

Sec. 734-203. Computations.

- (a) **Computation of area of individual signs.** The area of a sign face (which is also the sign area of a wall sign or other sign with only one (1) face) shall be computed by means of the smallest square, rectangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself. (Refer to Diagram 1 for illustrative guides to computation methods.)
- (b) **Computation of area of multifaced signs.** The sign area for a sign with more than one (1) face shall be computed by adding together the sign area of all sign faces from any one (1) point. When two (2) identical sign faces are placed back to back, or at no greater than fifteen (15) degrees from one another, 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 computed by the measurement of one (1) of the faces. (Refer to Diagram 2 for illustrative guides to computation methods.)
- (c) **Computation of height.** The height of a sign shall be computed as the distance from the base of the sign or sign structure at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of either (1) existing grade prior to construction; or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of the street or the grade of the land at the principal entrance to the principal structure on the lot, whichever is lower. (Refer to Diagram 3 for illustrative guides to computation methods.)

Sec. 734-204. General provisions.

- (a) **Applicability of regulations.** No sign or sign structure, or part thereof, shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations.
- (b) **Consent of property owner.** No sign or sign structure shall be placed on private or public property without the expressed written consent of the owner or the owner's representative.
- (c) **Maintenance of signs.** All signs and sign structures shall be kept in good repair and in proper state of maintenance.
- (d) **Maintenance and restoration of legally established nonconforming signs and sign structures.** Any legally established nonconforming sign shall be permitted without alteration in size or location. Maintenance of such signs shall not include any changes made to the size, height or bulk of the sign or the temporary or permanent removal of the sign. If such sign is damaged exceeding two-thirds (2/3) of its replacement value, it shall not be rebuilt except in conformance with the provisions of this chapter; provided, however, that nothing herein shall prevent maintenance, repainting, or posting of legally established nonconforming signs.
- (e) **Number of faces permitted on a freestanding identification sign.** Unless specifically restricted by these sign regulations, a sign may contain more than one (1) sign face, and may be two-sided, provided all other requirements of these regulations are met.
- (f) **Discontinuation of nonconformity.** Within thirty (30) days after any lawful nonconforming sign or sign structure is no longer functional or is abandoned, as defined in section 734-501, the sign and sign structure shall be removed.
- (g) **Grade mounding.** Earth mounding, inconsistent with the ground level of the land surrounding the sign structure, which increases the elevation of the sign, shall be included in the measurement of the sign height. (Refer also to section 734-203(c), computation of height and Diagram 4.)

- (h) **Flashing or animated signs.** No flashing or animated sign shall be used in any dwelling, special use, C-1, C-2 and C-3 commercial, or central business district and inside, or within six hundred (600) feet of, any protected district. The method of measurement from a protected district shall be from the leading edge of the sign to the zoning line of the protected district. (Refer to Diagram 7.)

Exceptions to this provision are the following:

- (1) Time and temperature displays, which are regulated in section 734-406;
 - (2) This provision shall not apply if it can be determined that a commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon adjoining property or abutting frontage property, although zoned as a dwelling district.
 - (3) This provision shall not apply if it can be determined that the flashing or animated sign is visibly obstructed from the protected district.
- (i) **Lighting of signs.** No lighting shall be permitted to be used in any way in connection with a sign unless:
- It is effectively shielded so as to prevent beams or rays of light from being directed at vehicles travelling on a street; or
 - Is of such low intensity or brilliance so as not to cause glare or to impair the vision of the driver of any motor vehicle, or to otherwise interfere with any driver's operation of a motor vehicle. Sign light reflectors must be within twelve (12) feet of a sign facing.
- (j) **Clear sight triangular area.** No sign or sign structure shall be located within a clear sight triangular area. (Refer to Diagram 5.) A clear sight triangular area shall be established as one (1) of the following:
- (1) On a corner lot, the clear sight triangular area is formed by the street right-of-way lines, the pavement edge of the drives or driveways and the line connecting points twenty-five (25) feet from the intersection of such street right-of-way lines and pavement edge lines; or in the case of a round or cut property corner, from the intersection of the street right-of-way lines and pavement edge lines extended; or
 - (2) On a lot adjacent to an at-grade railroad crossing, the clear sight triangular area is formed by the lot line coterminous with the railroad right-of-way, the street right-of-way line or pavement edge line, and the line connecting points twenty-five (25) feet from the intersection of such lines; or
 - (3) On a lot which has a driveway, abuts an alley or which is next to a lot which has a driveway, the two (2) clear sight triangular areas are formed by the street right-of-way line, both sides of either the alley right-of-way or of the surface edge of the driveway, and the line connecting points ten (10) feet from the intersection of the street right-of-way line and driveway or alley lines extended.
- (k) **Standards for outdoor cafe signs within the Regional Center.** A sign shall be:
- (1) No larger than two (2) inches by two (2) inches with an option being that the material may be of slate or plastic where the daily special may be advertised.
 - (2) If the sign is one-sided, then the outdoor cafe owner may erect two (2) signs perpendicular to the building (one (1) for persons approaching the cafe from each direction).
 - (3) If the sign is two-sided, then the outdoor cafe owner may erect the free-standing sign on the interior of the outdoor seating area designated for the cafe.
 - (4) The sign, if one-sided, may be linked or attached to the chain, lattice-work or fence which defines the outer limits of the outdoor cafe.
 - (5) Such outdoor signs may remain in place from 7:00 a.m. to 10:00 p.m.

(G.O. 107, 1997, §§ 1A., B., 6-23-97)

Sec. 734-205. Sign height exception, tall signs.

If a street elevation to which the sign is oriented is more than ten (10) feet greater than the grade elevation at the base of the sign structure, the street elevation may be used as the grade elevation in determining the permitted sign and sign structure height; however:

- in no case shall the height of the sign or sign structure above the actual grade elevation at its base exceed eighty (80) feet; and
 - the height of the sign and sign structure at the street's elevation shall not exceed the maximum noted for the sign in the applicable district (See "maximum sign height" provision in the applicable district).
- (a) Tall signs are permitted only in relation to interchanges on I-465 and the freeways between I-465 and the Marion County boundary lines.
 - (b) Only signs designed to give information in the specific interest of the traveling public, including identification of places for camping, lodging, eating and vehicle services of gasoline service stations, shall be permitted to be constructed as tall signs.
 - (c) Tall signs shall be located only on the premises of the referred use or activity.
 - (d) The use to which the tall sign refers shall be located within one thousand three hundred twenty (1,320) feet of the intersection of the center line of the freeway or expressway to which it is oriented and the intersecting street. In no event shall the tall sign be closer to the right-of-way of the main-travelled way of the freeway or expressway than the minimum setback specified in section 734-403 of this chapter (refer to Diagram 28).
 - (e) The sign surface area for a tall sign shall not exceed the maximum sign area permitted for a freestanding identification sign in the applicable district.
 - (f) Only one (1) tall sign shall be permitted for any one (1) use. Such sign shall constitute the only identification pole or pylon sign permitted on the premises of the referred use.
 - (g) Tall signs shall not be permitted within six hundred (600) feet of any protected district, measured from the leading edge of the sign to the zoning line of the protected district.

Exception: This provision shall not apply if it can be determined that a commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon adjoining property or abutting frontage property, although zoned as a protected district.

Refer to Diagrams 6 and 7 for illustrative guides to these provisions.

Sec. 734-206. Front sign setback exception.

Unless otherwise stated in this chapter, no part of any freestanding business identification sign shall be located closer to a street right-of-way line than fifteen (15) feet, except that if an established building setback line along such right-of-way within two hundred (200) feet of the base of such sign, and not beyond the limits of the nearest street intersection in each direction, is less than fifteen (15) feet from the right-of-way, the sign may be located so that no part of the sign is closer to the right-of-way than such building's setback line.

Sec. 734-207. Required permits.

Any sign not exempted from the requirements of obtaining an Improvement Location Permit (ILP) as noted in section 734-201, exempt signs, or identified as a prohibited sign type shall be required to obtain an ILP as stated in Chapter 730, Article III of this Code. Furthermore, any sign not identified as a permitted sign type in the tables in section 734-500 of this chapter is prohibited.

This provision shall not be construed to require an ILP for the routine maintenance or changing of the parts or copy of a sign for which an ILP has previously been issued, including changing a sign face, provided that the maintenance or change of parts or copy of a sign does not alter the surface area, height, or otherwise render the sign nonconforming, or increase the existing degree of nonconformity, with the standards of this chapter.

ARTICLE III. SPECIFIC PROVISIONS

Sec. 734-300. Basic design elements for all on-premises signs.

- (a) **Pole sign.** At its lowest point, the sign face of a pole sign shall be located a minimum of nine (9) feet above the grade (refer to Diagram 8).
- (b) **Wall sign.** A wall sign shall not extend outward more than eighteen (18) inches from the building or structure wall. A wall sign may extend to a maximum of four (4) feet upward above a roof or parapet line, provided that at least fifty (50) percent of the area of the wall sign shall be located below the roof or parapet line (refer to Diagram 9).
- (c) **Roof-integral sign.** A roof-integral sign shall not exceed six (6) feet in height and shall not project more than eighteen (18) inches outward from the level of the roof measured horizontally from the sign's closest point to the roof. A roof-integral sign may extend up to the roof level line and not above the roof line or the top of the building or structure (as viewed in the elevation), provided the maximum height of the extended sign does not exceed twenty-six (26) feet measured from grade perpendicularly to the sign's highest point (refer to Diagram 10).
- (d) **Pylon sign.** A sign face of a pylon sign may extend up from grade level provided the clear sight triangle provisions of section 734-204(j) shall be maintained.
- (e) **Projecting sign.** A projecting sign or sign structure may extend up to, but not above, the roof level line or the top of the building or structure, as viewed in the elevation (refer to Diagram 11).