

Ordinance #23-00447

SIGN REGULATIONS

Section 1. General Provisions.

(a) Purpose

The purpose of this Ordinance is to establish a clear set of standards related to the placement and specifications of commercial signage within the City's jurisdictional area. The following regulations balance the need to protect the public, safety, and welfare, the need well-maintained, attractive community, and the need for adequate identification, communication, and advertising.

(b) Objectives

The regulations have the following objectives:

- (1) To promote and protect the safety of persons and property by ensuring that signs do not create traffic hazards or impair motorists' ability to see pedestrians, other vehicles, obstacles or road traffic signs;
- (2) To promote the aesthetics, safety, health, morals, and general welfare, and the insurance of protection of adequate light and air by regulation of the position, displaying, erection, use and maintenance of signs;
- (3) To allow for adequate and effective signs whose dimensional characteristics further the interests of public safety and the needs of the motorist, where signs are viewed from a street or roadway;
- (4) To promote the efficient transfer of general public and commercial information through the use of signs;
- (5) To enhance the overall appearance and economic value of the landscape, and preserve the unique natural environment that distinguishes the City and surrounding area;
- (6) To reflect and support the desired ambiance and development patterns of the various zones, overlay zones, and plan districts and promote an attractive environment; and
- (7) To ensure that the constitutionally guaranteed right of free expression is protected.

Section 2. Applicability.

(a) A sign may be erected, placed, established, painted, created, or maintained in the City and Extraterritorial Jurisdiction only in compliance with the standards, procedures, exemptions, and other requirements of this Ordinance.

(b) The effect of this Ordinance as more specifically set forth herein, is:

(1) To establish a permit system to allow a variety of types of signs in commercial and industrial zoning districts and a limited variety of signs in other zoning districts, subject to the standards and the permit procedures of this Ordinance;

(2) To allow signs that are small, unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this Ordinance, but without requirements for permits;

(3) To provide for temporary signs in limited circumstances;

(4) To prohibit all signs not expressly permitted by these regulations; and to provide for the enforcement of the provisions of this Ordinance.

(c) Any person, firm, association of persons, corporation, or other organization violating any of the provisions of this Ordinance shall be guilty of an offense under this Ordinance and shall be subject to penalty as defined in the City's Fee Schedule.

Section 3. Administration.

(a) Signs Requiring a Permit

Except as provided herein, no sign shall be placed, constructed, erected, or modified on a lot either within the City limits or the City's ETJ without obtaining a sign permit prior to the construction, placement, erection, or modification of such a sign in accordance with the requirements of this Ordinance.

(b) Permits and Fees

(1) All signs requiring a permit shall be subject to a permit fee. The amount of the fee shall be established in the City's Fee Schedule.

(2) A complete permit Application must be submitted prior to the issuance of any permit.

(3) Incomplete permit Applications will not be accepted or issued a permit. Information in the Application which subsequently changes before the construction of the sign shall be updated by the Applicant and approved by staff.

(4) No sign permit of any kind shall be issued for an existing or proposed sign unless such sign complies with the requirements of this Ordinance (including those protecting existing signs) in every respect and with the Common Signage Plan in effect for the property, if applicable.

(c) Sign Permit

(1) Within ten (10) days of receiving an Application for a sign permit or for a Common Signage Plan, the City Planner and/or City Engineer shall review it for completeness. If the City Planner

and/or City Engineer finds that it is complete, the Application shall then be processed. If the City Planner and/or City Engineer finds that it is incomplete, the City Planner and/or City Engineer shall, within such ten (10) day period, send to the Applicant a notice of the specific ways in which the Application is deficient, with appropriate references to the applicable portions of the Ordinance.

(2) Within ten (10) days of the submission of a complete Application for a sign permit, the City of Mustang Ridge shall either:

(A) Issue the sign permit, if the sign(s) that is the subject of the Application conforms in every respect with the requirements of this Ordinance and of the applicable Common Signage Plan; or

(B) Reject the sign permit if the sign(s) that is the subject of the Application fails in any way to conform to requirements of this Ordinance and the applicable Common Signage Plan. In case of a rejection, the City Planner and/or City Engineer shall specify in the notice of rejection the portions of the Ordinance or applicable plan with which the sign(s) is inconsistent.

(C) If a permit is rejected, the Applicant may appeal the decision in writing within thirty (30) days of the rejection. Appeals must be addressed to the City Planner and/or City Engineer and identify a request for approval, and where applicable, an alternative form of compliance that meets the intent of this Ordinance. Approval may be subject to review by the Sign Review Board.

(3) On any Application for approval of a Common Signage Plan, the City Planner and/or City Engineer shall either approve the proposed plan if the sign(s) as shown on the plan and the plan itself conforms in every respect with requirements of this Ordinance or reject the proposed plan if the sign(s) as shown on the plan or the plan itself fails in any way to conform with the requirements of the Ordinance. In case of a rejection, the City Planner and/or City Engineer shall specify in the notice of rejection the portions of this Ordinance with which the plan is inconsistent. The City of Mustang Ridge shall take action on or before the following dates as applicable:

(A) Fourteen days after the submission of a complete Application for existing buildings;
or

(B) On the date of final action on any related Application for a building permit, site plan, or development plan for signs involving new construction.

(4) Signs requiring a permit shall be erected, installed, or created only in accordance with a duly issued and valid sign construction permit from the City of Umland. Such permits shall be issued only in accordance with the following requirements and procedures:

(A) Permit for New Sign or Sign Modification

(B) An Application for construction, creation, or installation of a new sign or for modification of an existing sign shall be accompanied by detailed drawings to show the

dimensions, design, structure, and location of each particular sign, to the extent that such details are not contained on a Common Signage Plan then in effect for the lot. One Application and permit may include multiple signs on the same lot. Changing one panel on a multi-tenant sign is not considered a modification.

(C) Inspection

(D) The City of Mustang Ridge shall cause an inspection of the lot for which each permit for a new sign or for modification of an existing sign is issued during the sixth month period after the issuance of such permit or at such earlier date as the owner may request. If the construction is not substantially complete at the time of inspection, the permit shall lapse and become void. If the construction is complete and in full compliance with this Ordinance and with the Building, Sign, and Electrical Codes, the City of Mustang Ridge shall issue a Certificate of Sign Inspection. If the construction is substantially complete but not in full compliance with this Ordinance and applicable codes, the City of Mustang Ridge shall give the owner or Applicant notice of the deficiencies and allow an additional thirty (30) days from the date of inspection for the deficiencies to be corrected. If the deficiencies are not corrected by such date, the permit shall lapse and become void. Any incomplete structure shall be deemed a dilapidated sign and shall be subject to the provisions for removal. If the construction is then complete and in compliance, the City of Mustang Ridge shall issue a Certificate of Sign Inspection.

(d) Permit Expiration

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

(2) Any permittee holding an unexpired permit may apply in writing for an extension of the permit if the permittee is unable to commence work. The extension period shall not exceed 180 days. The permittee shall pay a fee for the extension of the unexpired permit. No permit shall be extended more than once.

Section 4. Prohibited Signs.

All signs not expressly permitted under this Ordinance or exempt from regulation hereunder in accordance with this Ordinance are prohibited in the City or its extraterritorial jurisdiction. Such signs include, but are not limited to:

(a) Beacons;

(b) Obscene signs;

(c) Inflatable signs and tethered balloons;

(d) Decorative flags (flags used as advertising displays, including but not limited to blade, feather, shark fin, solid, and teardrop flags);

- (e) Moving signs;
- (f) Off-premise signs (except City-owned directional signs);
- (g) Snipe signs;
- (h) Animated signs;
- (i) Portable signs;
- (j) Signs in the Right-of-Way, other than those installed by the City, State, or Federal government;
- (k) Human or hand-held signs not otherwise exempt;
- (l) Signs that imitate or resemble official traffic lights, signs, or signals, or signs that interfere with the effectiveness of any official traffic light, sign, or signal; / or nuisance to adjacent properties is prohibited.
- (m) Signs on motor vehicles that are inoperable, do not display a current vehicle registration sticker or license plate, are not principally used as a mode of transportation for business purposes, or are conspicuously parked or located on a lot for more than twenty-four (24) hours; or
- (n) Signs attached, placed, or otherwise supported on or by trees, rocks, or other naturally occurring landscaping features.

Section 5. Regulations.

Signs must meet all applicable standards as set forth herein and all City codes as amended, regardless of whether a permit is required.

(a) Nonconforming Sign

(1) These regulations shall apply to all Nonconforming Signs. All Nonconforming Signs shall be brought into compliance with this Ordinance in accordance with the provisions of these regulations.

(2) Signs erected on a property prior to its annexation and not in compliance with this Code shall be considered Nonconforming Signs until such time as they are brought into compliance in accordance with this Ordinance.

(3) All Nonconforming Signs that were erected in violation of the ordinances of the City in existence at the time the sign was permitted or should have been permitted, and which violation was or has not been cured, shall, upon written notice, be required to be brought into compliance with this Ordinance or removed within a reasonable time frame specified by the City Planner and/or City Engineer but not to exceed thirty (30) days from the date of the notice.

(4) Nonconforming Signs that do not comply with the City Building Codes shall be subject to enforcement under the Building Codes, as well as this Ordinance. Repairs or modifications required under the City Building Codes shall not entitle the owner of the Nonconforming Sign to compensation under this Ordinance.

(5) All Nonconforming Signs shall be subject to the following provisions:

(A) Whenever a land use changes, any nonconforming sign must be modified so as to be in full compliance with these sign regulations.

(B) Any Nonconforming Sign that has been destroyed or damaged to the extent that the cost of repairing the sign is more than 60 percent (60%) of the cost of erecting a new sign of the same type at the same location shall be removed or shall be brought into compliance with this Ordinance within six (6) months from receipt of an order from the City Planner and/or City Engineer, without compensation being paid by the City to the owner.

(C) No Nonconforming Sign shall be required to be relocated or removed unless such Nonconforming Sign is more than 60 percent (60%) destroyed or damaged as provided in (B) above.

(D) Any water storage device displaying signage existing at the date of this adoption is considered nonconforming and precluded from restoring any type of signage upon repainting of the water storage device.

(b) Location

No signs shall be allowed in the public Right-of-Way and easements except for those specifically licensed or permitted by the City, State, or a political subdivision of the State exercising jurisdiction where the sign is located. No signs shall block any fire lanes, fire hydrants, or other fire hose connections.

(c) Construction

All signs shall be designed, constructed, and maintained in accordance with the following standards:

(1) All signs shall comply with applicable provisions of the adopted versions of the City Building Codes, the National Electrical Code, and Section 4 of the Uniform Sign Code at all times.

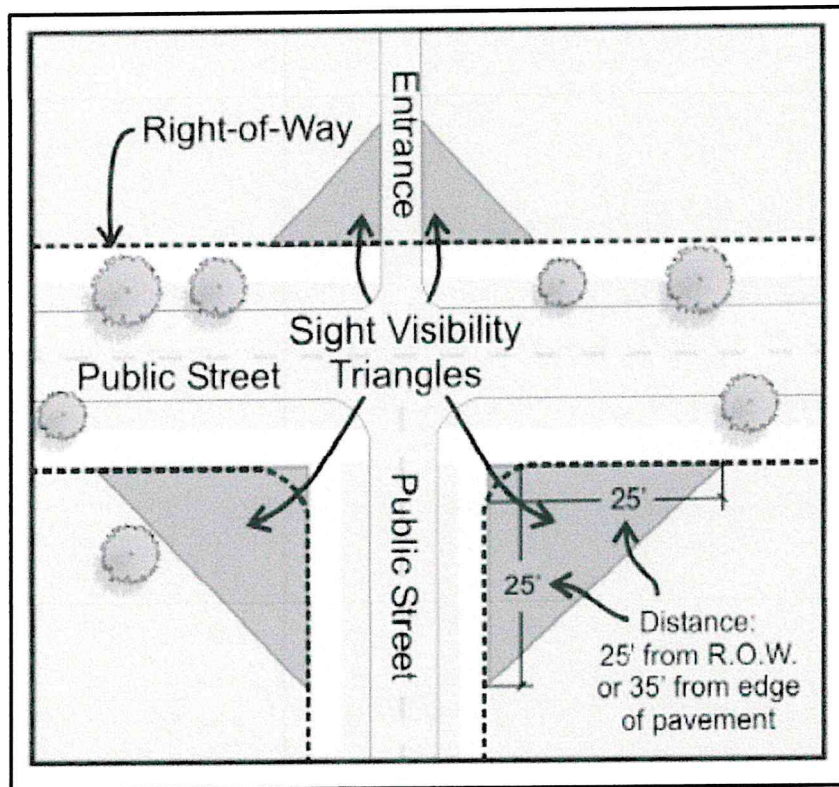
(2) Except for Temporary Signs Submit to Permits, and Window Signs conforming in all respects with the requirements of this Ordinance, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.

(d) Maintenance

All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this Code, at all times.

(e) Obstruction of View

- (1) No sign may be erected, constructed, maintained, or allowed to remain that constitutes an obstruction to or which interferes with a clear line of sight of approaching motor vehicles.
- (2) No sign may be erected, constructed, maintained, or allowed to remain that constitutes an obstruction to the view of pedestrians upon or entering a public or private street.
- (3) No sign may be located within the Sight Visibility Triangle. (See Diagram Below)



(f) Illumination

Illuminated signs are subject to the following requirements.

- (1) Signs that are illuminated at night may not exceed a maximum luminance level of seven hundred fifty (750) NITS, regardless of the method of illumination.
- (2) Any externally illuminated sign shall be shielded so as not to cast direct light or glare onto any residential district and as not to create a safety hazard, including distraction of vehicle operators or pedestrians in the public Right-of-Way.

(3) All illuminated signs must comply with the maximum luminance level of seven hundred fifty (750) NITS at least one-half hour before Apparent Sunset, as determined by the National Oceanic and Atmospheric Administration (NOAA), U.S. Department of Commerce, for the specific geographic location and date. All illuminated signs must comply with this maximum luminance level throughout the night, if the sign is energized, until Apparent Sunrise, as determined by the NOAA, at which time the sign may resume luminance levels appropriate for daylight conditions, when required or appropriate.

(4) A sign that is designed to emit a luminance level exceeding seven hundred fifty (750) NITS must have an automatic dimmer control that produces a distinct illumination change from a higher to a lower level for the time period between dusk and dawn.

Section 6. Changeable Electronic Variable Message Sign.

Figure 1: Electronic Variable Message Sign Example



(a) Changeable Electronic Variable Message Signs shall only be permitted by right in nonresidential zoning districts with the exception of institutional uses such as religious assemblies, educational facilities, government administration and civic buildings, and public parks that may be permitted in additional zoning districts provided that all standards of (c), (d), and (e) below are met.

(b) Changeable Electronic Variable Message Signs must meet all of the following requirements:

(1) Placement and Location

(A) Changeable Electronic Variable Message Signs are permitted only within 300 feet of State Highway 21, 183, and Toll Road 130.

(B) No more than one Changeable Electronic Variable Message Sign shall be allowed per lot.

(C) Changeable Electronic Variable Message Signs shall be designed as Monument Signs.

(D) Changeable Electronic Variable Message Signs shall be located at least three hundred fifty (350) feet away from a property with any residential zoning designation.

(2) Display and Illumination

Changeable Electronic Variable Message Signs must meet the following criteria:

(A) Hard maximum of 12 square feet;

(i) For purposes of calculating the area of a monument sign, the Changeable Electronic Variable Message Sign counts four times;

(B) Constructed such that the sign does not face, shine, or reflect light in any manner or angle into a property with any residential zoning designation or use;

(C) Maximum daytime NITs of 5,000; maximum nighttime NITs of 500;

(D) Provide a minimum display time for each static image of at least six (6) seconds;

(E) No display of a solid white background;

(F) A static display with no animation, virtual movement, flashing, or multimedia/video; and

(G) No special effect transitions between each static display.

(c) A request to permit a Changeable Electronic Variable Message Sign in areas not within 300 feet of State Highway 21 meets all the other above requirements may be approved by the City of Mustang Ridge City Council based on the following criteria:

(1) The potential for interference with the enjoyment of the use of surrounding properties and compatibility with land uses;

(2) The zoning district and the adjoining zoning districts of the property for which the Changeable Electronic Variable Message Sign is sought;

(3) Whether the request is harmonious with the public interest; and

(4) Consistency with the purposes of this Code.

(d) Under no circumstance may an off-premise sign be converted to a Changeable Electronic Variable Message Sign.

(e) A Changeable Electronic Variable Message Sign may not exceed 75 percent (75%) of the total sign area for any Monument Sign.

Section 7. Dimensional Calculations.

(a) Sign Area

Sign area shall be calculated in square feet and by means of the smallest square, circle, rectangle, or combination thereof that will encompass the sign face.

Figure 2. Sign Area Calculation



(1) Calculation of Area of Multifaceted Signs

The sign area for a sign with more than one face shall be calculated by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back-to-back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be calculated by the measurement of one of the faces.

(b) Sign Height

Sign height shall be measured in linear feet. The overall height of a Freestanding Sign or other sign structure is measured from the lowest grade level within ten (10) feet of the base of the sign to the highest point of the Freestanding Sign or other sign structure.

Figure 3. Sign Height



(d) Sign Width

Sign width shall be measured in linear feet from the farthest outermost point on each side of a sign.

(e) Setbacks

The maximum sign setback is ten (10) feet. The setback shall be measured in linear feet from property lines.

(f) Spacing

A minimum distance of fifty (50) feet must be maintained between all Freestanding Signs. The spacing requirement applies to all signs on a single lot and the distance to the nearest sign on an adjacent lot.

Section 8. Types of Signs.

(a) Signs Permitted by Zoning District

Table 1. Signs that are permitted in Zoning Districts within the City Limits of Mustang Ridge.

(1) Permitted (•) indicates that the sign type is permitted by right in the zoning district. If a cell is blank, this indicates the sign type is not permitted in the zoning district.

(2) To preserve the character of residential zoning districts, commercial signs are not permitted in Single-Family Estate Residential (SF-E) Districts through Multifamily Residential (MF) Districts.

(A) Signs may be allowed in residential zoning districts for institutional uses such as religious assemblies, educational facilities, government administration and civic buildings, and public parks.

(B) The sign standards for these uses shall be based on Local Retail (LR) District/General Business (GB-1) District standards applicable to the respective sign type.

Table 1. Signs Permitted by Zoning District

	AG	SF-E	SF-1	SF-5	SF-8	MF	MH	LR	GB-1	GB-1	LI	HI	P
Pole and Pylon Sign										•	•	•	•
Monument Sign					•	•	•	•	•	•	•	•	•
Wall Sign					•	•	•	•	•	•	•	•	•
Projecting Sign					•	•		•	•	•	•	•	•
Hanging Sign								•	•	•			•
Marquee Sign									•	•			•
Awning Sign					•	•	•	•	•	•	•	•	•
Canopy Sign					•	•		•	•	•	•	•	•
Window Sign					•	•	•	•	•	•	•	•	•
Sidewalk Sign								•	•	•			•

(b) Pole and Pylon Sign

(1) A Pole and Pylon Sign is a sign supported by single or multiple poles. Sign supports may include an exposed pole or concealed support.



(2) Special Standard

(A) For requirements regarding Multi-Tenant Pole and Pylon Signs, refer to Section 10. Common Signage Plan.

(B) Changeable Copy Signs are permitted.

	Single	Multi
Area Max (sq ft)		
GB-1, LI, HI	75	100
Height Max (ft)		
GB-1, LI, HI	35	35
Within 400' of residential, no taller than the primary structure (if structure blocks view from residential) or 25', whichever is less.		
Width Max (ft)		
	N/A	N/A
Number of Signs		
Signs per lot, max	1	1
Setbacks and Spacing		

Interior property lines, min. (ft)	10	10
Illumination		
Internal Only		
Vertical Clearance from Grade		
Min. (ft)	10	10
Changeable Electronic Variable Message Signs		
See <u>Section 6</u> .		

(c) Monument Sign

(1) A Monument Sign is a Freestanding Sign attached to a pedestal or perimeter wall.



(2) Special Standards

(A) Changeable Electronic Variable Message Signs may not exceed 75 percent (75%) of the total sign area.

(B) Sign area does not include the base or pedestal, or address block. See Figure 8. Sign Area Calculation.

(C) Monument Signs in the Single-Family Estate Residential (SF-E) District, Single-Family Residential Large Lot (SF-1) District, or Single-Family Duplex Residential (SF-5) District residential zoning districts must meet standards for Local Business (LR) District and must be located on property owned by the Homeowners' or Property Owners' Association.

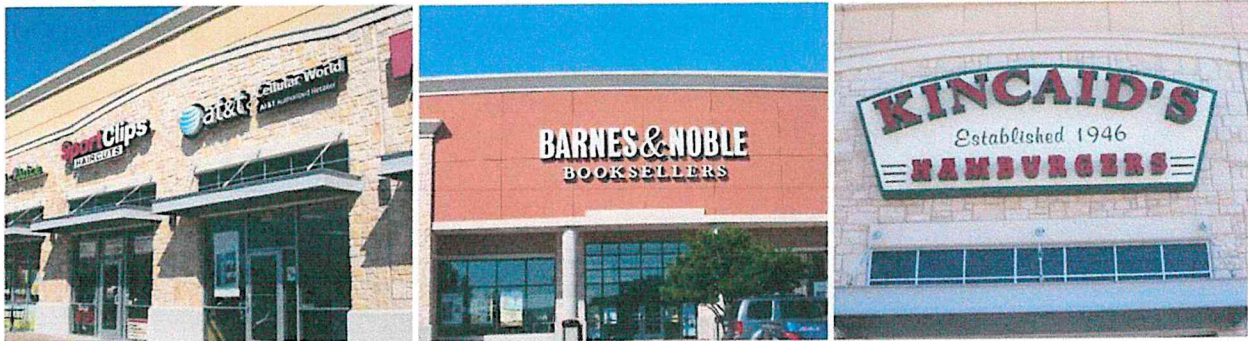
(D) Changeable Copy Signs are permitted.

	Single	Multi
Area Max (sq ft)		
SF-8, MF, MH, LR	35	35
GB-1, LI, HI	50	75
GB-1	100	100
Height Max (ft)		
SF-8, MF, LR	12	12
GB-1, LI, HI	12	12
GB-1	12	12
Width Max (ft)		
	15	25
Number of Signs		
Signs per lot, max	1	1
Setbacks and Spacing		
Interior property lines, min. (ft)	10	10
Illumination		
Internal or External		
Vertical Clearance from Grade		
	N/A	N/A
Changeable Electronic Variable Message Signs		

See <u>Section 6</u> .	
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(d) Wall Sign

(1) A Wall Sign is a sign that is attached flat to or mounted away from, but parallel to, any exterior wall of a structure.



(2) Special Standards

(A) Maximum distance between the wall and sign is eighteen (18) inches.

(B) Exposed raceways must be as narrow as possible. Wireways are preferred.

(C) Wall signs are only allowed on the first floor of a building.

(D) Multiple Wall Signs are permitted; however, the total area must not exceed 25 percent (25%) of the total façade/wall area of the building.

(E) Changeable Copy Signs are permitted.

(F) Roof Signs shall be treated as Wall Signs for the purpose of this Ordinance, provided such sign shall not extend above the roof peak by more than six (6) feet and its area shall not exceed 15 percent (15%) of the exterior wall elevation over which the roof sign is oriented.

(G) (Planned Development Regulations) All proposed signs must be reviewed by the City.

Total Wall Area Max (%)	
Individual tenant space	25
Height Max	

Not to exceed the height the of building	
Width Max (%)	
Individual tenant space	75
Number of Signs	
None	
Setbacks and Spacing	
Interior property lines, min. (ft)	10
Illumination	
Internal only	
Vertical Clearance from Grade	
	N/A
Changeable Electronic Variable Message Signs	
Not allowed	

(e) Projecting Sign (Planned Development Regulations) All proposed signs must be reviewed by the City.

(1) A Projecting Sign is a two-sided sign that projects outward from the exterior wall of a structure into the pedestrian realm.



(2) Specific Standards

(A) Projecting Signs shall not project more than two-thirds of the width of the abutting sidewalk.

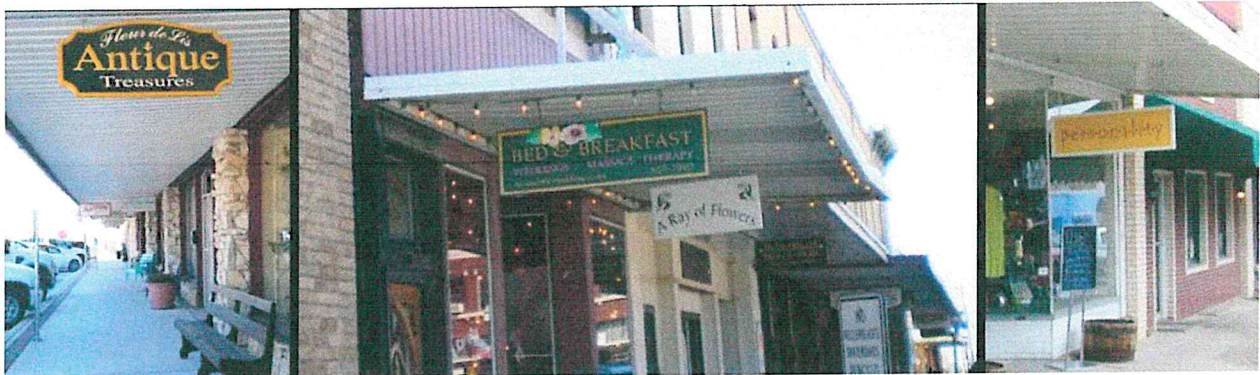
(B) If a Wall Sign is already permitted for the building, then the Projecting Sign shall not exceed 25 percent (25%) of the maximum allowable sign area for the building.

(C) Changeable Copy Signs are permitted.

Area Max (sq ft)	
Total sign area	35
Height Max	
Not to exceed the height of the building	
Width Max (ft)	
	3
Number of Signs	
Signs per building face, max	1
Illumination	
Internal only	
Vertical Clearance from Grade	
Min. (ft)	8
Changeable Electronic Variable Message Signs	
Not allowed	

(f) Hanging Sign (Planned Development Regulations) All proposed signs must be reviewed by the City.

(1) A Hanging Sign is a two-sided sign that hangs down from an awning or similar structure extending outward from the exterior wall of a structure into the pedestrian realm.



(2) Specific Standards

(A) Hanging Signs must be placed at least one (1) foot from the edge of the awning or cover.

Area Max (sq ft)	
Total sign area	6
Number of Signs	
Signs per building face, max	1
Illumination	
None	
Vertical Clearance from Grade	
Min. (ft)	8
Changeable Electronic Variable Message Signs	
Not allowed	

(g) Marquee Sign

(1) A Marquee Sign is a sign attached to the top or the face of a permanent roof-like structure constructed over a ground-floor main entrance.



(2) Special Standards

(A) Changeable Copy Signs are permitted.

(B) Marquee Signs may only be permitted for movie or performance theatres.

Total Wall Area Max (%)	
	50
Height Max (ft)	
Exceed height of building	10
Width Max (%)	
Individual tenant space	75
Number of Signs	
Max, per building	1
Setbacks and Spacing	
Setbacks	N/A

Illumination	
Internal or External	
Vertical Clearance from Grade	
Min. (ft)	10
Changeable Electronic Variable Message Signs	
See <u>Section 6</u> .	

(h) Awning Sign (Planned Development Regulations) All proposed signs must be reviewed by the City.

(1) An Awning Sign is a sign printed on any of the surfaces of an awning, and which may include an under-awning sign attached to and mounted under the awning.



(2) Special Standards

(A) Awning Signs are only permitted on the first floor of a building.

(B) If Wall Signs are present on the same building face, awning copy counts towards the total allowable sign area.

(C) Lettering and logos may be located on both the valance and canopy of an awning.

Area Max (sq ft)	
	25
Height Max	

Not to exceed height of building	
Width of Awning Sign Copy	
Max (%)	75
Number of Signs	
Awning signs per building face, max	N/A
Setbacks and Spacing	
Setbacks	N/A
Illumination	
None	
Vertical Clearance from Grade	
Min. (ft)	10
Changeable Electronic Variable Message Signs	
Not allowed	

(i) Canopy Sign (Planned Development Regulations) All proposed signs must be reviewed by the City.

(1) A Canopy Sign is a sign attached above, below, or to the face of a canopy, and which may include an under-canopy sign attached to and mounted under the canopy.



(2) Special Standards

(A) Canopies may be installed on building facades and shall count toward the maximum allowable Wall Sign area.

(B) Canopies shall comply with all applicable ordinances, including building codes.

Total Window Area	
Max (%)	50
Height Max (ft)	
	4
Width of Canopy Max (%)	
	75
Number of Signs per Building Face	
Max	1
Setbacks and Spacing	
Setbacks	N/A
Illumination	
Internal or external	
Vertical Clearance from Grade	
Min. (ft)	10
Changeable Electronic Variable Message Signs	
Not allowed	

(j) Window Sign

(1) A Window Sign is generally affixed to a window for the purpose of being viewed from the exterior of a building.



(2) Special Standards

(A) Window Signs may only be permitted on the first floor of building.

(B) Displays located in a window such as mannequins are not considered window signs.

Total Wall Area Max (%)	
	25
Height Max (ft)	
	N/A
Width Max (ft)	
	N/A
Number of Signs	
Signs per building face, max	N/A
Setbacks and Spacing	
Setback	N/A
Illumination	

None	
Vertical Clearance from Grade	
Min. (ft)	N/A
Changeable Electronic Variable Message Signs	
Not allowed	

(k) Sidewalk Sign

(1) A Sidewalk Sign is generally temporary in nature and intended to be viewed from the pedestrian realm.



(2) Special Standards

(A) Sidewalk Signs must be placed directly in front of the premises that owns and is placing the sign within ten (10) feet of the building entry.

(B) Sidewalk Signs must be removed when the business is closed.

(C) Sidewalk Signs must allow for a minimum of four feet of clearance as per ADA standards.

(D) Prior to issuance of a Sidewalk Sign permit, Applicants must submit an executed indemnification form to the City.

(E) Changeable Copy Signs are permitted.

Area Max (sq ft)	
	6

Height Max (ft)	
	4
Width Max (ft)	
	N/A
Number of Signs	
Signs per business, max	1
Setbacks and Spacing	
Setback	N/A
Illumination	
None	
Vertical Clearance from Grade	
	N/A
Changeable Electronic Variable Message Signs	
Not allowed	

(l) Drive-Thru or Drive-In Sign

(1) A sign erected in conjunction with a use that incorporates a drive-thru or drive-in, placed adjacent to a drive-thru lane or drive-in parking space to be read by patrons in a vehicle.



(2) Special Standards

(A) A drive-thru or drive-in sign shall only be allowed on property zoned to allow a drive-thru or drive-in use by right or by specific use permit. A sign permit for such sign shall not be issued until a specific use permit, if required, is issued.

(B) A drive-thru or drive-in sign can be a Changeable Electronic Variable Message Sign (CEVMS) and is exempt from Section 6.

(C) A drive-thru sign shall be supported from the grade to the bottom of the sign having or appearing to have a solid base. The design, materials, and finish of the sign shall match those of the building(s) on the same lot.

(D) A drive-in sign shall be supported from the grade to the bottom of the sign having or appearing to have a solid base. If the drive-in stalls are covered by a canopy, the drive-in sign may be attached directly to the canopy support columns. The design, materials, and finish of the drive-in sign shall match the building(s) on the same lot.

(E) A drive-thru or drive-in sign that engages a speaker or other form of audible communication between the vehicle and store shall conform to all noise and nuisance regulations of the City of Mustang Ridge.

Area Max (sq ft)	
Drive-thru (per sign face)	60
Drive-In (per sign face)	9
Height Max (ft)	
	6
Width Max (ft)	
	N/A
Number of Signs	
Signs per drive-thru lane, max	1
Signs per drive-in ordering station, max (2-sided allowed)	1

Setbacks and Spacing	
Setback	N/A
Illumination (Maximum Illumination)	
Internal or External	N/A
Vertical Clearance from Grade	
	N/A
Changeable Electronic Variable Message Sign (CEVMS)	
Allowed	

(m) Temporary Signs Submit to Permit

(1) Temporary Signs Submit to Permits, including banners, on private property, shall be allowed only upon the issuance of a Temporary Signs Submit to Permit unless otherwise noted in this Ordinance, shall not be a prohibited sign, and shall be subject to the following requirements:

(A) Term

A Temporary Signs Submit to Permit shall allow the use of a Temporary Signs Submit to Permit for a specified 30-day period.

(B) Number

Only one Temporary Signs Submit to Permit shall be issued on a lot during any consecutive four (4) month period.

(C) Exemptions

A Temporary sign is allowed for an additional 30-day period from the time a Certificate of Occupancy is issued without obtaining a Temporary Sign Permit.

(2) Signs for Properties in a State of Functioning as a Model Home

Temporary Signs not exceeding thirty-two (32) square feet in area and eight feet in height may be erected on a lot containing a home during the time period the home is being used as a model for the construction of new residential homes.

(3) Size

Temporary Signs shall not exceed thirty-two (32) square feet in area.

Section 9. Exempt Signs.

The following signs, if located on private real property with the consent of the property owner (unless otherwise stated) are exempt from regulation under this Ordinance:

(1) Public Signs

Any public notice, warning, or traffic control device required by Federal, State, or local law, regulation, or ordinance, including those on public property.

(2) Signs on Properties in a State of Being for Sale or Lease

Up to two (2) temporary signs not exceeding six square feet in area and three feet in height when posted in residential zoning districts, or temporary signs not exceeding 64 square feet in area and 12 feet in height when posted in other zoning districts, when posted during time periods when the property on which the signs are located is for sale or lease, and such signs do not remain more than seven (7) days after the property is sold or leased;

(3) Signs on Properties in the State of Construction

Up to two (2) temporary signs placed on construction sites not exceeding 64 square feet in the area after approval of a site plan, and which do not remain erected for more than seven (7) days after the completion of the construction project.

(4) Works of Art

Works of art that do not include a commercial message, including painted or applied wall accents and decorations.

(5) Holiday Lights

Holiday lights and decorations with no commercial message;

(6) Incidental Signs

Traffic-control signs on private property, such as stop, yield, and similar signs, the face of which meet Texas Manual on Uniform Traffic Control Devices standards and that contain no commercial message of any sort, and similar incidental signs related to internal traffic;

Section 10. Common Signage Plan.

(a) A Common Signage Plan applies to two different development scenarios:

(1) Multi-Tenant Center or One Lot with Multiple Buildings (required); and

(2) Multiple Adjacent Lots (optional).

(b) Multi-Tenant Center or One Lot with Multiple Buildings

(1) For the purposes of this section, “multiple buildings on one lot” does not include accessory buildings.

(2) Common Signage Plan shall contain the following information:

(A) An accurate plot plan of the lot(s) at a minimum 1"=20' scale, or as approved by the City.

(B) The location of buildings, parking lots, driveways, landscaped areas on such lots, and any other information as required by the City.

(C) Calculation of the maximum total sign area, the maximum area for individual signs, the maximum height of signs, and the maximum number of Freestanding Signs allowed on the lot under this Ordinance.

(D) An accurate indication on the plan of the proposed location of each present and future sign of any type, regardless of whether a permit is required; and

(E) An accurate depiction of the sign structure and materials, specifying standards for consistency among all signs on the lot(s) affected by the plan with regard to color scheme, lettering or graphic style, lighting, location of each sign on the buildings, materials, and sign proportions.

(3) No more than one (1) Freestanding Sign shall be allowed for each street on which the lot has frontage.

(A) These signs must provide for shared or common usage of such signs.

(B) Lots having more than three hundred (300) feet of street frontage on a single street may have one (1) Freestanding Sign per two hundred (200) feet of frontage beyond three hundred (300) feet.

(4) If the signage in the plan meets all requirements listed above, then a 20 percent (20%) increase in the maximum sign area shall be allowed for each sign, excluding Freestanding Signs.

(c) Multiple Adjacent Lots

(1) Common Signage Plans are encouraged but not required for adjacent lots.

(2) In addition to the requirements for a Common Signage Plan, the Applicant must also submit the following information intended to ensure consistency among signs:

(A) Color scheme

- (B) Lettering or graphic style
- (C) Lighting and Illumination (Maximum Illumination Section)
- (D) Location of each sign on the building
- (E) Material
- (F) Sign proportions and size

(d) Existing Signs Not Conforming to Common Signage Plan

(1) If any new or amended Common Signage Plan is filed for a property on which existing signs are located, it shall include a schedule for bringing all signs into compliance with this Ordinance within three (3) years from the date of approval of the plan or amended plan.

(2) Common Signage Plan may contain such other restrictions as the owners of the lots may reasonably determine.

(e) Consent

The Common Signage Plan shall be established by all owners or their authorized agents in such form as the City Planner and/or City Engineer may require.

(f) Procedures

A Common Signage Plan shall be included in any development plan, site plan, planned unit development plan, or other official plan required by the City for the proposed development and shall be processed simultaneously. The City Planner and/or City Engineer may review the Common Signage Plan and approve it provided it meets all requirements of this Ordinance. Otherwise, he may approve it with conditions; or may deny the plan.

(1) Amendment

A Common Signage Plan may be amended by filing a new Common Signage Plan that conforms with all requirements of this Ordinance.

(2) Binding Effect

After approval of a Common Signage Plan, no sign shall be erected, placed, painted, or maintained, except in compliance with such plan, and such plan may be enforced in the same way as any provision of the Ordinance. In case of any conflict between the provisions of such a plan and any other requirement of this Ordinance, this Ordinance shall control.

Section 11. Abandoned Signs, Dilapidated Signs, and Sign Violations.

(a) The owner of any premise on which there is displayed or maintained any abandoned or dilapidated signs shall comply with the following requirements:

(1) The owner of any dilapidated sign shall remove the sign within thirty (30) days after receiving written notice from the City of Mustang Ridge or the adoption of this Ordinance, whichever is later.

(2) The owner of a supporting structure used or designed to be used with a dilapidated sign shall remove the supporting structure within thirty (30) days after receiving written notice from the City of Mustang Ridge.

(3) If an abandoned supporting structure does not have a can, frame, or similar part of the supporting structure that would hold the sign or to which the sign would be attached, the supporting structure shall be removed or made to comply with the provisions of the Ordinance.

(4) Any modifications, alterations or changes to an abandoned sign or supporting structure shall be made in full compliance with the requirements of this Ordinance.

(5) Any dilapidated sign or dilapidated supporting structure not in compliance with this Ordinance is an unlawful sign and may be removed by the City in compliance with (c) below and the owner may be prosecuted or be enjoined from continuing such violation.

(6) If a sign that conforms to the regulations of this Ordinance is abandoned, the owner, user, and persons who benefit from the sign and the owner, operator, and tenants of the property on which the sign is located shall remove it, paint out or cover the message portion of the sign, put a blank face on the sign, or otherwise bring it into compliance with this Ordinance so as to leave the message portion and supporting structure neat and unobtrusive in appearance, within ninety (90) days after receiving written notice from the City.

(b) The following are required for the use, display, maintenance, or permitting of an alteration of any abandoned sign or supporting structure regardless of when the sign was abandoned:

(1) Like Material

Only the same like, or better quality material as that being replaced shall be used as a face on or in the abandoned sign. The face of the supporting structure must be one that the supporting structure is designed to support.

(2) Covered Messages

(A) Abandoned signs may be painted in order to “blank” the face.

(B) However, the paint must completely cover the sign face or message portion of the structure. The covered, painted-over message must not show through the paint.

(C) Covered sign faces must be of a material or substance that renders the resulting sign face completely blank, opaque, and resistant to deterioration. It is a violation of these regulations to allow a covered message to bleed or show through the paint or covering.

(D) Routed, embossed, or raised messages or signed copies must not be visible to the ordinary observer if the face or message is blank.

(3) No person shall alter an abandoned sign or supporting structure without first obtaining a permit to do so from the City.

(c) Sign Violations and Removal

(1) The City Administrator shall have the authority to issue a sign violation notice and shall be empowered to enter upon the premises of any person within the City or its ETJ for the purpose of enforcing the provisions herein.

(2) The City is authorized to take all legal means to ensure that a sign violation is removed or remedied.

(3) When a sign requiring a permit is erected without a sign permit, the City Administrator shall use the following procedures.

(A) The City shall give written notice of violation to the responsible party or to the occupant of the premises if the responsible party is not known. The notice shall include a description of the violation, the date such violation was noted, instructions to contact the City Administrator to apply for a permit for the sign, if applicable, and the fine schedule if the notice is not heeded, refused, or unclaimed. The notice is deemed delivered when deposited in the United States Postal Service mail, with postage paid to the last known address of the party responsible for such sign.

(B) If the City is unable to deliver the written notice to the responsible party, a telephone call shall be made by the City Administrator, date and time recorded, informing the owner of the premises on which the sign is located that on a set day, a fine shall commence being assessed to the owner of the sign for each day of the violation until the sign(s) are removed.

(C) If, within ten (10) calendar days, the responsible party fails to contact the City Administrator in writing, bring the sign into conformance with this Code, or apply for a permit for the sign, the City Administrator shall have the sign removed or impounded without further notice or shall fine the owner on a daily basis as set forth within this Code.

(D) The party responsible for the sign shall, upon conviction, be guilty of a misdemeanor and shall (a) forfeit both the sign and any permit associated with the sign; and (b) pay the fines set by the court, not to exceed the fines specified in the adopted Fee Schedule for each violation. Each day of the continued violation shall constitute a separate violation.

(4) Impoundment of Signs

(A) The City shall have the authority to remove all signs, without notice to the owners thereof, placed within any street or highway Right-of-Way and city easement, or attached to trees, telephone and utility poles, other natural features or signs otherwise prohibited or not authorized by this Code, and to immediately and permanently dispose of the signs.

(B) The owner of an impounded sign may recover the same upon payment of an impoundment fee for each sign, and all costs associated with the removal of the sign, prior to the expiration of the fourteen (14) day impoundment period; in the event the sign is not

claimed and retrieved from the City's possession within fourteen (14) days, the City shall have authority to dispose of such sign. The owner shall be responsible for all costs associated with the removal and disposal of the sign.

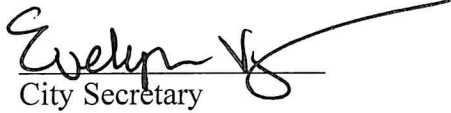
Section 12: Permit Fees and Violations

- Permit Fee Table (By sign type) As noted in section 8
- Violation Fee Schedule
- Impoundment Fees

PASSED by the City Council of Mustang Ridge, Texas, on the 13th of July, 2023


Mayor David Bunn

ATTEST:


City Secretary

