Chapter 151: Sign Regulations

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CHAPTER 151: SIGN REGULATIONS

GENERAL PROVISIONS

§ 151.01 TITLE.

These regulations shall be known as the Carrollton Sign Code, may be cited as such, and will be referred to herein as “this code”.

§ 151.02 SCOPE.

(A) The purpose of this chapter is to provide minimum standards to safeguard life, health, property and public welfare by regulating and controlling the design, quality of materials, construction, location, electrification and maintenance of all signs and sign structures not located within a building.

(B) The regulations of this code are not intended to permit any violation of the provisions of any other lawful ordinance.

§ 151.03 ENFORCEMENT.

(A) *Authority*. The Building Official is hereby authorized and directed to enforce all the provisions of this code. For such purposes he shall have the powers of a law enforcement officer.

(B) *Right of entry*. Whenever necessary to make an inspection to enforce any of the provisions of this code, or whenever the Building Official or his authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building or premises unsafe, dangerous or hazardous, the Building Official or his authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Building Official by this code, provided that if such building or premises is occupied, he shall first present proper credentials and request entry; and if such building or premises is unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the Building Official or his authorized representative shall have recourse to every remedy provided by law to secure entry.

§ 151.04 DEFINITIONS.

(A) *Generally*. For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALTER. To change the size, shape, outline, intent or type of sign.

ANCHOR TENANT. A major tenant in a multi-tenant shopping center, with at least 20,000 square feet of retail space.

BUILDING LINE. A line established by ordinance beyond which a structure may not be built. A building line may be a property line.

BUILDING OFFICIAL. City Manager or his designee charged with the administration and enforcement of this code, or the Building Official's duly authorized representative.

CITY PARKWAY. The R.O.W. area between the street curb and the R.O.W/property line.

DECORATIVE DISPLAY. A flag or banner that contains no name, initials, logos, insignia or similar items and does not represent a government or private organization. Decorative displays are not signs.

DIGITAL BILLBOARD. Any commercial billboard sign utilizing digital message technology, capable of changing the static message or copy on the sign electronically. Digital Billboards shall contain static messages only, and shall not have animation, movement or the appearance or optical illusion of movement. Each static message shall not include flashing, scintillating lighting or the varying of light intensity.

FLAG. A piece of fabric, cloth, plastic, vinyl, canvas, leather, or other similar material attached to a staff cord on one end generally used as a symbol of a nation, state, city or other local government entity. Flags shall not be used in connection with a commercial promotion or to advertise a commercial product, service, activity, condition or person.

FLAG POLE. A permanent staff or pole specifically designed with pulleys and a cord on which a flag may be mounted.

ERECT. To build, construct, attach, hang, place, suspend or affix, and shall also include the painting of signs on the exterior surface of a building or structure.

LOGO. Any formalized design or insignia of a company or product that is commonly used in advertising to identify that company or product.

LOT. An individual parcel or tract of land approved by the city and recorded by a plat in the office of the appropriate County Clerk.

LOT LINE. A line dividing one lot from another, or from a street or place.

OBSOLETE. Any sign which no longer serves a bona fide use or purpose on a lot with or without a structure.

OFF-PREMISE. A sign displaying advertising copy that pertains to a business, person, organization, activity, event, place, service, or product not principally located or primarily manufactured or sold on the premises on which the sign is located.

ON PREMISE. A sign identifying or advertising a business, person, or activity, and installed and maintained on the same premises at the business, person, or activity.

OLD DOWNTOWN COMMERCIAL DISTRICT (ODC). A 15.7 acre tract of land with a perimeter boundary measured at the R.O.W. center line of Belt Line Road, S. I -35E, Vandergriff Drive and the Railroad, situated in the John Nix Survey, Abstract No. 1089, and the William Larner Survey, Abstract No. 799, Dallas County, Texas.

PREMISES. Land together with any buildings or structures occupying it.

PROPERTY LINE. The line denoting the limits of legal ownership of property.

REAR WALL. A wall with no main entrances, no store fronts and which does not face the front of the lot. A building may have a maximum of one rear wall.

SAIL SIGNS. A Wind Device that contains a harpoon-style pole or staff driven into the ground for support or mounted on a weighted portable base. Sail Signs are generally used in connection with a commercial promotion or to advertise a commercial product, service, business, activity condition, or person. **Sail Signs are prohibited in the City of Carrollton.**

SETBACK. The distance between the closest portion, whether the support structure or edge of the sign, to the back of street curb or edge of street pavement.

SIGN. Shall mean and include every sign, name, number, identification, description and announcement, declaration, demonstration, advertisement, device, display, flag, banner, pennant, illustration, beacon, light or insignia, and structure supporting any of the same, affixed directly or indirectly to or upon any building or outdoor structure, or erected or maintained upon a piece of land, which directs attention to any object, project, service, place, activity, person, institution, organization or business. Any interior illuminated or moving sign or lights which are visible from the exterior of the building or structure.

SIGN AREA. The square footage of a sign made up of letters, words or symbols within a frame shall be determined from the outside edge of the frame itself. The square footage of a sign composed of only letters, words or symbols shall be determined from imaginary rectangle drawn around the entire copy or grouping of such letters words or symbols. Double-faced signs shall be calculated as the area of one side only. Three-dimensional or multi-faced signs shall be calculated as the maximum area visible from any single direction at any point in time.

VEHICLE. For the purpose of this chapter shall mean any automobile, truck, camper, tractor, van, trailer or any device capable of being transported and shall be considered a ***VEHICLE*** in both moving and stationary modes, irrespective of state of repair or condition.

(B) *Sign types and uses:*

AWNING. An architectural projection, which provides weather protection, identity and decoration, attached and supported by the building. It is composed of a lightweight rigid or retractable frame over which a thin cover of fabric or other materials is attached, and may be illuminated.

BANNER. A temporary sign made of cloth, canvas or other light fabric not permanently affixed.

CAN/BOX SIGN. A metal non-molded square or rectangular casing with plastic or Plexiglas face with adhesive lettering attached. The inside of the casing contains bulbs, tube lights and sliding tracks for simple replacement or exchange of the face. **Can / Box signs are prohibited in Carrollton.**

CANOPY. A roof-like structure which shelters a use and is supported by either one or more columns or by the building to which it is accessory and is open on two or more sides.

CAPSULE SIGN. A sign fabricated from aluminum or metal with an acrylic face that allows light to pass through and illuminate the letters or logo. Capsule signs typically include a company logo or other graphic that describes the product or service offered by the business. Capsule signs may not exceed 25% of the total combined area of the main sign and capsule sign.

CHANNEL LETTER SIGN. Individually constructed letters fabricated out of aluminum or other similar materials to form a three-dimensional letter that may accommodate a light source. Letters may be installed on a raceway or directly to the exterior wall.

COMMERCIAL BILLBOARD. Any sign that promotes or advertises off-premise commodities or services.

CONSTRUCTION (PROJECT). Any temporary sign identifying the property owner, architect, contractor, engineer, landscape architect, decorator or mortgagee engaged in the construction or improvement of the premises on which the sign is located.

DIRECTIONAL. Any sign that guides traffic on private property.

FLAG. A piece of cloth, canvas, or other light fabric displayed on a pole.

GENERAL BUSINESS. Any sign, which is used to identify a business, profession, service, product or activity, conducted, sold or offered on the premises where such sign is located.

GROUND. A temporary sign that is made of wood, metal or other rigid materials and supported by one or more uprights, poles in the ground.

ILLUMINATED. Any sign that has characters, letters, figures, designs or outline illuminated by electric lights, luminous tubes or other similar means.

INCIDENTAL. Small signs, less than two square feet in surface area, of a noncommercial nature, intended primarily for the convenience of the public. Included are signs designating restrooms,

address numbers, hours of operation, and entrances to buildings, directions, help wanted, public telephone and so forth. Also included in this group of signs are those designed to guide or direct pedestrians or vehicular traffic to an area or place on the premises of a business building or development by means of a directory designating names and addresses only.

INFORMATIONAL. Any sign that provides non-advertising information on private property.

MENU BOARD. A sign that is used to list items, dishes, meals or specialties to be served.

MOLDED CABINET SIGN. A uniquely shaped and molded sign illuminated with internal lamps. Light is transmitted through an acrylic or routed metal face. Acrylic, Plexiglas or Lexan faces are molded with unique shapes which would not be considered easily interchangeable.

MONUMENT. A sign having a low profile and made of stone, concrete, metal, routed wood planks or beams, brick or similar materials. A monument sign shall be solid from the ground up; pole(s) or supports shall be concealed.

MURAL. Non-commercial pictures painted on or attached to the exterior walls not advertising a product or service which is sold on the premises.

NAMEPLATE. Any sign showing only the name and address of the owner or occupant of the premises on which it is erected or placed.

PAN SIGN. A sign fabricated from aluminum or steel panel or other similar materials containing digitally printed artwork, cut out vinyl letters and logo or channel letters and logos mounted to the pan face. Pan signs may be designed with square or rounded corners and are not internally lit. **Pan signs are prohibited on retail buildings.**

PERMANENT FREESTANDING. An on-premise sign or three-dimensional figure or object not attached to any structure supported on a foundation to withstand the stress from weight and wind load.

POLE. A freestanding sign supported by a pole having no guys or braces to the ground or to any other structure.

POLITICAL. Any sign that refers only to the issues or candidates involved in a political election.

PORTABLE. Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported by wheels including, but not limited to signs which are mounted on skids, trailers, wheels, legs or stakes; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising.

PROJECTING. Signs that project from a building and have one end attached to a building or other permanent structure.

PYLON. A freestanding sign supported by two vertical pole supports encased in brick, stone or materials architecturally compatible with the main building or structure on the property.

REAL ESTATE. Any temporary sign pertaining to the sale or rental of property.

READERBOARD. Alternating electronic data control components.

ROADWAY CONSTRUCTION BANNER. A temporary banner sign to advertise the business and must be related to roadway construction.

SANDWICH BOARD. A self-supporting "A" shaped sign with two visible sides that is situated on or adjacent to a sidewalk.

SIGN PLACEMENT AREA. A designated area on a building specifically designed for placement of signage, generally a feature that is architecturally designed to enhance the building and give specific prominence to the placement area.

STAKE. A temporary commercial or political freestanding sign supported by a piece of material driven into the ground.

TEMPORARY. Any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other like materials, with or without frames, and any type sign not permanently attached to the ground, wall or building, intended to be displayed for a short period of time only.

TEMPORARY DEVELOPMENT. A temporary, on-site promotional sign pertaining to the development of land.

TEMPORARY REAL ESTATE. A temporary, on-premise sign pertaining to the sale or rental of the property.

TEMPORARY WEEKEND APARTMENT ADVERTISEMENT. A sign used on apartment property to solicit the attention of potential renters and provide information pertaining to the apartments on the premises.

TEMPORARY WEEKEND HOMEBUILDER DIRECTIONAL. Any sign temporarily used in directing traffic to a residential section of the city. Company or builder logos may be used on directional signs.

VEHICULAR. Any sign attached to or painted on vehicles parked and visible from the public right-of-way; unless said vehicle is used in the normal day-to-day operations of the business. This definition shall not include signs that are being transported to a site of permanent erection.

WALL SIGN. Any sign attached to a wall with the sign facing parallel to and not more than 12 inches from the wall surface. A wall sign contains only the name of a business, logo and product or service of the establishment. A sign attached to or painted upon an awning and visible to the exterior shall be considered a wall sign.

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

('65 Code, § 17-1; Ord. 1278, passed 6-17-86; Am. Ord. 1357, passed 3-17-87; Am. Ord. 1396, passed 7-21-87; Am. Ord. 1396, 7-21-87; Am. Ord. 1521, passed 12-20-88; Am. Ord. 1701, passed 5-7-91; Am. Ord. 1702, passed 5-7-91; Am. Ord. 1824, passed 8-4-92; Am. Ord. 1925, passed 8-3-93; Am. Ord. 2150, passed 4-16-96; Am. Ord. 2576, passed 12-5-00; Am. Ord. 2961, passed 3-1-05; Am. Ord. 3146, passed 6-19-07; Am. Ord. 3298, passed 5-19-09; Am Ord. 3512, passed 8-21-12, Ord. 3538, passed 2-5-13) Penalty, see § 10.99

§ 151.05 RESPONSIBILITY OF COMPLIANCE.

The permittee, owner, agent, person or persons having the beneficial use of the ground of a sign, the owner of the land or structure on which the sign is located, the person responding on behalf of such advertising, and the person in charge of erecting the sign are all subject to the provisions of this chapter.

('65 Code, § 17-25; Ord. 1278, passed 6-17-86) Penalty, see § 10.99

ADMINISTRATION AND ENFORCEMENT

§ 151.10 BOARD OF ADJUSTMENT.

(A) The Board of Adjustment (Board) shall consist of nine (9) members who are residents and taxpayers of the city of Carrollton, each to be appointed by a majority of the City Council for a term of two (2) years and removable for cause by the City Council. Vacancies shall be filled for the unexpired term of any member, whose place becomes vacant for any cause, in the same manner as the original appointment was made.

(B) All cases to be heard by the Board shall always be heard by a minimum number of seven (7) members.

§ 151.11 OPERATIONAL PROCEDURE.

(A) The Board of Adjustment shall adopt rules to govern its proceedings provided that such rules are not inconsistent with this ordinance or state law. Meetings of the Board will be held at the call of the Chairperson or at times the Board determines it necessary. All meetings shall be held in accordance with the Open Meetings Law. The Chairperson, or in his absence, the acting Chairperson, may administer oaths and compel the attendance of witnesses.

(B) The Board shall keep minutes of its proceedings, showing the vote of each member upon each question or if absent or failing to vote, indicating such fact, and other official actions. All records shall be immediately filed in the office of the Board and shall be a public record.

(C) Appeals to the Board can be taken by any person aggrieved, or by any officer, department or board of the city affected by any decision of the Building Official relative to the enforcement of this ordinance. Such appeal shall be taken within fifteen (15) days' time after the decision has been rendered by the Building Official, by filing with the Building Official and with the Board a notice of appeal specifying the grounds thereof, and upon payment of a fee in an amount determined by the City Council. The Building Official shall forthwith transmit to the Board all of the papers constituting the records upon which the action appealed from was taken.

(D) An appeal shall stay all proceedings in furtherance of the action appealed for until the Board takes action, unless the Building Official certifies to the Board, after the notice of appeal shall have been filed, that in his opinion such stay will cause imminent peril to life. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or a court of record on application or notice to the Building Official and due cause shown. Any criminal action having been commenced in the Municipal Court shall not be stayed.

(E) No appeal to the Board for the same or a related action on the same piece of property shall be allowed prior to the expiration of six months from the previous ruling by the Board, unless other property in the immediate vicinity has within the said six months, been changed or acted on by the Board or City Council so as to alter the facts and conditions upon which the previous Board action was based, as determined by the Board. Such change of circumstances shall permit the rehearing of an appeal prior to the expiration of a six-month period, but such conditions shall not have any force in law to compel the Board after hearing, to grant a subsequent appeal; such subsequent appeal shall be

considered entirely on its merits and the peculiar and specific conditions related to the property on which the appeal is brought.

(F) At a public hearing relative to an appeal, any interested party may appear before the Board in person or by agent or by attorney. The burden of proof shall be on the applicant to establish the necessary facts to warrant favorable action of the Board on any matter. Any action granting a variance authorizing the issuance of a sign permit shall be valid for only 90 days unless said permit is secured in the 90 day period and construction is commenced in accordance with the Building Code, in which event the action of the Board shall be permanent. The Board shall have the authority to extend this period. If said sign permit is not secured in the 90 days, or such period granted by the Board, the action of the Board shall become void without prejudice to a subsequent appeal and such appeal shall be subject to the same regulation and requirement for hearing as herein specified for the original appeal.

('65 Code, § 17-14; Ord. 1278, passed 6-17-86; Am. Ord. 1440, passed 11-17-87; Am. Ord. 2576, passed 12-5-00; Am. Ord. 2961, passed 3-1-05) Penalty, see § 10.99

§ 151.12 ACTION OF THE BOARD OF ADJUSTMENT.

(A) In exercising its powers, the Board may, in conformity with the provisions of the state of Texas as existing or hereafter amended, reverse or affirm, wholly or in part, or may modify the order, requirements, decision or determination appealed from and make such order, requirement, decision of determination in the Board's opinion as ought to be made and have all powers of the Building Official. The Board shall have the power to impose reasonable conditions in order to assure compliance and protect adjacent property.

(B) The concurring vote of seven (7) members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Building Official, or to decide in favor of the applicant in any matter upon which the Board is required to act under this subchapter or to cause any variance to this chapter.

§ 151.13 NOTICE OF HEARING BEFORE THE BOARD OF ADJUSTMENT REQUIRED.

The Board shall hold a public hearing on all applications and appeals made thereto. Such notice under this chapter shall be given not less than ten (10) days before the date set for the hearing to all parties in interest. Such notice may be served by depositing the same, properly addressed and postage paid, in the United States Post Office. Notice shall be given by publishing the same at least one (1) time in a newspaper of general circulation in the city of Carrollton at least ten (10) days prior to the date of such hearing, which notice shall state the time and place of such hearing.

('65 Code, § 17-17; Ord. 1278, passed 6-17-86; Am. Ord. 1357, passed 3-17-87; Am. Ord. 2961, passed 3-1-05) Penalty, see § 10.99

§ 151.14 JURISDICTION OF THE BOARD OF ADJUSTMENT.

(A) When in its judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially injured, the Board may, in specific

cases, after public notice and public hearing, and subject to appropriate conditions and safeguards, act upon certain items, as identified herein below.

(1) To hear and decide appeals where it is alleged there is an error on any order, requirement, decision or determination made by the Building Official in the enforcement of this code.

(2) To authorize the reconstruction of a nonconforming sign for an existing business provided such reconstruction does not, in the judgment of the Board, increase the degree of nonconformity of the sign.

(3) To authorize such variances where the literal enforcement of the provisions of this code would result in an unnecessary hardship, and where such variances are deemed necessary to permit a sign on a specific parcel of land which differs from other parcels of land in the same district by being of such restricted area, shape or slope that a sign cannot be placed on the parcel in a manner commensurate with those signs permitted on other parcels of land in the same district. The modification of the standards established in this code shall not be granted to relieve a self-created or personal hardship, nor for financial reason alone, nor shall such modification be granted to permit any person a privilege in placing a sign on a parcel of land not permitted by this code to other parcels of land in that district.

(4) To authorize the use of an alternate material, design standard, or method of construction, where the board finds the alternate is satisfactory and complies with the provisions of the sign code and finds that the material, design standard, or alternate method of construction is at least the equivalent of that prescribed in the code in quality, strength, effectiveness, durability and safety.

(5) To authorize a special exception for one off-site temporary directional ground sign for single-family residential subdivisions. The sign is limited to 32 square feet in area, 12 feet in height and a minimum of 25 feet from any street abutting property lot lines. A sign shall be allowed only in case of a geographical hardship and for a specified time period, but not longer than three years.

(6) To authorize a special exception allowing a single business to include their company logo or name on a subdivision entry sign structure when the Board determines the following:

(a) That the granting of such special exception will be consistent with the general purpose and intent of this section, and will serve the general welfare and preserve the community interest;

(b) The request is for a minimum subdivision size of 100 acres;

(c) A single logo or company name is limited to the permitted subdivision entry sign structures at the one main entrance to the subdivision;

(d) The logo or name must be subordinate to the subdivision identification sign; and

(e) Any conditions that will secure substantially the purpose and intent of this section.

(7) To authorize a special exception allowing a business wall sign increased area within the Old Downtown District when the Board determines the following:

(a) That the granting of such special exception will be consistent with the area's turn-of-the century small town Texas character in size, shape, style, color and content;

(b) The wall sign is placed on a single tenant building with a minimum floor area of 4,000 sq. ft.

(c) The maximum wall sign area authorized is 100 sq. ft.

(d) The maximum number of wall signs with an area increase allowed is two per building, meeting the criteria of division (A)(6)(b) above; and

(e) Any conditions that will secure substantially the purpose and intent of this section.

(8) To authorize a special exception allowing a wall sign to be on a separate building or wall on the same premises from where the business has a certificate of occupancy.

(9) Meritorious exceptions. In the development of these criteria, a primary objective has been ensuring against the kind of signage that has led to low visual quality. On the other hand, an equally primary objective has been guarding against signage over-control. It is not the intention of these criteria to discourage innovation. It is entirely conceivable that signage proposals could be made that, while clearly nonconforming to this chapter, and thus not allowable under these criteria, have obvious merit in not only being appropriate to the particular site or location, but also in making a positive contribution to the visual environment. Such proposals will be seriously and fairly considered by the Board of Adjustment.

(B) No variance may be granted if the granting of that variance will create an unnecessary hardship upon another parcel of land. The Board is not authorized to grant a variance of the zone in which a sign is permitted. In order to make a finding of hardship and to grant a variance, the Board shall find:

(1) The requested variance does not eliminate any requirement of this code and does not allow any prohibited signs or acts.

(2) The hardship is not in any way the result of the applicant’s own action.

(3) The hardship is peculiar to the property of the applicant and not due to the general conditions of the neighborhood. Economic gain or loss shall never be sufficient grounds for the finding of a hardship or the granting of a variance.

('65 Code, § 17-17; Ord. 1278, passed 6-17-86; Am. Ord. 1357, passed 3-17-87; Am. Ord. 1521, passed 12-20-88; Am. Ord. 1702, passed 5-7-91; Am. Ord. 1824, passed 8-4-92; Am. Ord. 2048, passed 2-7-95; Am. Ord. 2100, passed 9-5-95; Am. Ord. 2212, passed 10-1-96; Am. Ord. 2576, passed 12-5-00; Am. Ord. 2961, passed 3-1-05; Am. Ord. 3146, passed 6-19-07) Penalty, see § 10.99

PERMITS, FEES AND INSPECTIONS

§ 151.30 SIGN PERMIT REQUIRED.

(A) It shall be unlawful for any person to erect, replace, enlarge or relocate any sign within the city without first obtaining a permit to do so from the Building Official, except as may be hereinafter provided.

(B) Any sign, display or device allowed under this code may contain in lieu of any other copy any otherwise lawful noncommercial message.

(C) Multiple-building lot coordinated signage.

(1) Special district. Notwithstanding anything contained in this section, if property is developed in a special district, all signs on such property may be reviewed and approved as part of the overall development plan. Total signage allowed for all sites in the development may be aggregated and the total allowance redistributed. Sign locations, types and sizes may be varied; however, they must be consistent with site and landscape planning principles and will be part of the review process.

(2) Compatibility of design. All signs applied for under the provisions within this section are subject to the approval by the Development Services Department. The following criteria shall be considered:

i. Compatibility with surrounding signage as related to location, height, size, setback, etc.
ii. Compatibility with aesthetics as related to color scheme, shapes, design, materials, etc.
iii. Relationship to proposed or existing landscaping.

('65 Code, § 17-2; Ord. 1278, passed 6-17-86; Am. Ord. 1675, passed 12-18-90; Am. Ord. 3146, passed 6-19-07) Penalty, see § 10.99

§ 151.31 SIGNS EXEMPT FROM PERMIT.

A permit shall not be required for the following signs; provided, however, such signs shall otherwise comply with all other applicable sections of this code.

(A) One temporary wall or banner sign not exceeding eight square feet in area, which advertises the sale, rental or lease of the premises on which such sign is located.

(B) Nameplates not exceeding two square feet in area.

(C) Memorial plaques, building identification signs and building cornerstones when cut or carved into the masonry surface or when made of noncombustible material and made an integral part of the building or structure.

(D) Permanent on-site directional/informational signs limited to the following:

(1) Eight square feet including two square feet for company logo or insignia;

(2) Maximum three feet in height.

(3) Directional arrows;

(4) Sign copy "Enter/exit" or equivalent;

(5) Sign copy "Drive through" or equivalent;

(6) Limited to businesses on separate platted lots;

(7) Limited to one per drive; and

(8) Informational signs are only permitted behind the building setback line.

(E) Reserved.

(F) Traffic or other municipal signs, legal notices, danger and such emergency, temporary or non-advertising signs as may be approved by the City Council or the City Manager or his authorized representative, when placed in compliance with the Uniform Manual on Traffic Control Devices and with applicable city ordinances.

(G) Scoreboards, municipal golf course tee signs, sports field fencing, parks and pools fences including identification of donors for the City of Carrollton, an independent school district's or a private school's athletic facilities.

(H) Signs fabricated into windscreens for tennis courts on City of Carrollton park facilities only for identification purposes.

(I) Temporary special occasion announcement signs on residential lots for a maximum time limit of five days.

(J) Religious emblems when installed in compliance with the zoning and construction codes.

(K) Seasonal decorations for a maximum of 60 days, provided traffic visibility is not affected.

(L) Insignia of any governmental body or private organization or company, decorative displays for holidays and/or public demonstrations. Flags or decorative displays shall not protrude over the right-of-way. See § 151.86 for Banners.

(M) Incidental signs.

(N) The changing of messages on copy on signs designed and intended to be changed on a regular basis provided the sign is not altered. Examples of these type signs are theater marquees, electronic reader boards, menus, fuel prices, billboards, directories and the like.

(O) Stake signs as authorized in § 151.85 other than homebuilder directional signs.

(P) Sandwich board signs in the Old Downtown Commercial District as provided in § 151.89.

(Q) The removal and replacement of interchangeable panels for signs designed for this specific purpose.

(R) Window signs/painted window signs. Maximum size shall not exceed 25% of total window area for any linear wall segment.

Exception: Up to four (4) square feet may be used to post business hours and contact information without being considered within the 25% limitation.

(S) Gasoline/service station signage. Signs located beneath a canopy which do not advertise the premises, including but not limited to the following information: “Self-Service”, “Full Service”, “Unleaded Gasoline” and “Regular Gasoline”, are exempt. Governmentally mandated signage and signage contained within the individual pumps are also exempt. In addition, ten square feet of signage is permitted per side under the canopy per set of gasoline product dispensers. Signage located beneath the canopy which is intended to advertise to individuals using the gasoline product dispensers only, and not intended for advertisement to the public right-of-way, is exempt. Letters less than three inches in height shall not be counted as part of the sign allowance.

(T) On-site directory for multiple tenant developments. Maximum size shall be twenty (20) square feet, with height not to exceed five (5) feet. Directory signs shall be set back in accordance with the required front yard setbacks by the zoning district.

('65 Code, § 17-20; Ord. 1278, passed 6-17-86; Am. Ord. 1357, passed 3-17-87; Am. Ord. 1372, passed 5-5-87; Am. Ord. 1396, passed 7-12-87; Am. Ord. 1521, passed 12-20-88; Am. Ord. 1540, passed 4-4-88; Am. Ord. 1675, passed 12-18-90; Am. Ord. 1701, passed 5-7-91; Am. Ord. 1702, passed 5-7-91;

Am. Ord. 1824, passed 8-4-92; Am. Ord. 1925, passed 8-3-93; Am. Ord. 2330, passed 5-19-98; Am. Ord. 2576, passed 12-5-00; Am. Ord. 2961, passed 3-1-05; Am. Ord. 3146, passed 6-19-07; Ord. 3458, passed 10-18-11) Penalty, see § 10.99

§ 151.32 APPLICATION FOR SIGN PERMIT.

Application for a sign permit shall be made in writing upon forms furnished by the Building Official. Such application shall contain the location by street and number of the proposed sign structure, as well as the name and address of the owner and the sign contractor or erector. The Building Official may require the filing of plans or other pertinent information where in his opinion such information is necessary to insure compliance with this code. Standard plans may be filed with the Building Official.

('65 Code, § 17-3; Ord. 1278, passed 6-17-86; Am. Ord. 1440, passed 11-17-87; Am. Ord. 1521, passed 12-20-88) Penalty, see § 10.99

§ 151.33 FEES.

Permit and non-refundable application fees for each sign shall be as provided for in the city approved fee schedule (Chapter 31).

('65 Code, § 17-4; Ord. 1278, passed 6-17-86; Am. Ord. 1440, passed 11-17-87; Am. Ord. 1521, passed 12-20-88) Penalty, see § 10.99

§ 151.34 PERSONS INELIGIBLE TO RECEIVE PERMITS.

(A) The Building Official shall not issue a sign permit to any person who has previously failed or refused to pay any fees or costs assessed against him under the provisions of this code, until such fees are paid.

(B) The Building Official shall not issue a permit for a permanent sign to any business without a valid application for a Certificate of Occupancy.

('65 Code, § 17-5; Ord. 1278, passed 6-17-86; Am. Ord. 2576, passed 12-5-00) Penalty, see § 10.99

§ 151.35 PERMIT REVOCABLE.

The Building Official may suspend or revoke any permit issued under the provisions of this code whenever he shall determine that the permit is issued in error or on the basis of incorrect or false information supplied, or whenever such permit be issued in violation of any of the provisions of this code or any other ordinance of this city or laws of this state or the federal governments. Such suspension or revocation shall be effective when communicated in writing to the person to whom the permit is issued, the owner of the sign or the owner of the premises upon which the sign is located.

('65 Code, § 17-6; Ord. 1278, passed 6-17-86)

§ 151.36 PERMIT VALID FOR ONLY ONE HUNDRED AND EIGHTY DAYS.

If the work authorized by a permit issued under this code has not been commenced within 180 days after the date of issuance, the permit shall become null and void.

('65 Code, § 17-8; Ord. 1278, passed 6-17-86; Am. Ord. 2576, passed 12-5-00) Penalty, see § 10.99

§ 151.37 INVESTIGATION FEES; WORK WITHOUT A PERMIT.

(A) *Investigation.* Whenever any work for which a permit is required by this code has been commenced with-out first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

(B) *Fee.* An investigation fee, in addition to the permit fee, shall be collected, whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee.

('65 Code, § 17-9; Ord. 1278, passed 6-17-86; Am. Ord. 1521, passed 12-20-88) Penalty, see § 10.99

§ 151.38 INSPECTIONS.

(A) All signs for which a permit is required shall be subject to inspection by the Building Official.

(B) Footing inspections may be required by the Building Official for all signs having footings.

(C) All signs containing electrical wiring shall be subject to the provisions of the governing Electrical Code, and the electrical components used shall bear the label of an approved testing agency.

(D) The Building Official may order the removal of any sign that is not maintained in accordance with the provisions of § 151.41.

(E) All signs may be reinspected at the discretion of the Building Official.

('65 Code, § 17-7; Ord. 1278, passed 6-17-86) Penalty, see § 10.99

§ 151.39 REMOVAL OF OBSOLETE SIGNS.

Any sign which the Building Official determines no longer serves a bona fide use conforming to this code or an abandoned use, shall be removed by the owner, agent or person having the beneficial use of the land, buildings or structure upon which such sign is located within 15 days after written notification to do so from the Building Official. Upon failure to comply with such notice, the Building Official is hereby authorized to cause the removal of such sign, and any expense incident thereto shall be paid by the owner of the land, building or structure to which such sign is attached or upon which it is erected. Abandoned use shall be the voluntary act of the user and/or owner to discontinue a use for a period of one hundred eighty (180) consecutive days or more.

('65 Code, § 17-10; Ord. 1278, passed 6-17-86; Am. Ord. 2961, passed 3-1-05) Penalty, see § 10.99

§ 151.40 REMOVAL OR REPAIR OF UNSAFE SIGNS.

If the Building Official shall determine that any sign is unsafe or insecure, or is a menace to the public, he shall give written notice to the person or persons responsible for such sign. If the permittee, owner, agent or person having the beneficial use of the premises fails to remove or repair the sign within 15 days after such notice, such sign may be removed by the Building Official at the expense of the permittee or owner of the property upon which it is located. The Building Official may cause any sign that is an immediate hazard to persons to be removed summarily and without notice.
('65 Code, § 17-11; Ord. 1278, passed 6-17-86) Penalty, see § 10.99

§ 151.41 MAINTENANCE OF SIGNS.

All signs and sign support structures, together with all of their supports, braces, guys and anchors, shall be kept in repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times.

('65 Code, § 17-19; Ord. 1278, passed 6-17-86; Am. Ord. 1521, passed 12-20-88) Penalty, see § 10.99

§ 151.42 ELIMINATION OF CERTAIN SIGNS.

The city may require the removal of any sign erected in violation of any regulations of the city.

(Ord. 2961, passed 3-1-05) Penalty, see § 10.99

§ 151.50 POLITICAL SIGNS.

A permit shall not be required for political signs. Political signs must comply with all applicable sections of this code.

(A) Political signs attached to or placed upon a vehicle:

(1) Shall not be placed more than 90 days prior to that election;

(2) Shall not be greater than eight feet in height;

(3) Shall not have an effective area greater than 36 square feet;

(4) Shall not be illuminated;

(5) Shall not have moving elements;

(6) Shall be prohibited where such vehicle is allowed to remain parked in the same location or in the same vicinity, at frequent or extended period of time, where the intent is apparent to be one of using the vehicle and signs for the purpose of advertising a political message;

(7) Shall be removed from display within five days after that election.

(B) Political signs located on private real property

(1) Shall be placed with consent of the property owner;

(2) Shall comply with the city's Visibility Ordinance;

(3) Shall not be greater than eight feet in height;

(4) Shall not be illuminated;

(5) Shall not have moving elements;

(6) Shall not be attached to or nailed to a tree located on city or other government property, utility post, traffic sign or street signal post;

(7) Shall be removed from display within five days after that election.

(C) No political sign may be placed on a public right of way, median, city park, city facility or other public property.

(Ord. 3457, passed 10-18-2011)

PROHIBITIONS

§ 151.60 PROHIBITED SIGNS AND ACTIVITIES.

(A) *Traffic.* A sign shall not be erected in a manner that would confuse or obstruct the view or interpretation of any official traffic sign, signal or device.

(B) *Obscene, indecent and immoral matter.* It shall be unlawful for any person to display upon any sign any obscene, indecent or immoral matter.

(C) *Commercial billboards are prohibited.*

(D) *Off-premise signs are prohibited except as authorized by §151.85 and §92.32.*

(E) *Advertising matter placed on or suspended from buildings, poles, sidewalks, vehicles and the like.*

(1) No person shall place or suspend from any building, light pole, utility pole, structure, sidewalk, parkway, driveway or parking area, any goods, wares, merchandise or other advertising or display of such items other than a sign, as defined, regulated and permitted by this code.

(2) No cloth, paper, banner, flag, device or other similar matter shall be permitted to be attached to, suspended from or be allowed to hang from, any sign, building, vehicle or structure, when the same shall create a public menace or danger.

(F) *Painting, marking, and the like of streets, sidewalks, utility poles, and the like.* No person shall attach any sign, paper or other material, or paint, stencil or write any name, number (except address numbers) or otherwise mark on any sidewalk, curb, gutter, street, utility pole, fence or structure except as otherwise allowed by ordinance.

(G) *Attaching advertising matter to fences, utility poles, and the like; scattering advertising matter on streets and sidewalks.*

(1) No person, firm, corporation or association of person, shall paste, stick, tack, nail or otherwise place any advertisement, handbill, placard or printed, pictured or written matter or thing for any purpose upon any fence, railing, sidewalk or public telephone, electric or other utility pole, or any other public property, including trees thereon.

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

(H) *Certain illuminated signs prohibited.*

(1) No sign, whether required to be permitted or not, shall be illuminated to such an intensity or in such a manner, as to cause a glare of brightness to a degree that it constitutes a hazard or nuisance to traffic. Moving, flashing, blinking, intermittent lighted, changing color, beacons, revolving or similarly constructed signs shall not be allowed except for time and temperature on an otherwise permitted sign. See § 151.81(F) for electronic message signs.

(2) No lighted sign shall be erected within 150 feet of a residential district unless the lighting is shielded from view of the residential district.

(I) *Signs prohibited on or over public property.* No portion of any sign shall be erected on or over public property, unless the same is erected by the city, or with the permission of the city or as specified in section 151.85, except for a sign not greater than 36 square feet in area and 8 feet in height at a polling place on Election Day.

(J) *Roof sign prohibited.* Any sign erected on a vertical framework supported by and located immediately and entirely over the roof of a building is prohibited. Signs painted or attached on the roof of a structure are prohibited.

(K) *Balloons and other floating devices.* No person shall erect, maintain or permit the erection of any balloon or other floating device anchored to the ground or to any structure within the city except as specified in § 151.92.

(L) *Certain temporary signs prohibited.*

(1) Stake signs, except as specified in § 151.85;
(2) Portable signs except as specified in §151.88;
(3) Freestanding self-supportive advertising signs; and
(4) Sandwich board signs except as specified in § 151.89.
(5) Sail Signs
(6) V-Shaped Signs

(M) *Signs leaning against windows.* All Signs visible from the exterior of a window shall be attached to the window or to the structure and shall comply with Sec.151.31 (R).

(N) *Windows where the back side of display shelving, storage or other fixtures is located adjacent to such windows.* Windows shall be obscured up to four (4) feet from grade with a opaque window film adhered to the window such that the back side of display shelving, storage or other fixture are not visible through the window. Foil, newspaper, cardboard and other such materials placed in windows shall be prohibited.

(O) *Can/Box signs are prohibited on all buildings in Carrollton.*

(P) *Pan signs are prohibited on retail buildings.*

(Q) *Signs painted directly on face of building are prohibited.*

(R) *LED or other continuous or connected series of lights:*

Prohibitions: The following items shall be prohibited:

(1) No lighting shall be permitted to outline individual windows.

(2) No lighting shall be permitted to outline an individual occupancy in a multi-tenant building.

(3) No lighting shall be permitted to outline any accessory structures, signs, light poles or other appurtenances on site.

(4) No lighting shall be permitted to outline any vertical features of the building separate from the roof line.

Exception: Rope or other continuous or connected series of lights utilized to outline only the roof line of any building.

('65 Code, § 17-23; Ord. 1278, passed 6-17-86; Am. Ord. 1357, passed 3-17-87; Am. Ord. 1372, passed 5-5-87; Am. Ord. 1396, passed 7-21-87; Am. Ord. 1521, passed 12-20-88; Am. Ord. 2143, passed 3-5-96; Am. Ord. 2576, passed 12-5-00; Am. Ord. 2961, passed 3-1-05 Penalty, see § 10.99; Am. Ord. 3288, passed 3-3-09; Am. Ord. 3298, passed 5-19-09; Ord. 3458, passed 10-18-11, Ord. 3538, passed 2-5-13; Am. Ord. 3632, passed 8-15-14) Penalty, see § 10.99

DESIGN AND CONSTRUCTION

§ 151.70 WIND PRESSURE AND DEAD LOAD REQUIREMENTS.

All signs shall be designed and constructed to withstand a wind pressure of not less than 30 pounds per square foot of area, and shall be constructed to receive dead loads as required by the current Building Code.

('65 Code, § 17-18; Ord. 1278, passed 6-17-86) Penalty, see § 10.99

§ 151.71 SIGN PLACEMENT.

The Building Official may approve a temporary sign setback reduction in the following circumstance:

(A) The existing street right-of-way is greater than necessary to accommodate current pavement width but will be necessary to meet future roadway design requirements;

(B) No sign shall be placed closer than 15 feet from the existing back of street curb or edge of street pavement;

(C) Traffic visibility shall not be obstructed;

(D) The sign shall be located entirely on private property. Requests for sign placement on property owned by the city may only be considered by the City Council; and

(E) The property owner executes an acknowledgment that at any time and for no reason whatsoever, the Building Official may give 90 days written notice to the property owner requiring compliance with all provisions of ordinances regulating signs and that such modifications and changes shall be at the owner's expense. At the expiration of 90 days, if the sign has not been removed, the city shall have the right to enter property, remove the sign and the appurtenances and place a lien on the property for the cost of such removal.

(Ord. 2100, passed 9-5-95; Am. Ord. 2961, passed 3-1-05) Penalty, see § 10.99

SPECIFIC SIGNS; REGULATIONS

§ 151.80 NONCONFORMING SIGNS.

Nonconforming existing signs.

(A) A sign that does not conform to the regulations prescribed in this code and that existed lawfully on the date of adoption of this chapter or amendment hereto shall be deemed a nonconforming sign. A nonconforming sign may be maintained.

(B) The right to continue all nonconforming signs shall cease and such sign shall be removed whenever:

(1) An approved application for certificate of occupancy or a certificate of occupancy for a change of business or ownership is issued as provided in the Comprehensive Zoning Ordinance and a sign is associated with the previous business or ownership. This division applies to on-premise advertising signs only.

(2) A change of occupancy classification occurs as described in the building code and a sign is associated with the classification change.

(3) A sign is altered, moved or relocated without a permit pursuant to the provision of the chapter.

(4) A sign is destroyed and the cost to repair exceeds 60% of the replacement cost on the date of damage.

(5) A sign leans such that an angle between the sign and the ground is 70° or less.

(6) A sign that has fallen onto the ground.

(7) An occupancy change occurs as described in divisions (B) (1) or (2) of this section and an off-premise or on-premise wall sign is on the property.

(C) Signs designated by official action of the city as having special historic or architectural significance are exempt from division (B) of this section.

(D) A nonconforming general business sign situated on a property acquisition initiated by the city may be relocated on site provided the sign is removed or rebuilt to conform to those ordinances within two years. Relocation is limited to the same physical sign with no increase in height, area, or change in other physical attributes. The setback of the sign shall comply with the Visibility Ordinance. For purposes of this provision, "A property acquisition initiated by city" does not include right-of-way dedicated in the subdivision plat process.

('65 Code, § 17-24; Ord. 1278, 6-17-86; Am. Ord. 1660, passed 10-16-90; Am. Ord. 1925, passed 8-3-93; Am. Ord. 1933, passed 8-17-93; Am. Ord. 2576, passed 12-5-00; Am. Ord. 2961, passed 3-1-05)
Penalty, see § 10.99

§ 151.81 PERMANENT FREESTANDING SIGNS.

(A) Permanent freestanding signs of heights of six feet or less must be constructed as monument signs. Signs of heights of 20 feet or less must be constructed as monument or pylon signs. Signs allowed over 20 feet in height may be constructed as pole signs. Permanent freestanding signs shall be on the premises of the advertised use. Permanent freestanding signs shall include the four-digit address with a minimum of 6" tall numbers that are visible and are a contrasting color to the sign background. Monument signs shall have a solid opaque base.

(B) (1) Maximum height: Six (6) feet including base, measured to ground level at base, or nine (9) feet with performance-based enhancement as indicated in 151.81(J) The ground level may be bermed a maximum of three feet from top of the adjacent curb for monument signs.

(2) Exceptions:

(a) For lots within ODC: four feet.

(b) For lots over three acres or anchor tenants over 20,000 square feet: 12 feet or 15 feet with performance-based enhancement as indicated in 151.81 (J).

(c) For lots over five acres or anchor tenants over 50,000 square feet: 20 feet or 25 feet with performance-based enhancement as indicated in 151.81 (J).

(d) For lots three acres or less that abuts IH-35E: 35 feet and must be located adjacent to IH-35E.

(e) For lots over three acres that abut IH-35E: 50 feet and must be located adjacent to IH-35E.

(f) Menu boards: eight feet.

(C)(1) Maximum area: 60 square feet of sign copy or 90 square feet with performance-based enhancement as indicated in 151.81 (J). For signs with multiple tenants, the name of the shopping/business center shall not be considered when calculating the area of sign copy.

(2) Exceptions:

(a) For lots over three acres: 100 square feet of sign copy or 125 square feet with performance-based enhancement as indicated in 151.81 (J).

(b) For lots over five acres: 160 square feet of sign copy or 200 square feet with performance-based enhancement as indicated in 151.81 (J).

(c) For lots under three acres and abutting IH-35E: 125 square feet.

(d) For lots over three acres and abutting IH-35E: 250 square feet of sign copy for the first sign and 125 square feet of sign copy for each additional allowed sign. Sign must be located adjacent to IH-35E.

(e) ODC district I.D.: 200 square feet of sign copy.

(f) For multiple tenant signs: Each individual sign panel shall be a minimum of twelve (12) inches in height.

(D) (1) Setback: Sign shall be set back 25' from back of curb or from edge of street pavement and shall comply with the Visibility Ordinance.

(2) Exceptions:

(a) For lots within ODC: 0 feet and shall comply with the Visibility Ordinance.

(b) For subdivision entrances: 0 feet and shall comply with the Visibility Ordinance and if sign is located in the city R.O.W., then a license agreement and a R.O.W. permit shall be required from the city.

(c) For menu boards: shall not be located in the required front building setback.

(E) (1) Maximum number: One per lot, except as permitted.

(2) Exceptions:

(a) For lots over three acres and that abut IH-35E: limited by a minimum 200-foot separation between other allowed permanent freestanding signs on the same lot. Sign must be located adjacent to IH-35E.

(b) For lots over three acres: one sign per street frontage.

(c) For lots over 20 acres: limited by a minimum 300-foot separation between allowed permanent freestanding signs.

(d) Menu board: one per drive-up window per tenant.

(e) Subdivision entrances: two per entrance.

(f) ODC I.D.: four within district regardless of sign type.

(g) For lots within ODC: one per building.

(h) For lots ten acres or more providing emergency services directional signs are separated by a minimum 150 foot separation.

(i) For multiple tenant buildings with anchor tenants exceeding 20,000 square feet: one additional sign for each anchor tenant.

(j) For freestanding restaurants in multiple tenant centers: one additional sign for each freestanding restaurant.

(k) Multiple retail lots may be considered as a single site in determining the maximum number of signs allowed, the maximum sign size, or determining whether the sign is an on-premise sign. Determination shall be made by the City Manager or designee considering the following:

(1) The sign(s) will be consistent with the general purpose and intent of this code, and will serve the general welfare and preserve the community interest; and

(2) The total area of the lots being considered is three acres or larger

(F) (1) Allowed uses: All permanent sign uses not specifically prohibited.

(2) Exceptions:

(a) One-third of one pole sign area may be used for electronic messages provided the sign is on a lot of five acres or larger, the lot abuts IH-35E and message cycles are limited to a minimum of seven seconds.

(b) Two-thirds of the sign area may be used for electronic messages provided the sign is for retail, banking and similar services, public and private schools, public facilities and churches. Message cycle is limited to a minimum of seven seconds.

(G) *Duration*: Permanent.

(H) Construction: Sign structure shall be of brick, stone or similar materials to those used to construct the building on the same lot. Such materials shall be used to frame the sign in such a way as to completely surround the sign area. No part of a metal “can” may be left exposed.

(I) Compatibility: Landscaping, existing or proposed, shall be incorporated into any proposed monument, pylon or pole sign design plan.

(J) Performance-based enhancements: Additional height and area may be granted by the City Manager or designee if all of the following enhancements are included with the sign:

(1) Architectural materials, features and design matching building;

(2) External lighting, typically ground-mounted;

(3) Landscape ratio of 1:1 for ground area to sign area;

(4) Contrasting sign colors;

(5) Specific panel size for individual tenants; and

(6) Other design elements as identified in the Sign Design Guidelines.

(K) Digital Billboards.

(1) In general. Certain nonconforming commercial billboards may be modified to become Digital Billboards subject to the restrictions in this section.

(2) Application. The owner of the sign must submit a Digital Billboard permit application for a face modification to the Building Inspection Department together with the application fee as required for building permits. The owner of the proposed tract shall sign the application also. After the City Manager or Designee approves the Digital Billboard sign permit, the owner must apply for a demolition permit to remove sign face area in accordance with Subsection (4). The owner must complete demolition of sign face area according to the applicable ratio in Subsection (4) before the sign face is modified.

(3) Compliance required.

(a) Except as provided in this section, Digital Billboards must fully comply with the size, height, spacing, setback, and other restrictions in this article for relocated commercial billboards as outlined in Section 151.82.

(b) Digital Billboard sign support structures must be built to comply with the adopted building code of the City of Carrollton.

(c) Digital Billboards signs must comply with Title 43 Texas Administrative Code Sections 21.252-260 “Electronic Signs,” as amended.

(d) Both existing and new digital signs must comply with all lighting and safety standards mandated by federal, state, or local rules or statutes, including standards adopted or amended after the date of passage of these requirements. Lighting and safety standards include brightness; message duration; and proximity of the sign to other digital displays, ramps, and interchanges.

(4) Sign face exchange ratio.

(a) For each digital sign face that is erected, three static full billboard sign faces within the city must be removed.

(b) To receive credit for the area of a conventional face removed, the conventional sign face removed must result in elimination of a sign structure (if a face is removed from a structure, the entire structure must be removed.)

(5) Digital sign support structures.

(a) Support structures must be entirely surrounded by a brick or stone veneer or perforated metal. Other sustainable materials having a similar appearance may be approved by the Board of Adjustment.

(b) Ladders shall be integrated into the pole surround in such a way that they do not protrude beyond the face of the surround.

(c) Torsion bars shall be completely screened and covered by perforated metal. No corrugated metal may be used.

(d) All exposed metal shall be painted with a matte black finish.

(6) Change of message. Changes of message must comply with the following:

(a) Message cycle for changing messages is limited to a minimum eight (8) seconds.

(b) Changes of message must be accomplished within two seconds.

(c) Changes of message must occur simultaneously on the entire sign face.

(d) No flashing, dimming, or brightening of message is permitted except to accommodate changes of message.

(7) Due to requirements in the state law regarding spacing and placement, a maximum number of Digital Billboards will be permitted in the City. The City Manager or Designee shall stamp all Digital Billboard permit applications upon receipt and review them in order of submittal. If the City Manager or Designee determines that an application is incomplete or does not meet the requirements of this chapter, he shall reject the application and then review the next application. If the number of applications (which are complete and meet the requirements of this chapter) received during the period of 7:30 a.m. on September 17, 2012 (which is the first day to file an application under this section) to 5:30 p.m. on October 1, 2012 exceeds the number of Digital Billboards allowed due to state law regarding spacing and placement or any other regulation, the City Manager or Designee shall provide a lottery to distribute the permits among the acceptable applications. If required, the lottery shall occur at City Hall on October 15, 2012 at 2:00 p.m.

(8) Nothing contained herein shall be construed to change the legal status of any converted commercial billboard from its current non-conforming or illegal status.

('65 Code, § 17-21; Ord. 1278, passed 6-17-86; Am. Ord. 1309, passed 9-2-86; Am. Ord. 1357, passed 3-17-87; Am. Ord. 1477, passed 6-7-88; Am. Ord. 1521, passed 12-20-88; Am. Ord. 1675, passed 12-18-90; Am. Ord. 1824, passed 8-14-92; Am. Ord. 2143, passed 3-5-96; Am. Ord. 2150, passed 4-16-96; Am. Ord. 2576, passed 12-5-00; Am. Ord. 2961, passed 3-1-05; Am. Ord. 3146, passed 6-19-07; Am. Ord. 3512, passed 8-21-12; Am. Ord. 3608, passed 4-15-14) Penalty, see § 10.99

§ 151.82 SIGNS ACQUIRED BY GOVERNMENTAL UNITS.

In the event that any property in the City of Carrollton upon which a commercial billboard sign is located if fully or partially acquired by a governmental unit for widening or reconstruction of United States Interstate Highway-35E (IH-35E), or for constructing an overpass across IH-35E, the commercial billboard shall be allowed to be moved from its original location to another location along IH-35E which complies with the regulations of the State of Texas. The new location must comply with the following conditions and all other codes and ordinances of the city:

(A) An application for the new location shall be made to the Building Inspection Department together with an application fee as required for building permits. The owner of the proposed tract of land shall sign the application.

(B) The commercial billboard shall be located no further east than the western right-of-way of the Dallas Area Rapid Transit/Union Pacific Railroad tracks, except for that area 50 feet on either side of the President George Bush Turnpike right-of-way, at which location the commercial billboard may be placed no further than the eastern right-of-way of those railroad tracks. The commercial billboard shall be located no further than 750 feet west of the western right-of-way of IH-35E.

(C) The reconstructed commercial billboard shall be limited to a sign with the same physical characteristics as the original sign with no changes in area or other physical attributes. A commercial billboard currently constructed with wooden poles may be reconstructed using a single metal pole. The reconstructed commercial billboard may be increased in height only if the new location is affected by the overpass that required its removal. In that event, the sign may not be erected to exceed an overall height of 42½ feet measured from the highest point of the sign to the grade level of the ramp over IH-35E.

(D) The commercial billboard shall be located on the new site so as to provide the maximum development potential of the site. Relocated billboards shall be subject to the following setbacks:

(1) Five (5) feet from the new R.O.W. line to the edge of the face of the relocated billboard.

(2) Ten (10) feet from side property lines to any part of the billboard structure or face.

(3) Ten (10) feet from all buildings to any part of the billboard structure or face.

(4) Five hundred (500) from any other billboard on the same side of the highway.

(E) All relocated billboards shall meet the requirements of the city's adopted building code and must be painted with a matte black finish.

(F) Relocated billboards must comply with Title 43 Texas Administrative Code Chapter 21, as amended.

(G) Electronically displayed messages shall be prohibited except for new digital electronic billboard faces permitted under Section 151.81. Flashing or strobe lights shall be prohibited on all signs or billboards.

(H) Nothing contained herein shall be construed to change the legal status of any relocated commercial billboard from its current non-conforming or illegal status.

(Ord. 2388, passed 11-3-98; Am. Ord. 2576, passed 12-5-00; Am. Ord. 3512, passed 8-21-12) Penalty, see § 10.99

§ 151.83 SIGNS PARTIALLY ACQUIRED BY GOVERNMENTAL UNITS.

In the event that a commercial billboard sign is partially acquired by a governmental unit for widening or reconstruction of United States Interstate Highway-35E, the commercial billboard may be cut off even with the right-of-way line and allowed to remain in the same location. All permits required by ordinance shall be obtained prior to commencement of such work.

(Ord. 2388, passed 11-3-98) Penalty, see § 10.99

§ 151.84 GROUND SIGNS.

(A) (1) Maximum height: Lots greater than 2 Acres 12 Feet

Lots less than 2 Acres 8 Feet

(2) Exceptions:

(a) Five feet for model home.

(B) (1) Maximum Sign Area Lots over 2 Acres and lots located in LI Districts 32 Sq. Feet

Lots less than 2 Acres (Not located in LI Districts) 16 Sq. Feet

(2) Exceptions:

(a) 96 square feet for multiple use and Development

(C) *Setback:* 25 feet from back of curb or from edge street pavement, and shall comply with the Visibility Ordinance.

(D) *Maximum number*:

(1) Multiple use & Development – one per subdivision.

(2) Real estate - One per address.

Exception:

(a) For lots over three acres: one sign per street frontage.

(3) Model home - One per builder per subdivision.

(4) "Coming Soon" - One per business.

(E) *Allowed uses*: Temporary only; development, commercial real estate, "coming soon" or model home. Subdivision directional only with Board of Adjustment action.

(F) (1) Duration: 12 months.

(2) Exceptions:

(a) Development signs are renewable up until Certificate of Occupancy is issued or building final inspection is approved.

(b) Real Estate Signs permanently installed, placed in compliance with all other requirements of this section that are constructed in the following way:

(i) 3" minimum metal posts, with decorative finial on top of post. All exposed metal shall be painted black;

(ii) Posts shall be permanently mounted in concrete in the ground;

(iii) Sign face shall be constructed of aluminum or steel panel;

(iv) Sign face shall be oriented in a vertical manner, with the longer side perpendicular to the ground;

(v) Sign copy shall be of block letters, with each line of copy in a uniform size; and

(vi) Signs shall be regularly maintained in sound condition and with fully legible sign copy.

(vii) No annual permit renewal fee will be required.

(c) "Coming Soon" signs are renewable until Certificate of Occupancy is issued or building final inspection is approved.

(d) Model home signs are renewable until home is sold.

(G) Placement:

(1) Sign Orientation shall be parallel to street or must be double faced if perpendicular to street.

(2) Sign shall be separated a minimum of 50 feet from any other permanent or temporary sign.

(H) Decal or other device issued by the Building Inspection Department showing the expiration date shall be clearly displayed on the front of the ground sign.

('65 Code, § 17 22; Ord. 1278, passed 6-17-86; Am. Ord. 1357, passed 3-17-87; Am. Ord. 1372, passed 5-5-87; Am. Ord. 1396, passed 7-21-87; Am. Ord. 1521, passed 12-20-88; Am. Ord. 1540, passed 4-4-89; Am. Ord. 1689, passed 3-5-91; Am. Ord. 1702, passed 5-7-91; Am. Ord. 2576, passed 12-5-00; Am Ord. 2961, passed 3-1-05; Am. Ord. 3146, passed 6-19-07; Am. Ord. 3298, passed 5-19-09; Am. Ord. 3608, passed 4-15-14) Penalty, see § 10.99

§ 151.85 STAKE SIGNS.

(A) (1) *Maximum height*: Two and one-half feet.

(B) (1) *Maximum area*: Six square feet.

(2) Exceptions:

(a) Neighborhood beautification project signs – nine square feet.

(C) *Setback*:

(1) Apartment advertisement: Signs are prohibited in the right-of-way and must have a 100 foot setback away from intersecting curb lines. Signs must be spaced 25 feet apart.

(2) Home builder directional signs: Signs must have 100 foot setback from intersecting curb lines and must have minimum three-foot setback from back of curb in the city parkway, but are not allowed along the city park frontages. Individual builder's signs are to be spaced at least 1000 feet apart.

(3) Realtor and garage sale signs must be on private property on site, except as allowed by § 92.32.

(4) Reserved.

(5) Homeowner association events: Three-foot setback from curb in the city parkway.

(6) "Now Hiring" on commercial private property.

(7) Neighborhood beautification project sign: Three-foot setback from curb in the city parkway

(8) Non-profit organization directional sign: Three foot setback from curb in the city parkway.

(9) Roadway construction-related signs shall not obstruct visibility.

(D) *Maximum number*:

(1) Home builder directional signs: 50 signs per builder.

(2) Temporary apartment advertisement signs: Ten signs per street frontage.

(3) Reserved.

(4) A maximum of three on-site signs advertising residential property for sale or lease. Signs to be limited to one builder's sign, one realtor's sign and one open house sign.

(5) Homeowner association events - one sign per subdivision entrance.

(6) "Now Hiring" - one sign per separate platted lot.

(7) Non-profit organization directional sign - one sign per organization.

(8) Temporary roadway construction signs – Two signs per business.

(9) Garage sale signs as allowed by §92.32.

(E) *Allowed uses*: For homebuilders directional, apartment advertisements, residential sale/lease, garage sales, political sign, realtor/open house, homeowner association events, "Now Hiring", neighborhood beautification projects, non-profit organization directional signs and temporary roadway construction signs.

(F) *Duration*:

(1) From noon Friday until noon Monday.

(2) Exceptions:

(a) Homebuilders signs are allowed to extend until from noon Thursday or until noon Tuesday when a Friday or Monday falls on New Year's Day, Memorial Day, Fourth of July or Christmas.

(b) Residential sale or lease: No limit.

(c) Now hiring signs: No limit.

(d) Reserved.

(e) Non-profit organization holding religious services may display directional signs from noon the day before a religious service until the end of the day on which the religious service is held.

(f) Roadway construction-related signs may be placed only for the duration of roadway construction.

(g) Stake signs are not allowed on property abutting the R.O.W. of IH-35E, SH 121, or President George Bush Turnpike.

Exception: Political signs are exempt.

('65 Code, §§ 17-21, 17-22; Ord. 1278, passed 6-17-86; Am. Ord. 1309, passed 9-2-86; Am. Ord. 1357, passed 3-17-87; Am. Ord. 1372, passed 5-5-87; Am. Ord. 1396, passed 7-21-87; Am. Ord. 1477, passed

6-7-88; Am. Ord. 1521, passed 12-20-88; Am. Ord. 1540, passed 4-4-89; Am. Ord. 1689, passed 3-5-91; Am. Ord. 1702, passed 5-7-91; Am. Ord. 2576, passed 12-5-00; Am. Ord. 2961, passed 3-1-05) Penalty, see § 10.99

§ 151.86 BANNER SIGNS.

(A) *Maximum height*: 30 feet for banners on buildings.

(B) *Maximum area*: 100 square feet.

(C) *Placement*: Banners must be securely mounted to building. Ground mounted banners shall be prohibited except for roadway construction banners.

*Exception*s:

(1) Banner signs may be erected over city right-of-way when in conjunction with a special events permit.

(2) Roadway construction banners may be placed between two poles. Such banners shall be set back a minimum of fifteen (15) feet from the back of street curb or from edge of street pavement and shall comply with the Visibility Ordinance.

(D) *Maximum number*: One per business.

(E) *Allowed uses*: Grand opening banners, "Coming Soon"/construction banners, special occasion banners, change of business banners, permanent substitutes, special events, roadway construction banners and commercial real estate.

(F) *Duration*:

(1) Grand Opening - 30 days within 90 days of C.O. issuance.

(2) "Coming Soon"/Construction - duration of an active building permit.

(3) Special Occasion - 30 days/four times per calendar year.

(4) Change of Business - 90 days "Name Only" over old sign while new sign is being made.

(5) Permanent Substitute - one time only for 90 days in lieu of an allowed permanent sign.

(6) Roadway Construction - duration of roadway construction.

(7) Commercial Real Estate: one year.

(G) Decal or other device issued by the Building Inspection Department showing the expiration date shall be clearly displayed on the front of the banner.

('65 Code, § 17-22; Ord. 1278, passed 6-17-86; Am. Ord. 1357, passed 3-17-87; Am. Ord. 1372, passed 5-5-87; Am. Ord. 1396, passed 7-21-87; Am. Ord. 1521, passed 12-20-88; Am. Ord. 1540, passed 4-4-89; Am. Ord. 1689, passed 3-5-91; Am. Ord. 1702, passed 5-7-91; Am. Ord. 2576, passed 12-5-00; Am. Ord. 2961, passed 3-1-05; Am. Ord. 3518, passed 9-18-12) Penalty, see § 10.99

§ 151.87 WALL SIGNS.

(A) *Maximum height*: Not applicable.

(B) (1) *Maximum area per wall*: 200 square feet for each 75 feet of wall length per business provided no more than 75% of total wall height or width is covered.

(2) Exceptions:

(a) Gas price signs under island canopy: 40 square feet.

(b) Subdivision entry: 32 square feet.

(c) Signs on canopies in ODC: Eight square feet.

(d) ODC signs above 12 feet high: 30 square feet.

(e) ODC signs below 12 feet high: Eight square feet.

(f) ODC directory signs: Eight square feet.

(g) ODC building identification: 25 square feet.

(h) ODC district ID: 200 square feet.

(i) ODC rear wall signs abutting I-35: 50 square feet.

(j) Mural: 50% of total exterior elevations

(k) Rear wall signs: 50 square feet.

(C) *Placement*: Wall of the business in which the business operates or placement as approved by the City Manager or designee. Wall signs shall be placed within the sign placement area of the building.

(D) (1) *Maximum number*: One per 50 feet of wall frontage.

(2) Exceptions:

(a) In the case of ODC district identification signs: Two signs, whether wall or monument type, in addition to other legal signs for identification and promotion of the district when placed within the district.

(b) Permanent subdivision walls: two per entry.

(c) Storage facilities, warehouses and industrial buildings: 3 per tenant.

(E) *Duration*: Permanent.

(F) (1) *Rear wall signs.* Rear wall signs are prohibited except where internal to site and not visible from street. Location must be approved by City Manager or designee.

(3) Exceptions: Rear wall abutting IH-35E within the ODC, and rear walls constructed in such a way as to create a false façade, such as window walls, displays, etc. and approved by the City Manager or designee.

(G) *Allowed uses*:

(1) Channel letter signs
(2) Molded cabinet signs
(3) Capsule signs, not to exceed 25% of the total combined area of the main sign and capsule sign.
(4) Pan signs, except that they are prohibited on retail buildings.

[Can / Box signs are prohibited on all buildings in Carrollton.]

('65 Code, § 17-21; Ord. 1278, passed 6-17-86; Am. Ord. 1309, passed 9-2-86; Am. Ord. 1357, passed 3-17-87; Am. Ord. 1477, passed 6-7-88; Am. Ord. 1521, passed 12-20-88; Am. Ord. 1701, passed 5-7-91; Am. Ord. 1746, passed 10-15-91; Am. Ord. 1765, passed 12-31-91; Am. Ord. 1864, passed 12-15-92; Am. Ord. 1875, passed 1-19-93; Am. Ord. 1925, passed 8-3-93; Am. Ord. 2576, passed 12-5-00; Am. Ord. 2961, passed 3-1-05; Am. Ord. 3146, passed 6-19-07, Ord. 3538, passed 2-5-13) Penalty, see § 10.99

§ 151.88 PORTABLE AND VEHICLE SIGNS.

(A) *General*:

(1) It shall be unlawful to attach any sign to a vehicle, trailer, skid, or similar mobile structure, where the primary use of such structure is to provide a base for such sign or constitute the sign itself. This provision does not restrict the identification signs on vehicles used for bona fide business activity when said vehicle is legally licensed for use in public streets.

(2) Signs attached to or upon any vehicle shall be prohibited where such vehicle is allowed to remain parked in the same location or in the same vicinity, at frequent or extended periods of time, where the intent is apparent to be one of using the vehicle and signs for purposes of advertising an establishment, service or product.

(B) *Maximum area*: Six square feet or cubic feet.

(C) *Placement*: Signs shall not project from the front, sides or rear surfaces of any vehicle.

(D) *Maximum number*: Not applicable.

(E) *Allowed uses*: Vehicle identification signs and political signs in or upon a motor vehicle.

('65 Code, § 17-23; Ord. 1278, passed 6-17-86; Am. Ord. 1357, passed 3-17-86; Am. Ord. 1372, passed 5-5-87; Am. Ord. 1396, passed 7-21-87; Am. Ord. 1521, passed 12-20-88; Am. Ord. 2961, passed 3-1-05; Am. Ord. 3457, passed 10/18/11) Penalty, see § 10.99

§ 151.89 SANDWICH BOARD SIGNS.

(A) *Maximum height*: Four feet.

(B) *Maximum area*: Eight square feet.

(C) *Placement*: Sidewalks in Old Downtown Commercial District only. License shall be obtained from city for use of right-of-way and may not extend closer than one foot from face of curb. A minimum sidewalk width of four feet shall remain free from intrusion.

(D) *Maximum number*: One per occupancy.

(E) *Allowed uses*: Menus, food specials.

(F) *Duration*: Temporary, during business hours.

(Ord. 1701, passed 5-7-91) Penalty, see § 10.99

§ 151.90 FLAGS AND FLAGPOLES.

(A) *Maximum height*: See the Comprehensive Zoning Ordinance of the city.

(B) *Maximum area*: Not regulated.

(C) *Placement*: Roof mounted flags are prohibited. Flags shall not protrude over the right-of-way. Flagpoles shall be setback a minimum of 15’ from back of street curb and edge of street pavement and shall comply with the Visibility Ordinance.

(D) *Maximum number*: Limited to three flag poles per lot and three flags per lot.

(E) *Flag copy*: Insignia of any governmental body or private organization or company, decorative displays for holidays and/or public demonstrations.

(F) *Duration*: Not applicable.

('65 Code 17-20; Ord. 1278, passed 6-17-86; Am. Ord. 1357, passed 3-17-87; Am. Ord. 1372, passed 5-5-87; Am. Ord. 1396, passed 7-12-87; Am. Ord. 1521, passed 12-20-88; Am. Ord. 1540, passed 4-4-89; Am. Ord. 2961, passed 3-1-05) Penalty, see § 10.99

§ 151.91 PROJECTING SIGNS.

(A) *General*: Projecting signs are prohibited in all districts except the Old Downtown Commercial District.

(B) *Maximum height*: Not applicable.

(C) *Minimum height*: Projecting signs shall not be closer than 7.5 feet to grade.

(D) *Maximum area*:

Less than 12 feet in height: Four square feet.
More than 12 feet in height: 30 square feet.

(E) *Placement*: Ten feet separation between signs. Projecting signs overhanging the right-of-way shall obtain the appropriate license from the city for use of the right-of-way. Signs shall not extend closer than one foot from the face of the curb.

(F) *Maximum Number*: One per occupancy.

(G) *Allowed uses*: Signs may overhang the right-of-way in ODC provided they have the appropriate license from the city.

('65 Code, § 17-23; Ord. 1278, passed 6-17-86; Am. Ord. 1357, passed 3-17-87; Am. Ord. 1372, passed 5-5-87; Am. Ord. 1396, passed 7-21-87; Am. Ord. 1701, passed 5-7-91) Penalty, see § 10.99

§ 151.92 COLD AIR INFLATABLE DEVICES.

(A) General: Cold air inflatable devices are allowed for any business with a certificate of occupancy

(B) Height: 25 feet

(C) Placement: premises of the use.

(D) Number: one per business.

(E) Duration: seven days, two times per year.

(Ord. 2961, passed 3-1-05) Penalty, see § 10.99

§ 151.93 TRANSIT CENTER DISTRICT.

The following regulations shall apply in the Transit Center District, the boundaries and subdistricts/areas of which are defined by City ordinances. (These areas are shown on the Official Zoning Map.) All other provisions of Chapter 151 which are not in conflict with this section shall apply in the Transit Center District. All signs requiring a permit must first obtain Development Plan approval prior to issuance of a permit.

(A) *Intent.* Signs in the Transit Center District are intended to respond to slow moving traffic and pedestrians. They are therefore generally smaller in size than other areas of the City and shall be located in prescribed locations so that they may be easily found and interpreted.

(B) *Development Plan Approval.* Prior to obtaining a sign permit, a Development Plan must be approved by the City Manager or his designee, to certify that it meets the purpose, intent and standards contained in this Code.

Development plans must include the following information:

(1) Site plan.

(2) Building elevations.

(3) Sign copy and dimensions.

(4) Setbacks from property lines if applicable.

(5) Materials used to fabricate sign.

(6) Information on how the sign will be illuminated, if applicable.

Denial of a Development Plan by the City Manager or his designee may be appealed to the Property Standards Board if the appeal is filed with the Development Services Department within ten (10) days of the denial.

(C) *Permitted Signs*

(1) *PERMANENT FREESTANDING SIGNS*

(a) Maximum height: Four (4) feet including base, measured from ground level.

(b) Maximum area: Fifteen (15) square feet of sign copy.

(c) Setback: Fifteen (15) feet from the back of curb.

(d) Maximum number: One (1) per lot.

(e) Construction: Sign structure shall be of brick, stone or similar materials to those used to construct the building on the same lot. Sign may include ornamental metal.

(f) Compatibility: Landscaping, existing or proposed, shall be incorporated into any proposed sign design plan.

(g) Electronic message signs are prohibited.

(2) *PROJECTING SIGNS*

(a) Horizontal projecting signs are limited to:

1. Height of three (3) feet.
2. Width of seven (7) feet.
3. Maximum area of twenty (20) square feet.
4. Minimum clearance of seven & one-half (7.5) feet measured from grade to bottom of sign.
5. Signs may overhang the R.O.W. upon approval of a development plan.

(b) Vertical projecting signs are limited to:

1. Height of two (2) stories of building, and must be placed above the first floor. Sign shall not extend above the roof line or top of parapet.
2. Width of six (6) feet set no more than twelve (12) inches from building.
3. Not allowed on building less than three (3) stories in height.
4. Signs may overhang the R.O.W. upon approval of a development plan.

(3) *WALL SIGNS*

(a) Maximum height: Shall not extend above roof line or top of parapet.

(b) Maximum area: 100 square feet for each 50 linear feet of wall length (LF ÷ 50 x 100 = Sign area SF).

Total signage for any individual tenant shall not exceed 200 SF.

Sign area SF shall not occupy more than seventy-five (75) percent of the height and / or width of the sign placement area.

(c) Placement: Wall of the business in which the business operates or placement as approved by the City Manager or designee.

(d) Construction: Wall signs shall be constructed as individual channel letters with accompanying logo.

Exception: Pan signs shall be permitted to be placed on buildings that existed prior to January 1, 2005. A pan sign shall be defined as: A sign fabricated from a .050 / .063 / .080 aluminum or steel panel containing digitally printed artwork, cut out vinyl letters and logos or reverse channel letters or logos mounted to the pan face. Pan signs may be designed with square or rounded corners and shall be externally lit.

(4) *AWNING SIGNS*

(a) Signage is limited to the vertical front edge of the awning with letters that are stenciled. Letters shall cover no more than 75% of the height and / or width of the front edge.

(b) Business logos no larger than eight (8) square feet may be centered in the sloped part of the awning.

(5) *WINDOW SIGNS*

Window signs / painted window signs shall not exceed twenty-five percent (25%) of the total visible window area for any linear wall segment. Windows where the back side of display shelving storage or other fixtures are located adjacent to such windows: Windows shall be obscured a minimum of four (4) feet from grade with an opaque window film adhered to the window such that the entire back side of display shelving, storage or other fixtures are not visible through the window. If necessary for uniformity or to screen these items, the entire window may be obscured. Foil, newspaper, cardboard and **other** such materials placed in windows shall be prohibited.

Exception:

Up to four (4) square feet may be used to post business hours and contact information without being considered within the 25% limitation.

(6) *SANDWICH BOARD SIGNS*

(a) Maximum height: Four (4) feet.

(b) Maximum area: Eight (8) square feet.

(c) Placement: Only allowed on sidewalks in the Transit Center District and may not be placed closer than four (4) feet from back of curb. A minimum sidewalk width of four (4) feet shall remain free from intrusion at all times.

(d) Maximum number: One per business.

(e) Allowed uses: Menu, food & beverage specials.

(f) Duration: Temporary, during business hours only.

(7) *BANNER SIGNS*

(a) Placement: Securely mounted to building.

(b) Maximum height: Four (4) feet from bottom to top of banner.

(c) Maximum area: Twenty (20) square feet.

(d) Maximum number: One per business.

(e) Allowed uses: Grand Opening, Coming Soon, Special Occasion, Change of Business and Commercial Real Estate.

(f) Duration: Thirty (30) days two (2) times per calendar year.

(g) Exceptions:

1. Commercial Real Estate - one year, only available until 80% of building space has been leased.

2. Grand Opening & Change of Business - Thirty (30) days within ninety (90) days of C.O. issuance.

(8) *REAL ESTATE SIGNS (GROUND SIGNS)*

(a) Vacant Lots

1. Placement: One per lot.

2. Construction: Painted metal posts and metal sign. Must meet city design criteria for each district.

3. Maximum height: Six (6) feet.

4. Maximum sign area: Sixteen (16) square feet - sign face may not be larger than four (4) feet in any dimension.

(b) Vacant Suites

1. Placement: Inside one window per each linear wall segment of vacant suite.

2. Maximum height: Forty eight (48) inches.

3. Maximum width: Thirty (30) inches.

4. Maximum sign area: Eight (8) square feet.

(9) *SIGNS EXEMPT FROM PERMIT*

(a) Onsite Directional Signs: Maximum size shall be four (4) square feet, with height not to exceed two (2) feet.

(b) Covered Walkway Signs: Under covered walkways which are only visible to the sidewalk over which they hang.

(c) Sandwich Board Signs.

(d) Window Signs.

(e) Building Directory Signs: Limited to eight (8) square feet adjacent to building entry.

(f) Political Signs: See Section 151.50.

(g) District Entry Signs: Such signs placed on city property, on easements or in the R.O.W. shall be approved through a Development Plan.

(10) *PROHIBITED SIGNS*

(a) Ground Signs, except as permitted for real estate signs.

(b) Stake Signs.

(c) Cabinet or "can" signs of any kind.

Exception: Projecting signs shall be permitted to be constructed of a metal cabinet with internal lighting.

(d) Electronic message signs of any kind.

(D) *ILLUMINATION*

Signs may be illuminated using any of the following methods:

(a) Halo lighting, where the lighting source is hidden behind a solid, opaque letter and is lighting the background wall.

(b) Up or down-lighting, where fixtures are attached to the building under or over the letters and arranged to project light upwards or downwards onto the letters. The lights must be shielded so that there is no glare projected to the street or into upper story windows. Lighting shall meet the requirements of Article XXVII Section B of the Comprehensive Zoning Ordinance.

(c) Exposed neon lighting will be reviewed and approved on an individual basis as part of the Development Plan approval, except for neon signs on the inside of windows which are permitted. Neon signs may only be approved when it can be shown that the sign does not create a nuisance to neighboring properties.

(E) *MERITORIOUS EXCEPTIONS*

Requests for alternative signs or designs which best meet the intent of this sub-section shall be considered by the Board of Adjustment as prescribed in accordance with Section 151.14 (A)(9) of this Code.

(New section added, Am. Ord. 3518, passed 9-18-12)

§ 151.94 SPECIAL DISTRICTS

(A) **PD-169**

(1) **Intent and Scope**: The area defined as PD-169 was originally developed for small-lot and/or residential, rather than commercial uses. Over time, conditions changed to make the original development pattern less appropriate and desirable. This area has re-developed and/or is redeveloping into a more commercial development pattern, although the lot size, building design and other factors make it difficult or impossible to meet the standard regulations for commercial uses.

It is the intent of this subsection to establish special sign development standards for these special areas or districts, as herein defined, to provide attractive, legible and appropriate signs in PD-169.

(2) **General**: the following regulations shall apply in PD-169, the boundaries and subdistricts/areas of which are defined by Ordinance 3269, as amended, and the Comprehensive Zoning Ordinance of the City of Carrollton.

(3) **Area 1** (properties with Carroll Avenue addresses): all signs shall be in accordance with the requirements for Single-Family Residential Districts.

(4) **Area 2** (properties with Belt Line Road addresses west of Larner Street, and 1011 Clint Street): all signs shall be in accordance with the requirements for the (LR-2) Local Retail District, except as otherwise modified below.

(a) Permanent Freestanding Sign:

Maximum Height:	Four feet including base, measured to ground level at base.
Maximum Area:	Fifteen square feet of sign copy
Maximum Number:	One per lot.
Minimum Setback:	Fifteen feet from the back of curb.
Construction:	A Permanent Freestanding Sign in this area may, but is not required to, be constructed as a Monument Sign. If it is, it shall be of materials and design that coordinate with the materials and design of the building on the site. If not constructed as a Monument Sign, it shall be constructed of metal or some similar durable material and shall be designed in accordance with Detail No. 13 as published in this Code.

(b) Ground sign: Not permitted.

(c) Stake sign: Not permitted.

(d) Wall sign:

Maximum Height: Not applicable.

Maximum Area: Where facing Belt Line Road (or in the case of 1011 Clint Street, where facing Clint Street), fifty (50) square feet of sign copy for each one hundred (100) linear feet of wall; six square feet of sign copy if a rear wall sign.

Maximum Number: One on the building façade facing Belt Line Road (or in the case of 1011 Clint Street, one on the building façade facing Clint Street); one on the building façade facing an off-street parking lot (considered a Rear Wall Sign).

Placement: As approved by the City Manager or designee. Wall Signs shall not extend beyond the wall of the building either vertically or horizontally and shall not encroach upon or cover any door or window.

Construction: Shall be of materials and design that coordinate with the materials and design of the building and/or any Permanent Freestanding Sign on the site.

(e) Miscellaneous: No sign requiring a permit shall be internally illuminated.

No sign, including Window Signs, shall display any flashing, blinking or animation.

The background color of all signs shall be black, off-white or a color which coordinates with the preponderant color of the building.

Letters shall be three-dimensionally incised or applied, and shall be black, off-white, silver, gold or copper, and shall provide strong visual contrast to the background.

Letters shall be of a simple font designed to be easily read.

Permanent On-Site Directional/Informational Signs, as described in Section 151.31 of this Code are prohibited.

(5) **Area 3** (1017 Clint Street): all signs shall be in accordance with the requirements for Single-Family Residential Districts.

(6) **Area 4** (properties with Belt Line Road addresses east of Larner Street and west of Josey Lane): all signs shall be in accordance with the requirements for the (SF-12/20) Single-Family Residential District, except as otherwise modified below.

(a) Permanent freestanding sign:

Maximum Height: Four feet including base, measured to ground level at base.

Maximum Area: Fifteen square feet of sign copy

Maximum Number: One per lot.

Minimum Setback: Fifteen feet from the back of curb.

Construction: A Permanent Freestanding Sign in this area may, but is not required to, be constructed as a Monument Sign. If it is, it shall be of materials and design that coordinate with the materials and design of the building on the site.If not constructed as a Monument Sign, it shall be constructed of metal or some similar durable material and shall be designed in accordance with Detail No. 13 as published in this code.

(b) Ground Sign: Not permitted.

(c) Stake Sign: Not permitted.

(d) Wall Sign:

Maximum Height: Not applicable.

Maximum Area: Where facing Belt Line Road, fifteen square feet of sign copy; six square feet of sign copy if a Rear Wall Sign.

Maximum Number: One on the building façade facing Belt Line Road; one on the building façade facing an off-street parking lot (considered a rear wall sign).

Placement: As approved by the City Manager or designee. Wall Signs shall not extend beyond the wall of the building either vertically or horizontally and shall not encroach upon or cover any door or window.

Construction: Shall be of materials and design that coordinate with the materials and design of the building and/or any Permanent Freestanding Sign on the site.

(e) Miscellaneous: No sign requiring a permit shall be internally illuminated.

No sign, including Window Signs, shall display any flashing, blinking or animation.

The background color of all signs shall be black, off-white or a color which coordinates with the preponderant color of the building.

Letters shall be three-dimensionally incised or applied, and shall be black, off-white, silver, gold or copper, and shall provide strong visual contrast to the background. Letters shall be of a simple font designed to be easily read.

Permanent On-Site Directional/Informational Signs, as described in Section 151.31 of this Code are prohibited.

(7) **Planned Development**: Because this section is specifically related to a planned development district, multiple-building lot coordinated signage shall be considered in accordance with Section 151.30 (C) (1) & (2) of this Code.

(8) **Meritorious Exceptions**: Requests for alternative signs or designs which best meet the intent of this sub-section shall be considered by the Board of Adjustment as prescribed in accordance with Section 151.14 (A)(9) of this Code.

(New section added Ord. 3288, passed 3-3-09)

OFFENSES; PENALTIES

§ 151.95 NOT REQUIRED TO SHOW CULPABLE MENTAL STATE.

Allegation and evidence of a culpable mental state is not required for proof of an offense defined by this chapter.

(Ord. 2576, passed 12-5-00)

§ 151.96 PERSONS RESPONSIBLE.

Unlawful signs found on private property shall be the responsibility of that property owner, manager, tenant, person in charge of the property, and/or any person associated with the posting of the sign or responding on behalf of such advertising.

(Ord. 2576, passed 12-5-00; Am. Ord. 2961, passed 3-1-05) Penalty, see § 10.99

§ 151.97 PRESUMPTION CLAUSE.

The fact that an unlawful sign is found on public property, in rights-of-way, on utility poles or private property shall be prima facie evidence that the property owner, manager, tenant, person in charge of the property at the address; and/or any person responding on behalf of such advertising, telephone number or Internet location on the sign unlawfully placed or who erected the sign.

(Ord. 2576, passed 12-5-00; Am. Ord. 2961, passed 3-1-05) Penalty, see § 10.99

§ 151.98 ADMINISTRATIVE PENALTY.

The collection of each unlawful sign within the city limits shall subject the property owner, manager, tenant and the person erecting the sign to an administrative penalty as established in Chapter 31 of the Carrollton Code of Ordinances. This penalty is assessed and collected independent of other enforcement action, including court citations.

(Ord. 2576, passed 12-5-00)

§ 151.99 PENALTY CLAUSE.

It shall be unlawful for any person to erect a sign in violation of this chapter or conduct other activity in violation of this chapter. Any person found guilty of erecting a sign or conducting other activity in violation of this chapter shall be guilty of an offense and subject to penalties as established in § 10.99 of the Carrollton Code of Ordinances. Each separate illegal sign placement and/or each day an illegal sign is posted shall be considered a separate offense.

(Ord. 2576, passed 12-5-00)

SECTION 2

That the terms and provisions of this ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

SECTION 3. PENALTY

That any owner, occupant, firm or corporation violating a provision of this ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code as amended.

SECTION 4. SEVERABILITY

That if any section, sub-section, paragraph, clause, phrase, or provisions of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part or provisions hereof, other than the part so decided to be invalid or unconstitutional.

SECTION 5. SAVINGS

That except as herein amended, Title 15, Chapter 151, otherwise known as Sign Regulations of the Carrollton Code of Ordinances, as amended, shall remain in full force and effect.