available.

Frontage, street: The length of a lot line adjoining a public street or highway.

Hanging Sign: A sign that is attached to a building, awning, canopy, or overhang that is intended for advertising purposes.

Illegal Sign: Any sign which is a prohibited sign or does not comply with the requirements established herein, is not a lawful non-conforming sign and is not exempted by law from the requirements established herein.

Indirect Illumination: A source of light which is not internal.

Internally Illuminated Sign: Any sign designed to provide artificial light through transparent or translucent material from a light source within the sign.

Lot: A tract of land whose existence, location, boundaries, and dimensions have been legally recorded in a deed or plat and filed as a legal record in Register of Deeds office in Williamson County or Maury County, Tennessee.

Monopole-Type Sign: A sign with only one support.

Monument Sign: A sign intended to advertise multiple businesses or dwellings that is erected on a ground mounted base, and not attached to any building.

Non-Conforming Sign: Any sign which was lawfully erected and maintained prior to the effective date of any ordinance or amendment of such ordinance that contains provisions with which the sign does not comply.

Non-Profit Agency: A legally constituted organization whose objective is to support or engage in activities of public or private interest without any commercial or monetary profit.

Non-Profit Event: an event that raises funds for the benefit of a nonprofit agency

Off-Premise Sign: A sign or structure which advertises a business, product or service, or a public, charitable, religious, or institutional organization that is not located on or offered on the premise on which such sign or structure is located.

On-Premise Sign: A sign or structure which advertises a business, product or service, or a public, charitable, religious, or institutional organization that is located on or offered on the premise on which such sign or structure is located.

Painted Wall Sign: A sign that is painted on a wall or building.

Pennant: A piece of plastic or cloth sometimes bearing an emblem, dealership flag or drape that is suspended or projects from a private light pole, perimeter poles or dedicated pole..

Permit: An authorization by a regulative or governmental authority of a particular act or activity which is not of a continuing nature.

Portable Sign: Any advertising sign or device located on the ground that is easily moveable and not permanently attached thereto.

Real Estate Sign: A sign advertising the sale, lease or rental of the real property on which the sign is located.

Scoreboard: A structure located within an athletic field, displaying scores, team names and related information. The scoreboard may also display additional content, including but not limited to the names and logos of any sponsors.

Setback: A line located parallel to and a specified distance from the property line that is specified in the appropriate section of this ordinance and behind which line the sign may be constructed, erected or otherwise maintained.

Sign: Any letter, figure, design, logo, symbol, trademark, or device mounted or otherwise placed as a form of advertisement, announcement, or notice, and intended to be viewed from the outside of a building.

Streamer: Any long, narrow, flowing strip of plastic or cloth primarily used as an attention-getting device.

Temporary Sign: A sign which is to be used for a maximum of fifteen (15) days.

Wall Sign: A sign erected parallel to the face or on the outside wall of any building and supported throughout its entire length.

Window Sign: A sign affixed to or painted on a window or mounted within three (3) feet of such window that is visible from the outside.

### 1.3 Permitted Signs

#### 1.3.1 Signs Allowed in All Zoning Districts

1. Permanent freestanding flags not used as advertisement
  - A. Maximum of three (3) per lot.
  - B. Minimum setback shall be five (5) feet from the property line.
  - C. Base or Pole for flags shall be set back a minimum of seven and one-half (7 ½) feet from the public right-of-way.
  - D. Maximum pole height shall be forty (40) feet for ground mounted poles.
  - E. Maximum flag area shall be forty (40) square feet.
2. Attached ballfield fence signs
  - A. No signs shall extend above the top of the fence. Scoreboard signs that are part of the actual scoreboard may exceed the height of the athletic ballfield fence.
  - B. The backs of all signs shall be one color.
3. Temporary residential development-in-progress signs
  - A. Maximum of one (1) per entrance.
  - B. Minimum setback shall be five (5) feet from the property line.
  - C. Maximum height shall be six (6) feet.
  - D. Maximum sign area shall be thirty-two (32) square feet per sign.
  - E. Signs shall be removed after the development is eighty percent (80%) complete.
4. Temporary commercial development-in-progress signs
  - A. Maximum of one (1) per development. In addition, each contractor performing work on said development or supplier

providing materials for the development shall be permitted to display one (1) sign during the time that the contractor is actually performing work, or the supplier is furnishing materials to the development.

- B. Minimum setback shall be five (5) feet from the property line.
  - C. Base of sign shall be set back a minimum of seven and one-half (7 ½) feet from the public right-of-way.
  - D. Maximum height shall be six (6) feet.
  - E. Maximum sign area shall be thirty-two (32) square feet per sign.
  - F. Signs shall be removed within fifteen (15) days of completion of work.
5. Temporary auction signs
- A. Temporary signs pertaining to auctions in all districts may be displayed up to fifteen (15) days prior to the event for which they are intended, and must be removed within twenty-four (24) hours after the event. The number of signs may be as many as five (5), but cannot exceed twenty (20) square feet each.
6. Temporary banners, pennants, flags, streamers
- A. Each business within the City limits shall be permitted to erect banners, pennants, flags, or streamers up to six (6) times per year. Any banner, pennant, flag, or streamers shall not exceed thirty-two (32) square feet per sign face. Said signs shall be erected on premises only. The banner, pennant, flag, or streamers shall be removed after fifteen (15) days.
  - B. Signs may be erected as follows:
    - 1. Banners: One (1) per business
    - 2. Pennants: One (1) per fifty (50) feet of street frontage or one (1) per every two (2) poles on the property, whichever is greater.
    - 3. Flags: Two (2) per business
    - 4. Streamers: Three (3) linear feet per one (1) foot of street frontage.

5. Base of banners, pennants, flags or steamers shall be set back a minimum of seven and one-half (7 ½) feet from the public right-of-way.

### 1.3.2 Signs Allowed in All Non-residential Districts

1. Freestanding signs for single businesses
  - A. Maximum of one (1) per site.
  - B. Minimum setback shall be five (5) feet from the property line.
  - C. Base of sign shall be set back a minimum of seven and one-half (7 ½) feet from the public right-of-way.
  - D. Maximum height shall be six (6) feet.
  - E. Maximum sign area shall be thirty-two (32) square feet per sign.
  - F. Shall be constructed with masonry or natural materials, except for any letters or logos. This may include signs constructed within entrance walls.
  - G. The sign base shall not exceed fifty (50) percent of the sign face area.

2. Monument signs for multi-tenant shopping centers and office parks

A monument sign that identifies multiple non-residential uses shall be installed for the development rather than individual freestanding signs for each business. Such monument sign shall include the names and/or logos of the unified development and the principal businesses that are located in the development. The name of the unified development shall be located at the top of the sign and designed to stand out from the individual tenant listings within the development.

- A. Maximum of one (1) Off-Premise and one (1) On-Premise sign.
- B. Minimum setback shall be five (5) feet from the property line.
- C. Base of sign shall be set back a minimum of seven and one-half (7 ½) feet from the public right-of-way.
- D. Maximum height shall be thirty (30) feet to the top of the sign.

- E. Maximum sign area shall be one hundred (100) square feet for developments smaller than ten (10) acres in size. Developments between ten (10) and thirty (30) acres in size may have a sign area of one hundred fifty (150) square feet. Developments greater than thirty (30) acres in size may have a sign area of two hundred (200) square feet.
- F. The sign base shall not exceed fifty (50) percent of the sign face area.
- G. Off-Premise signs shall meet the following criteria:
  - 1. The shopping center or office park for which the off-premise sign is requested shall not be located on an arterial or collector road.
  - 2. The off-premise sign shall be located along an arterial or collector road.
  - 3. Written permission from the property owner or proof of easement shall be presented at the time of application for a permit.
    - a. If the property owner withdraws permission to display the off-premise sign, the sign shall be removed at the owner's request.
- 3. Attached signs
  - A. Maximum sign area shall be one (1) square foot per linear foot of building frontage.
- 4. Attached awning signs
  - A. Maximum shall be one (1) per building side.
  - B. Maximum sign area shall be twenty-five (25) percent of the awning face, which shall be considered the entire outer area of the awning.
  - C. Signs shall not project above or below the awning or roofline, with a maximum height of sixteen (16) feet when located within two hundred (200) feet of a residential district.
  - D. Signs shall not extend more than ten (10) feet from the building.
- 5. Attached canopy signs

- A. Maximum shall be one (1) per canopy face.
  - B. Maximum sign area shall be twenty-five (25) percent of the canopy face, which shall be considered the entire outer area of the canopy.
  - C. Signs shall not project above or below the canopy or roofline, with a maximum height of sixteen (16) feet when located within two hundred (200) feet of a residential district.
6. Attached hanging signs
- A. Maximum shall be one (1) per building face per tenant.
  - B. Maximum sign area shall be three (3) square feet per sign.
  - C. Signs shall be a minimum eight (8) feet off the ground with a maximum height at the roofline.
  - D. Signs shall not extend more than four (4) feet from the building.
7. Permitted temporary signs
- A. Maximum of two (2) per lot. No off-premise signs will be permitted.
  - B. Minimum setback shall be five (5) feet from the property line.
  - C. Base of sign shall be set back a minimum of seven and one-half (7 ½) feet from the public right-of-way.
  - D. Maximum height shall be six (6) feet.
  - E. Maximum sign area shall be thirty-two (32) square feet.

### 1.3.3 Signs Allowed in Residential Districts

- 1. Nameplates for houses, duplexes and multi-dwelling developments
  - A. Maximum of one (1) per dwelling unit.
  - B. Maximum sign area shall be two (2) square feet.
  - C. Nameplates shall only indicate name and/or address of occupants or premises.

2. Wall signs for multi-dwelling developments
  - A. Maximum of one (1) per development.
  - B. Maximum sign area shall be nine (9) square feet.
  - C. Wall signs shall only indicate name, address, and/or phone number of the premises, and the name of the management.
  - D. Signs shall be flush with the building and may have indirect illumination.
3. Monument signs for multi-dwelling developments
  - A. Maximum of one (1) sign on each street with frontage of more than one hundred fifty (150) feet.
  - B. Minimum setback shall be five (5) feet from the property line.
  - C. Base of sign shall be set back a minimum of seven and one-half (7 ½) feet from the public right-of-way.
  - D. Maximum height shall be six (6) feet.
  - E. Maximum sign area shall be thirty-two (32) square feet.
  - F. Sign shall only indicate name and/or address of the premises, and the name of the management.
  - G. Signs may be indirectly illuminated, provided that no light shall be visible from the public right-of-way or adjacent properties.
  - H. Signs shall be constructed with masonry or natural materials, except for any attached letters or logos. This may include signs constructed within entrance walls.
4. Monument signs for mobile home parks and subdivisions
  - A. Maximum of two (2) signs per development entry from a public street, with a maximum of four (4).
  - B. Base of sign shall be set back a minimum of seven and one-half (7 ½) feet from the public right-of-way.
  - C. Maximum height shall be six (6) feet.

- D. Maximum sign area shall be thirty-two (32) square feet per entrance.
- E. Signs may be indirectly illuminated provided that no light source shall be visible from the public right-of-way or adjacent properties.
- F. Signs shall be constructed with masonry or natural materials, except for any attached letters or logos. This may include signs constructed within entrance walls.

#### 1.3.4 Billboards

1. Billboards shall only be permitted on properties that are contiguous to Interstate 65.
2. A billboard shall consist of a single panel.
  - A. Type 1 billboards shall have a display surface area of seventy-five (75) square feet or less.
  - B. Type 2 billboards shall have a display surface area of more than seventy-five (75) square feet up to a maximum of six hundred seventy-five (675) square feet.
3. The maximum height above grade either at the base of the billboard or the nearest curb level of the surface street to which it is oriented, whichever provides the greatest height, is:
  - A. Twenty (20) feet for Type 1 billboards and
  - B. Fifty (50) feet for Type 2 billboards.
4. Spacing between billboards located on the same side of a public street or controlled access highway shall be one thousand (1000) feet.
5. No billboard located along a particular street shall be closer than five hundred (500) feet to the nearest property line of any residentially zoned property that has frontage on either side of the street.
6. No billboard located along a particular street shall be closer than one hundred (100) feet from the nearest property line of any residentially zoned property that does not front on said street.
7. Type 2 billboards shall only be located on lots that have frontage on public streets with four (4) or more travel lanes or that are located

within three hundred (300) feet of and are oriented to a limited access highway.

8. All billboards shall be of a monopole-type construction.
9. No billboard shall be permitted along any public street or highway that has been designated as a scenic route.

#### 1.4 Signs Excluded From Regulation

The following signs may be erected without a permit, but shall be subject to all remaining requirements of this ordinance:

1. Professional nameplates not exceeding two (2) square feet in area.
2. Bulletin boards and identification signs for public, charitable, educational or religious institutions located on the premises of said institutions and not exceeding twelve (12) square feet in area.
3. Non-illuminated temporary construction project ground signs.
4. Memorial signs or tablets, names of buildings and date of erection, when cut into any masonry surface, or when constructed of bronze or other incombustible material.
5. Traffic or other municipal, county, state or federal signs, legal notices, etc., as may be approved by the appropriate authority.
6. One ground or wall "For Sale" or "For Rent" sign per parcel of property when such sign has an area of not more than four (4) square feet. Such sign shall not be located within twelve (12) feet of any property line except in commercial or industrial districts.
7. Identification signs at the entrance drive of residences, estates, and ranches, which do not exceed two (2) square feet in area.
8. Non-advertising directional signs or symbols ("Entrance", "Exit", "Caution", "Slow", "No Trespassing", etc.) located on and pertaining to a parcel of private property, none to exceed two (2) square feet in area.
9. Residential real estate signs: Only one (1) real estate sign for residential property shall be erected on the property for which it advertises. It shall not exceed eight (8) square feet in sign area. Property with two (2) or more on-premise frontages shall be permitted one (1) additional sign per frontage. All such signs shall

be set back from the public right-of-way at least five (5) feet, and be placed only in the front or side yard. Only one real estate directional/open house sign shall be permitted for the property listed for sale, whether by an individual or realtor, at the entrance of the subdivision. Directional/open house signs shall be permitted to be displayed on weekends only from 4:00 p.m. Friday until 8:00 a.m. Monday. Directional/open house signs shall be permitted during the week as long as an active open house is taking place at that time. Any sign erected off-premise at any other time shall be impounded by the City with no prior notice to the owner. A property with fifty (50) acres or more shall be permitted to erect one sign per road frontage that shall contain no more than thirty-two (32) square feet of sign area. Signs must be removed with fifteen (15) days after the sale of the property.

10. Commercial real estate signs: Only one (1) real estate sign for commercial property shall be erected on the property for which it advertises. For commercial lots smaller than five thousand (5,000) square feet, no sign shall be larger than sixteen (16) square feet. For commercial lots larger than five thousand (5,000) square feet, no sign shall be larger than thirty-two (32) square feet.
11. Yard sale signs: Signs shall be placed on their own posts and may be displayed from 4:00 p.m. Thursday until 8:00 a.m. Monday. However, these signs shall be removed immediately after sale end if the sale ends before 8:00 a.m. Monday.
12. Grand opening signs: Each business opening its doors for the first time shall be permitted one (1) sign advertising the opening of the business. Maximum sign area shall be thirty-two (32) square feet. The sign shall be erected on premises, and shall be displayed for a maximum of thirty (30) days.
13. Signs pertaining to political campaigns shall not exceed sixteen (16) square feet per sign. One candidate cannot have more than six (6) sixteen (16) square foot signs within the city. However, the candidate shall be allowed to have an unlimited number of small yard signs at his/her personal residence, unless it is prohibited by his/her subdivision restrictions. No small yard sign shall be larger than six (6) square feet. Such signs may be allowed up to sixty (60) days prior to the election date, and must be removed within twenty-four (24) hours after the polls close. No signs shall be allowed to be placed on public right-of-way.
14. Lost pet signs shall be placed on their own posts and may only be displayed for seven (7) days.

15. Temporary church signs shall be permitted to be displayed from 4:00 p.m. Friday until 8:00 a.m. Monday. A maximum of four (4) signs may be placed within a two (2) block radius of the church.
16. Signs for non-profit agencies, non-profit events, charitable events and community events shall require a permit, but no fee is charged. Such signs may only be displayed for thirty (30) days.
17. Portable signs such as A-frame signs provided they are located within twenty (20) feet of the main entrance of a building.

#### 1.5 Signs Prohibited in All Districts

It is unlawful to erect, cause to be erected, maintain or cause to be maintained, any sign not expressly authorized by, or excluded from this ordinance. Any prohibited sign(s) may be removed by the building official or his/her designee immediately and without notice. The following signs are expressly prohibited:

1. Neon signs, with the exception of Open/Closed signs that are no larger than six (6) square feet in size.
2. Any sign that is contemptible, vile, obscene, degrading or detracting from the surrounding neighborhood as determined by the Board of Mayor and Alderman and/or the building official or his/her designee.
3. Any sign which constitutes a traffic hazard or a detriment to traffic safety by reason of its size, locations, movement, content, coloring, or method of illumination, or by obstructing the vision of drivers, or by obstructing or detracting from the visibility of any official traffic control device by diverting or tending to divert attention of drivers or moving vehicles from traffic movement on streets, roads, intersections, or access facilities; nor shall any sign be erected in such a manner as to obstruct the vision of pedestrians. Included in this prohibition is "sign spinners", which are individuals who perform tricks such as spinning, flipping, and twirling signs as a form of advertisement. Any sign which by glare or method of illumination constitutes a hazard to traffic is prohibited. No sign may use the words, "Stop", "Look", "Drive-in", "Danger", or any other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse traffic.
4. Signs (other than those erected by a governmental agency or required to be erected by a governmental agency) erected on the right-of-way of any street, road, or public way, or signs overhanging or infringing

upon the right-of-way of any street, road or public way, except as specifically provided by this zoning ordinance.

5. Directional signs, which are any off-premise signs relating to the identification of another premise and its occupants and to products sold or services rendered on that premise.
6. Any sign that contains animation or animated features, whether by lighting, mechanical, or other means that provides the animation features. Signs with scrolled lighting advertisements are allowed only if the lighting provided is a single non-distracting color of either white or red. Any and all signs equipped with an Electronic Message Display device, including, but not limited to signs with full or partial animation, and signs with travel or scrolling transitions. The prohibition shall also include all signs with Light Emitting Diodes (LED) or any electronic signs in static display mode.
7. Illuminated signs adjacent to residential developments. No sign is allowed to be erected on any property (regardless of zoning) that is located adjacent to residential property which contains an illuminated side that faces the residential property. The sign may contain an illuminated side as long as it is directed away from the residential property so that it serves as a form of indirect illumination.
8. Illuminated sign with illuminated lights other than steady, stationary, white light of reasonable intensity directly solely at the sign. The light source shall be shielded from adjacent buildings and streets, and shall not be of sufficient brightness to cause glare, visual nuisance to adjacent properties, or other nuisances to adjacent land uses. Visually distracting signs that project a glare, intense lighting, bright colors, driving distractions, etc., are not allowed.
9. Signs or sign structures that interfere with the free use of any fire escape, emergency exit, fire department connection, etc.
10. Signs that resemble any official sign or marker by any governmental agency.
11. Signs on natural features such as trees or other living vegetation, rocks, and utility poles.
12. Signs that incorporate projected images, or emit any sound, odor or visible matter that is intended to attract attention, or involve the use of live animals.

13. Signs that are painted, pasted, or affixed to any curb, flagstone, pavement, or any portion of any sidewalk or street, except house numbers and traffic-control markings.
14. Signs attached to parked vehicles for advertising purposes. Any vehicle with advertisement on it may only be parked in any particular location, other than the primary residence of the operator, for two (2) consecutive hours unless it is there for legitimate business purposes.
15. Temporary storage units placed for advertising purposes.

## 1.6 Sign Computations

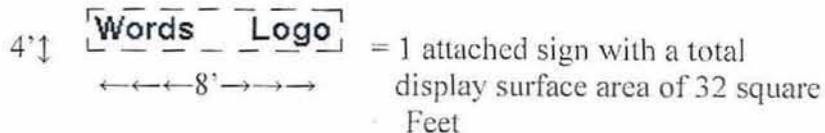
The following determinants shall control the calculation of sign spacing, area, height, and placement.

### 1.6.1 Calculating Sign Area

1. The area of a sign shall be calculated by use of the smallest box shape that encloses all borders, graphics, and letters as a complete sign. Sign area does not include any supporting framework, bracing, or decorative fence or wall, when such structure meets the provisions of this ordinance, and is clearly incidental to the display itself. When more than one word, image, logo, or trademark is attached to one elevation of a building and they are not enclosed by a box or outline either:
  - A. Each word, image, logo or trademark may be considered as a separate attached sign, with the display surface area of each such sign being calculated; or
  - B. Two or more of the words, images, logos, or trademarks may be considered as one attached sign, with the display surface area of the sign being calculated as the area within an imaginary box around the combination of the two or more words, images, logos, or trademarks, calculated by multiplying its height by its width.

#### Examples:

$3' \uparrow$   $\boxed{\text{Words}}$       $4' \uparrow$   $\boxed{\text{Logo}}$  = 2 attached signs with display surface areas of 15 square feet and 16 square feet respectively for a total of 31 square feet  
 $\leftarrow 5' \rightarrow$                        $\leftarrow 4' \rightarrow$



1.6.2 Determining Sign Area to be Calculated

1. Multi-sided signs may only receive consideration as a single sign as long as the message on each side is the same.
2. The surface area of a back-to-back sign shall be calculated by using the area of only one side if the distance between the signs does not exceed one (1) foot.
3. The surface area of a V-type sign shall be calculated by using the area of only one side if no two sides are separated by more than three (3) feet.
4. The surface area of a triangular sign shall be calculated by using the areas of the two largest faces.
5. The surface area of a four-sided sign shall be calculated using the areas of the two largest faces.

1.6.3 Determining Sign Height

1. The maximum permitted height of a sign shall be measured from the level of the centerline of the adjacent street to the highest point of the sign. However, if the grade of the subject property is higher than centerline of the adjacent street, the allowable sign height may be measured from the base of the sign.

1.7 Clearance From Electrical Lines

1. Signs shall maintain a minimum horizontal and vertical clearance of eight (8) feet from electrical lines and in accordance with the provisions of the National Electrical Code.

1.8 Sign Illumination

Unless otherwise prohibited by this ordinance, signs may be illuminated if such illumination is in accordance with this section.

1. A white, steady, stationary light of reasonable intensity that is directed solely at the sign. The light source shall be shielded from adjacent buildings and streets and shall not be of sufficient brightness to cause glare or other nuisances to adjacent uses.

2. Internal illumination that provides steady, stationary lighting through translucent materials.
3. No sign may contain or be illuminated by flashing or intermittent lights. Signs indicating the time, date, or weather conditions and those erected temporarily in connection with the observance of holidays are exempt.
4. Neon and bare fluorescent light tubes in any form on a sign or the exterior of a building or any other structure is prohibited.
5. Any illuminated free-standing sign within the corporate limits of Spring Hill must be installed in accordance with the National Electrical Code and must have a disconnect installed no more than fifty (50) feet from such sign.

#### 1.9 Sign Building Materials

1. Building materials for signs shall be durable, low maintenance, be of the same or higher quality as the principle structure(s), and shall not adversely impact adjacent uses.
2. The various parts of signs shall be compatible in design quality. Signs shall not be in the shape of a sponsor name or motif (such as soda bottles, hamburgers, boots, etc.)
3. The following materials are considered to be appropriate for sign backgrounds, frames, supports, and ornamentation:
  - A. Brick.
  - B. Natural stone, including panels. The use of natural materials is favored; however, the use of imitation stone is acceptable.
  - C. Stained split-face block.
  - D. Wood.
  - E. Exterior insulation and finish systems (EIFS), or similar material, in combination with brick, split-face block, or stone.
  - F. Metal panels, when used in combination with brick, split-face block, or stone.

- G. Plastic, or other synthetic materials, when used in combination with brick, split-face block, or stone.
- 4. The following materials are prohibited for sign backgrounds, frames, supports, and ornamentation:
  - A. Exposed metal poles. For pole based signs, except for billboards as described in section 1.3.4, subparagraph 8, poles shall be enclosed by a masonry veneer.
  - B. Smooth-face concrete blocks, whether painted or unpainted.
  - C. Metal panels when used without brick, split-face block, or stone.
  - D. Plastic, or other synthetic materials when used without brick, split-face block, or stone.

#### 1.10 Visibility

- 1. Signs shall not be located so as to obscure the view of pedestrian or vehicular traffic in a manner that endangers safe movement.
- 2. No person may, for the purpose of enhancing the visibility of signs, damage, trim, destroy or remove any trees, shrubs, or other vegetation located as follows:
  - A. Within public right-of-way, unless the work is done pursuant to the express written authorization of the City or State.
  - B. On property that is not under the ownership or control, of the person responsible for the work, unless the work is done pursuant to the express authorization of the person who owns the property where the trees or shrubs are located.
  - C. In any area where trees or shrubs are required to remain under a permit issued under this ordinance.

#### 1.11 Premises and Sign Maintenance

##### 1.11.1 Premises Maintenance

- 1. Signs and the premises surrounding them shall be maintained in a clean, sanitary, and inoffensive condition, free and clear of obnoxious substances, rubbish, and weeds.

### 1.11.2 Structure Maintenance

1. Signs, together with their supports, braces, guys, and anchors, shall be kept in good, safe repair and shall be maintained in quality condition, including the periodic application of paint or other weatherproofing materials to prevent rust or other decay. The building inspector may order the removal of a sign that is not maintained in accordance with the provisions of this ordinance. The removal or expense incurred to assure compliance shall be at the expense of the owner of the sign, occupant or property owner where the sign is located, or any one or all of them, who shall be liable for the expense.

### 1.11.3 Sign Area or Other Maintenance

1. The sign shall not be allowed to deteriorate to a broken, torn, peeling, flaking, or otherwise decayed condition and shall be repaired or removed within thirty (30) days of receipt of notice from the building official ordering the repair or removal. If the owner fails to remove or repair the sign so as to comply with the standards herein set forth within the time specified in the notice, the sign may be removed or altered to comply by the building official at the owners' expense.

### 1.11.4 Maintenance of Banners and Flags

1. Banners and flags shall not be allowed to deteriorate to a tattered, torn or faded condition and shall be attached properly at all times. Banners and flags in this condition may be removed by the building official or his/her designee without notice.

## 1.12 Enforcement/Administration

The building official shall have primary responsibility for the administration and enforcement of these sign regulations, which includes the review and issuance of permits, conducting inspections, and issuance of notices of violation.

1. Before a sign permit may be issued, complete plans and specifications showing the construction, methods of support, and materials used shall be submitted to the building official for approval. Such plans and specifications shall include the following:
  - A. A detailed site plan of the property drawn to scale, showing all existing and proposed freestanding signs, buildings, parking areas, and driveway entrances to the site, together with all roadways and informational signs located on the right-of-way of

said roadways which are located immediately adjacent to the proposed site.

- B. The total number of square feet of existing and proposed signage on the parcel where the proposed sign is to be erected.
  - C. The location of all existing advertising signs located within the minimum space requirements for distances between structures and any proposed advertising sign on the subject site.
  - D. The name and, where applicable, the consent statement of the property owner and/or lessee of the proposed site.
  - E. State department of transportation sign permit where applicable.
- 2. Whenever possible, applications are to be processed within ten (10) working days of receipt of all required documents in the building official's office.
  - 3. The building official shall keep and maintain accurate records of all sign permits issued by the City of Spring Hill, which may serve as the basis for a comprehensive inventory of signs within the City.
  - 4. The sign permit shall become invalid six (6) months from the date of issuance if the sign structure is not completed unless otherwise extended by the building official. Such permit shall not be transferable.

### 1.13 Permit Fees

Prior to issuing any permit for construction of signs, as provided herein, the applicant shall pay to the City a sign construction permit fee of five dollars (\$5.00) per square foot of sign up to sixty (60) square feet plus four dollars (\$4.00) for each square foot above sixty (60) square feet. The permit fee for banners is fifteen dollars (\$15.00) per banner. The permit fee for temporary auction signs is ten dollars (\$10.00) per sign. Sign construction permit fees shall be assessed and collected prior to the approval of any application for construction or major renovation. Any work requiring substantial alterations to the original structure or movement of the original supporting member(s) must be permitted as new construction. Minor renovations, including changing of existing removable parts of signs that are designed to be changed, repainting of any existing display matter or replacing existing lettering or decoration are deemed to be maintenance work for which no fees are charged and no permit is required. Any sign that requires a permit and is erected without obtaining such permit will be charged double the standard fee.

#### 1.14 Appeals

Appeals to any decision of the building official may be made to the Board of Zoning Appeals (BZA) regarding interpretation, but not to revise the intent of the ordinance. An appeal shall be filed within ten (10) days from the date of the alleged erroneous order, requirement, decisions, determination, or interpretation. Failure to do so will constitute a waiver of all rights to an administrative hearing.

1. An appeal of alleged erroneous order, requirement, decision, determination, or interpretation shall be filed with the building official and shall include the following:
  - A. The names, addresses and telephone numbers of the petitioner, the owner of the property on which the sign is erected or to be erected, and the owner of the sign.
  - B. Decision being appealed and description of the appeal.
  - C. Site plan of the property involved showing dimensions of the lot, improvements thereon, and accurate placement of the sign.
  - D. A drawing or picture detailing the sign involved.
  - E. Such other information as the building official may require to determine full compliance with the decision.
2. The appeal shall be scheduled for hearing by the BZA at the next scheduled meeting. The petitioner and the building official and/or their authorized representatives shall attend those meetings of the BZA at which an appeal is to be heard.
3. Following the hearing of any such appeal, the BZA may affirm, reverse, or modify the action of the building official and/or their representatives and may take other action which is appropriate under the circumstances and is allowed by law. The action of the BZA on any such appeal shall be final and conclusive.

#### 1.15 Penalties

It shall be unlawful to erect, construct, or maintain any sign which is not permitted or is prohibited under the provisions of this ordinance. Any person who violates this ordinance shall be guilty of a misdemeanor, which upon conviction, shall be punishable by a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) each day such violation is continued.

## 1.16 Non-conforming Signs

This section recognizes the eventual removal, as expeditiously and as fairly as possible, of non-conforming signs. It is also the intent of this ordinance that the removal of non-conforming signs shall be effected so as to avoid the unreasonable invasion of established property rights.

1. A non-conforming sign shall not be enlarged, expanded, extended, or structurally altered so as to create an additional non-conformity or to increase the extent of the existing non-conformity.
2. No non-conforming sign shall be removed, replaced, re-constructed, or relocated in whole or in part to any other location on the same or any other lot unless the replaced, re-constructed, or relocated sign conforms to the provisions of this ordinance.
3. In the event that a non-conforming sign is destroyed or is allowed to become dilapidated to the extent of fifty (50) percent or more of the cost to replace the sign, including labor and materials, the owner of the sign shall be required to remove the sign, unless the reconstructed or repaired sign conforms to the provisions of this ordinance.
4. Abandoning a sign shall terminate the right to maintain the sign, and the sign owner shall be required to remove the sign. A non-conforming sign shall be considered abandoned if it has displayed no message and no activity, business product, or service has been produced, conducted, sold, or performed for a period of sixty (60) days on the premises where the sign is located.
5. Signs illegally placed in the public right-of-way, off premises, or on premises shall be forfeited to the public and confiscated by the building official or his/her designee.
6. Non-conforming signs shall be brought into compliance once a change of use of the premises takes place.
7. Under no circumstances shall a sign, deemed by the building official to be illegal at the time of the adoption of this ordinance, be considered a legally non-conforming sign.
8. If the building official finds an abandoned sign that has not been removed, a non-conforming sign that did not exist prior to the adoption of this ordinance, or a sign that is unsafe or insecure, then he/she shall give written notice to the owner, agent, or person having beneficial interest in the building or the premises on which the sign is

located. The sign shall be removed or brought into compliance with this ordinance within thirty (30) days after receipt of the written notice. If the sign has not been removed or brought into conformance within the thirty (30) day period, the building official shall cause the sign to be removed immediately at the expense of the owner, agent, or person having the beneficial interest in the building or premises on which the sign is located.