

ARTICLE IV. SPECIAL PROVISIONS

Sec. 734-400. Awning and canopy sign regulations

(a) Awnings and canopies on which signs are placed, both nonilluminated and illuminated, shall comply with the requirements of this section in addition to all other provisions of this chapter.

- (1) Awning or canopy signs shall be permitted as specified in the permitted sign types lists, section 734-500, Tables A--D.
- (2) Illuminated awning or canopy signs shall be located at least six hundred (600) feet from a protected district, as defined in section 734-501. The method of measurement shall be taken from the leading edge of the sign to the zoning line of the protected district (refer to Diagram 7). Exceptions: This provision shall not apply if it can be determined that:
 - a. 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; or
 - b. The illuminated awning or canopy is visibly obstructed from the protected district.
- (3) The total area of an awning or canopy on which sign content or copy is placed shall not exceed the maximum surface area limits as set forth for wall signs as noted in section 734-303(b)(1)a. of this chapter.
- (4) The total sign content or copy area of awning or canopy signs shall not exceed forty-five (45) percent of the area of the awning or canopy on which it is placed (refer to Diagram 22).
- (5) The computation of the sign copy area of the awning or canopy sign shall be limited only to the area of the awning or canopy which contains the graphics or sign (refer to Diagram 22).
- (6) Awnings and canopies on which signs have been placed shall further comply with the following:
 - a. *Awnings:*
 1. When the width of all awnings along the direction of a particular building facade is ten (10) feet or less, the horizontal projection of such awnings shall not exceed six (6) feet from the facade of any supporting building (refer to Diagram 22). The vertical distance from the top to the bottom of such awnings shall not exceed six (6) feet, including any valance (refer to Diagram 22).
 2. When the width of all awnings along the direction of a particular building facade exceeds ten (10) feet, the horizontal projection of such awnings shall not exceed four (4) feet from the facade of any supporting building (refer to Diagram 22). The vertical distance from the top to the bottom of such awnings shall not exceed four (4) feet, including any valance (refer to Diagram 22).
 3. The horizontal projection of any awning may extend to a point not closer than two (2) feet from any street curb, pavement edge, or edge of an interior access drive.
 - b. *Canopies:*
 1. The maximum width of any canopy shall be ten (10) feet (refer to Diagram 23).
 2. The horizontal projection of any canopy may extend to a point not closer than two (2) feet from any street curb, pavement edge, or edge of an interior access drive (refer to Diagram 23).
 3. The outer column support shall be located in the outer one-third (1/3) of the walk area (refer to Diagram 23).
 4. In no case shall the minimum distance between the entry and the column support be less than four (4) feet.

5. The vertical distance from the top to the bottom of the canopy shall not exceed an average of four (4) feet, including any valance. The highest point of the canopy shall not be higher than four (4) feet above the door opening or sixteen (16) feet above grade, whichever is less (refer to Diagram 23).
 6. Canopies shall not be spaced closer than twenty (20) feet from each other, measured from center line to center line (refer to Diagram 23).
- (7) All portions of any awning or canopy, excluding the column supports for a canopy, shall be not less than nine (9) feet above the finished grade (refer to Diagram 22 and 23). Exception: An awning or canopy valance shall be not less than eight (8) feet above the finished grade.

Sec. 734-401. Marquee sign regulations

- (a) Marquees on which signs are placed, both nonilluminated and illuminated, shall comply with the following regulations:
- (1) Marquee signs shall be permitted as specified in the permitted sign types lists, section 734-500, Tables A–D.
 - (2) Illuminated marquee signs shall be located at least six hundred (600) feet from a protected district, as defined in section 734-501. The method of measurement shall be taken from the leading edge of the sign to the zoning line of the protected district (refer to Diagram 7). Exceptions: This provision shall not apply if it can be determined that:
 - a. 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; or
 - b. The illuminated awning or canopy is visibly obstructed from the protected district.
 - (3) The total combined area of signs on a marquee shall not exceed the square footage limits as set forth for wall signs.
 - (4) The total sign area of marquee signs shall not exceed seventy-five (75) percent of the area of the marquee on which it is placed.
 - (5) The computation of the sign copy area of the marquee sign shall be limited to the area of the marquee which contains the graphics or sign.
 - (6) Marquees on which signs have been placed shall further comply with the following:
 - a. When the width of a marquee along the direction of a particular building facade is ten (10) feet or less, the horizontal projection of such marquees shall not exceed six (6) feet from the facade of any supporting building (refer to Diagram 24).
 - b. When the width of a marquee along the direction of a particular building facade exceeds ten (10) feet, the horizontal projection of such marquees shall not exceed four (4) feet from the facade of any supporting building (refer to Diagram 24).
 - c. The vertical distance from the top to the bottom of such marquees shall not exceed six (6) feet, including any valance (refer to Diagram 24).
 - d. The horizontal projection of any marquee may extend to a point not closer than two (2) feet from any street curb, pavement edge, or edge of an interior access drive (refer to Diagram 24).

Sec. 734-402. Gasoline service station/convenience market signs

The following additional standards shall apply to gasoline service stations and those convenience markets selling gasoline.

- (a) *Identification signs.* Identification signs shall comply with the following standards:

- (1) *Pole or pylon sign.* One (1) pole or pylon sign, which may contain pricing information, shall be permitted per street frontage. The maximum height and area of such signs is regulated by section 734-303, Tables 3.00-A and B. However, no pole or pylon sign shall be permitted where a ground sign exists on a particular frontage.
 - (2) *Ground sign.* One (1) ground sign, not to exceed twenty (20) square feet per each street frontage, shall be permitted in the required landscape area of the property. The ground sign shall be permitted to indicate the services, prices, products, and the announcement of incentives. Such signs are to be installed as stationary, fixed structures, not subject to being dislodged by high winds, and not as portable or temporary structures. However, no ground sign shall be permitted where a pole or pylon sign exists on a particular frontage. Ground identification signs shall not be prohibited from containing pricing information.
 - (3) *Wall signs.* Wall signs shall be permitted on a lot as specified in section 734-303(b).
 - (4) *Service area canopy signs.* Signs shall not exceed twenty-five (25) percent of the particular facade area of the canopy on which it is located. This calculation shall not include the open area beneath the face of the service area canopy (refer to Diagram 25).
 - (5) *Pump island signs.* Signs on pump islands shall not exceed sixteen (16) square feet. Four-sided pump island signs shall be permitted only if two (2) sides, or more, contain government/federal warning signs (or are left blank). The calculation of the sign area for pump island signs shall be the calculation of the area of a single face of the sign. Any sign required by law on pump islands shall not be calculated in computing the pump island sign area (refer to Diagram 25). Pump island signs shall be permitted only if spandrel signs are not used on site.
 - (6) *Reserved.*
 - (7) *Spandrel signs.* Signs shall be permitted on spandrels if there are no pump island signs on site. The spandrel sign area shall not exceed twenty-five (25) percent of the spandrel's structural area (refer to Diagram 25).
- (b) *Incidental signs.* Each incidental sign is to be located at the point to which the sign is directed. Only one (1) sign for each subject shall be permitted (see section 734-303(c) for additional provisions).
- (c) *Other signs*
- (1) No pennants or other similar attracting or advertising devices shall be permitted except as noted in section 734-201(r).
 - (2) *Operator identification sign.* One (1) operator identification sign shall be permitted. Such sign shall be located on the building only with a maximum dimension of six (6) square feet.
 - (3) *Signs on fences.* Where a fence is required to be installed to screen the use from a protected district, no signs shall be permitted to be attached to or form an integral part of such fence.
 - (4) *Perimeter pole signs.* Signs placed on perimeter light poles or other structures or that are not expressly permitted in this section shall be strictly prohibited.
- (d) *Window signs.* Window signs shall be permitted provided they do not exceed twenty-five (25) percent of the window area on which it is placed or through which it is viewed. The sign surface area of window signs shall be calculated separately from the calculation of other signs and shall not be included in the total area of other signs permitted.
- (G.O. 1, 2000, §§ 1K, 1L)

Sec. 734-403. Signs on freeways and expressways.

All signs within six hundred sixty (660) feet of the right-of-way of freeways and expressways, as shown on the Official Thoroughfare Plan for Marion County, as adopted by the Metropolitan Development Commission, shall comply with the requirements of this section in addition to all other provisions of this chapter.

- (a) *Permitted signs.* Unless prohibited by local, state or federal law, erection or maintenance of the following signs shall be permitted in protected areas, as defined in section 734-501:
- (1) *Official signs.* Directional or other official signs or notices erected and maintained by public officers or agencies pursuant to and in accordance with direction or authorization contained in local, state, or federal law, for the purpose of carrying out an official duty or responsibility.
 - (2) *On-premises (business) signs.* However, not more than one (1) freestanding identification sign shall be permitted to be located on each premises.
 - (3) *Off-premises (advertising) signs.*
- (b) *General provisions.* No off-premises signs shall be permitted to be erected or maintained in any manner inconsistent with the following:
- (1) *Flashing, intermittent or moving lights.* No sign shall be permitted which contains, includes, or is illuminated by a flashing, intermittent or moving light or lights.
 - (2) *Animation .* No sign shall be permitted which moves or has any animated or moving parts.
 - (3) *Rotating, louvered (Vertical and or Horizontally), moving or other elements.* Advertising signs with rotating, louvered (vertical and/or horizontally), moving parts or elements shall not be permitted.
 - (4) *Video, LED (light emitting diode), LCD (liquid crystal display) or electrically powered.* No sign shall be permitted which displays video or emitting graphics.
 - (5) *Measurement of distance.*
 - a. The distance from the edge of a right-of-way shall be measured horizontally along a line normal or perpendicular to the center line of the freeway or expressway.
 - b. All dimensions parallel to the alignment of the freeway or expressway shall be measured along the center line of the freeway or expressway between two (2) vertical planes which are normal or perpendicular to and intersect the center line of the freeway or expressway, and which pass through the termini of the measured distance.
- (c) *Regulations for off-premises (advertising) signs.*
- (1) *Off-premises signs within informational sites.* If the Indiana Department of Transportation (IDOT) constructs an informational site (as defined in section 734-501), on the freeway system in Marion County, control over off-premises signs within such site shall be the responsibility of that Department.
 - (2) *Off-premises signs outside of informational sites.*
 - a. The erection or maintenance of the following signs shall be permitted within protected areas outside of informational sites: off-premises signs which are located within six hundred sixty (660) feet of a freeway or expressway, as herein defined.
 - b. The erection or maintenance of off-premises signs permitted under paragraph a. of this subsection shall not be permitted in any manner inconsistent with the following:
 1. *Sign spacing:* Subject to the other provisions of this subsection (c), within protected areas adjacent to freeway or expressway rights-of-way, no part of any off-premise sign structure shall be located within one thousand five hundred (1,500) feet of any other off-premises sign structure

located adjacent to said freeway or expressway. Said one thousand five hundred (1,500) feet distance shall be measured linearly along the centerline of the freeway or expressway. (The application of this provision is illustrated in Diagrams 26 and 27).

2. *Maximum sign dimensions:* The maximum size of any sign shall not exceed fourteen (14) feet in vertical dimension and forty-eight (48) feet in horizontal dimension. (Plus extensions as defined in section 734-501.)
3. *Sign setback:* Signs shall not be located closer than sixty (60) feet to the right-of-way of the freeway or expressway.
4. *Sign clearance:* Signs shall not be less than nine (9) feet above grade level at the lowest point, except for the supporting structure.
5. *Maximum sign height:* The maximum height of signs and sign structures shall not exceed forty (40) feet above grade level at the base of such sign structure.
6. *Entrance or exit roadway limitation:* Signs shall not be permitted in protected areas adjacent to any freeway or expressway right-of-way upon any part of the width of which is constructed an entrance or exit roadway. No sign shall be permitted within five hundred (500) feet from the point of intersection between the traveled way of such entrance or exit roadway and the main traveled way of the freeway or expressway. Said five hundred (500) feet distance shall be measured to the nearest point of the intersection of the traveled way of the entrance or exit roadway and the main-traveled way of the freeway or expressway (Refer to Diagram 26).

(G.O. 111, 2003, § 2)

Sec. 734-404. Rotating signs.

Rotating signs, as defined in section 734-501, shall comply with the requirements of this section in addition to all other provisions of this chapter.

- (a) *Districts permitted.* Rotating signs shall be permitted as a freestanding identification pole or pylon sign in the C-4, C-5, C-6, C-7, C-ID and C-S Commercial Districts, as well as any industrial district.
- (b) *Additional development standards for rotating signs in permitted commercial and industrial districts.*
 - (1) A rotating sign shall be permitted on corner lots only and shall be the only freestanding identification sign permitted on the lot.
 - (2) A rotating sign shall be located at least six hundred (600) feet from a protected district, as defined in section 734-501. This method of measurement shall be taken from the leading edge of the sign to the zoning line of the protected district (refer to Diagram 7). Exceptions: This provision shall not apply if it can be determined that:
 - a. 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; or
 - b. The rotating sign is visibly obstructed from the protected district.
 - (3) A rotating sign shall not rotate at a rate of more than six (6) revolutions per minute.

Sec. 734-405. Electronic variable message signs (EVMS).

Electronic variable message signs (EVMS), as defined in section 734-501, shall comply with the requirements of this section in addition to all other provisions of this chapter.

- (a) *Districts permitted.* Electronic variable message signs shall be permitted as a component of a sign in the C-4, C-5, C-6, C-7, C-ID and C-S Commercial Districts, as well as in any industrial district.
- (b) *Additional development standards for EVMS in permitted commercial and industrial districts.*
 - (1) *Where permitted.* EVMS shall be permitted as a component of a sign for any freestanding use or integrated center.
 - (2) *Permitted sign types.* EVMS shall be permitted as a component of any pole, ground or pylon sign for freestanding uses or integrated centers. In addition, freestanding uses shall also be permitted EVMS as a component of wall signs.
 - (3) *Amount of a sign that can contain an EVMS.* The portion of a sign dedicated for an EVMS shall not exceed forty (40) percent of the sign size.
 - (4) *Distance separation from a protected district.* No sign containing an EVMS as a component shall be located 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 (refer to Diagram 7). Exceptions: This provision shall not apply if it can be determined that:
 - a. 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; or
 - b. The EVMS is visibly obstructed from the protected district.
 - (5) *Distance separation from a signalized intersection of a street designated as a thoroughfare in the Thoroughfare Plan for Marion County.* No sign containing an EVMS as a component shall be located within one hundred twenty-five (125) feet of any signalized intersection of two (2) or more streets if any of these streets is designated as a thoroughfare in the Thoroughfare Plan for Marion County, Indiana. The distance shall be measured from the point where the existing right-of-way lines of the intersecting streets meet. In a case where a round or cut property corner exists, this measurement shall be taken from the point of the intersection of the existing rights-of-way lines, as extended. The distance shall be measured along the right-of-way line from the point of intersection (refer to Diagram 29).

Sec. 734-406. Time and temperature displays.

Time and temperature displays, as defined in section 734-501, shall comply with the requirements of this section in addition to all other provisions of this chapter.

- (a) *Districts permitted.* Time and temperature displays shall be permitted in any commercial, industrial, central business, and hospital districts.
- (b) *Where permitted.* Time and temperature displays shall be permitted as either a component of a sign or as an independent sign for any freestanding use or integrated center.
- (c) *Permitted sign types.* A time and temperature display shall be permitted as a pole, pylon, ground, wall, projecting, roof-integral or window sign. If a time or temperature display is utilized as an independent sign (not a component of an identification sign), then such sign shall be regulated based upon its sign type relative to number, area, height, setback, clearance and projection permitted for identification signs. The area of a time and temperature display, if utilized as a component of an identification sign, shall count in the maximum sign area for that identification sign.