

## Article 6: Sign Regulations

### ARTICLE 6: SIGN REGULATIONS

#### Section 6.1. Intent, Application, and Findings.

##### A. Intent, Application

This Ordinance creates the legal framework for Sign regulations that are intended to facilitate an easy and agreeable communication between people. It is recognized that Signs serve an important function and, therefore, the reasonable and adequate display of Signs is permitted under the provisions of this ordinance.

The intent of these Sign Regulations is to:

1. create a comprehensive and balanced system of Sign control that accommodates both the need for a well-maintained, safe and attractive community, and the need for effective business identification and communication.
2. encourage Signs which, by their design, are integrated with and harmonious to the Buildings and sites which they occupy;
3. eliminate excessive and confusing Sign displays;
4. preserve and improve the appearance of the Town of Zionsville as an attractive place in which to live and work and as an attraction to non-residents who come to visit or trade;
5. safeguard and enhance property values;
6. support and complement land use objectives of the Comprehensive Plan and this Ordinance;
7. protect public and private investment in Buildings and open spaces;
8. eliminate potential hazards to motorists and pedestrians resulting from Signs; and,
9. promote the public health, safety, morals and general welfare of the Town of Zionsville.

The regulations contained in this Article shall apply to the location, erection and maintenance of Signs in any zoning District regulated by this Ordinance.

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### **B. Findings**

The Town Council finds:

1. The manner of the erection, location and maintenance of Signs affects the public health, safety, morals, and the public welfare of the people of this community;
2. The safety of motorists, pedestrians, and other users of the Public Street and property is affected by the number, size, location, and appearance of Signs that are intended to and result in the diversion of the attention of the groups listed.
3. The construction, erection, and maintenance of Signs suspended or projecting from, or placed on the tops of, Buildings, walls, or other Structures may constitute a direct danger to pedestrian and vehicular traffic below. Especially during period of strong winds; and to effective fire-fighting and other emergency services.
4. Uncontrolled and unlimited Signs may result in a roadside clutter that impedes the flow of information from businesses to consumers thereby harming the economic health of the community, and that impedes the flow of information from traffic Signs and signals creating hazards to motorists and pedestrians.

It is therefore necessary for the promotion and preservation of the public health, safety, and welfare of the people of this community, as well as to preserve the Zionsville Theme, that the erection, connection, location and maintenance of Signs be regulated and controlled.

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### Section 6.2. Urban On-Premise Signs: Business and Industrial Districts

(Except for the VBD -Village Business District)

#### A. Maximum Number of Signs Permitted

No individual business shall be permitted more than four (4) Identification Signs (i.e., any combination of Freestanding, Building, Suspended, or Window Signs). In order to qualify as an individual business entitled to Signs, there shall be a separate exterior entrance to the business operation or tenant space. Sign panels identifying a business on Freestanding Identification Signs for Integrated Centers shall count toward the total number of Signs Permitted for an individual business.

#### B. Freestanding Identification Signs for Single Use Sites

##### 1. Type of Signs.

Freestanding Identification Signs shall be permitted as follows:

Ground Signs -all Business and Industrial Districts

##### 2. Number-of Signs.

One (1) Freestanding Identification Sign shall be permitted for each Street Frontage of a Lot.

When a Lot has more than one (1) Street Frontage and qualifies for an additional Freestanding Identification Sign, the minimum separation between Freestanding Identification Signs on the Lot, regardless of the orientation of the Freestanding Identification Signs, shall be one hundred (100) feet.

Exception -When a Lot has Frontage in excess of five hundred (500) feet on the same Street, one (1) additional Freestanding Identification Sign shall be permitted on that Street for each additional five hundred (500) feet of Frontage, provided that:

- i). the minimum separation between Freestanding Identification Signs along the same Street shall be three hundred (300) feet;
- ii). the additional Freestanding Identification Sign is oriented to the Street with Frontage in excess of five hundred (500) feet; and,

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iii). the total Sign Surface Area of all Freestanding Identification Signs does not exceed the maximum Sign Surface Area permitted below.

### 3. Maximum Sign Surface Area of Freestanding Signs.

Maximum Sign Surface Area shall apply individually to each Street Frontage.

The maximum Sign Surface Area for Single Use Sites shall not exceed:

<u>Street Frontage</u>	<u>Maximum Sign Surface Area</u>
less than three hundred (300) feet	twenty-four (24) square feet
for each additional linear foot of Street Frontage	0.25 square foot of additional Sign Surface Area

Provided, however, that no Freestanding Sign shall exceed seventy-two (72) square feet for Single Use Sites.

### 4. Minimum Front, Side and Rear Setback for Freestanding Identification Signs.

i). Front Yard Setback -The minimum Front Yard Setback for any Freestanding Identification Sign shall be:

(a) Required Front Yard -ten (10) feet from the Proposed Right-of-Way.

(b) Required Front Bufferyard -twenty (20) feet from the Proposed Right-of-Way.

In a case where a Proposed Right-of-Way line does not exist, as determined by the

Transportation Plan, or where the existing Right-of-Way is greater, the existing Right-of-Way line shall be used for the setback measurement.

ii). Side and Rear Yard Setback or Side and Rear Bufferyard Setback -The minimum Side or Rear Yard Setback for a Freestanding Identification Sign shall be the greater of five (5) feet or that required for any Building or Structure in the applicable zoning District.

### 5. Maximum Height of Freestanding Identification Signs.

Ground Sign -The maximum height of a Freestanding Ground Identification Sign shall not exceed six (6) feet in height above Grade.

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### 6. Landscaping.

Freestanding Identification Signs for single use sites shall be surrounded by a landscaped area at least equal to the Sign area of the Sign erected. Landscaping shall consist of living vegetation (annuals, perennials, ornamental grasses, hedge plants or trees) and natural ground cover materials. Loose stone, rock or gravel may be used as a landscaping accent, but shall not exceed twenty (20) percent of the landscaped area. Plant materials used to satisfy this provision shall not be used to satisfy the calculations of landscaping required by any other provisions of this Ordinance.

### C. Freestanding Identification Signs for Integrated Centers.

#### 1. Type of Signs.

Freestanding Identification Signs shall be permitted as follows:

- i). Ground Signs -All Business and Industrial Districts
- ii). Pylon Signs -B-1, B-2, B-3, all Industrial Districts

#### 2. Number of Signs.

One (1) Freestanding Identification Sign, which shall include the name of the Integrated Center, shall be permitted for each Street Frontage of an Integrated Center.

When an Integrated Center has more than one Street Frontage and qualifies for an additional Freestanding Identification Sign, the minimum separation between Freestanding Identification Signs on the Integrated Center, regardless of the orientation of the Freestanding Identification Signs, shall be one hundred (100) feet.

Exception -When an Integrated Center has Frontage in excess of three hundred (300) feet on the same Street, one (1) additional Freestanding Identification Sign shall be permitted on that Street, provided that:

- i). the minimum separation between Freestanding Identification Signs along the same Street is three hundred (300) feet;
- ii). the additional Freestanding Identification Sign is oriented to the Street with Frontage in excess of three hundred (300) feet; and,

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- iii). the total Sign Surface Area of all Freestanding Identification Signs does not exceed the maximum Sign Surface Area permitted below.
3. Maximum Sign Surface Area of Freestanding Signs for an Integrated Center.
- Maximum Sign Surface Area shall apply individually to each Street Frontage.
- The maximum Sign Surface Area shall not exceed:

<u>Street Frontage</u>	<u>Maximum Sign Surface Area</u>
less than three hundred (300) feet	sixty-four (64) square feet
for each additional linear foot of Street Frontage	0.50 square foot of Additional Sign Surface Area

Provided, however, that no Freestanding Sign shall exceed two hundred (200) square feet for Integrated Centers.

4. Minimum Front, Side and Rear Setback for Freestanding Identification Signs.
- i). Front Setback -The minimum front Setback for any Freestanding Identification Sign shall be:
    - (a) Required Front Yard -ten (10) feet from the Proposed Right-of-Way.
    - (b) Required Front Bufferyard -twenty (20) feet from the Proposed Right-of-Way.

In a case where a Proposed Right-of-Way line does not exist, as determined by the Transportation Plan, or where the existing Right-of-Way is greater, the existing Right-of-Way line shall be used for the setback measurement.

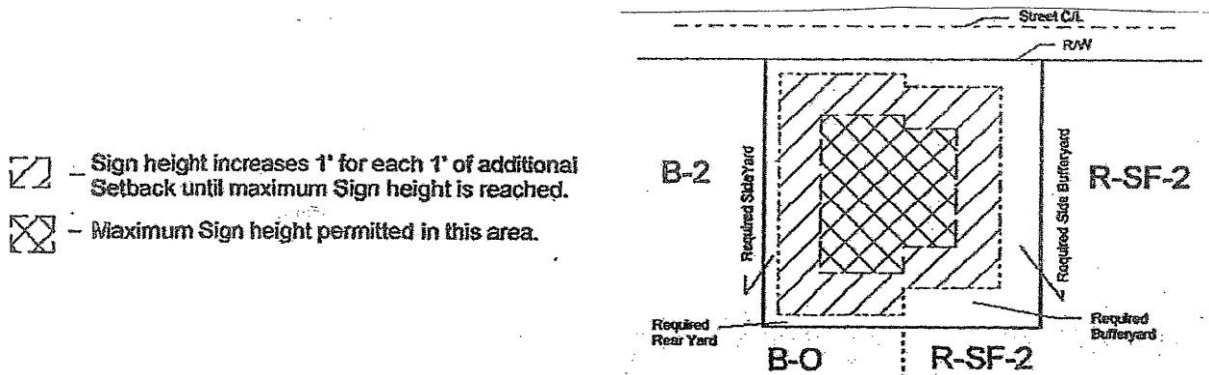
- ii). Side and Rear Setback or Side and Rear Bufferyard Setback -The minimum Side or Rear Yard Setback for a Freestanding Identification Sign shall be the greater of ten (10) feet or that required for any Building or Structure in the applicable zoning District.
5. Maximum Height of Freestanding Identification Signs.

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The maximum height of a Freestanding Identification Sign shall be determined by the location of the Freestanding Identification Sign in relation to the required Front, Side and Rear Yards for the site.

i). Front Yard Height to Setback Formula.

Freestanding Identification Signs may have a maximum height of up to six (6) feet above Grade level when located at the minimum required Front Yard or minimum required front Bufferyard Setback. The maximum height may be increased by one (1) foot in height for each additional one (1) foot of Setback from the minimum required Front Yard or minimum required front Bufferyard Setback until the maximum height allowed for the applicable type of Sign Structure is reached.



ii). Side and Rear Yard Height to Setback Formula:

Freestanding Identification Signs may have a maximum height of up to six (6) feet above Grade level when located at the minimum required Side or Rear Yard or minimum required side or rear Bufferyard Setback. The maximum height may be increased by one ( 1 ) foot in height for each additional one (1) foot of Setback from the minimum required Side or Rear Yard or minimum required side or rear Bufferyard Setback until the maximum height allowed for the applicable type of Sign Structure is reached.

iii). Maximum Height by Type of Sign Structure:

- (a) Ground Sign -The maximum height of a Freestanding Ground Identification Sign shall not exceed six (6) feet in height above Grade.

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- (b) Pylon Sign -The maximum height of a Freestanding Pylon Identification Sign shall not exceed fifteen (15) feet in height above Grade.

### 6. Landscaping.

Freestanding Identification Signs for Integrated Centers shall be surrounded by a landscaped area at least equal to the Sign area of the Sign erected.

Landscaping shall consist of living vegetation (annuals, perennials, ornamental grasses, hedge plants or trees) and natural ground cover materials. Loose stone, rock or gravel may be used as a landscaping accent, but shall not exceed twenty (20) percent of the landscaped area. Plant materials used to satisfy this provision Shall not be used to satisfy the calculation of landscaping required by any other provisions of this Ordinance.

### D. Building Identification Signs.

#### 1. Type of Signs.

Building Identification Signs shall be limited to Wall Signs.

#### 2. Number of Building Identification Signs.

Except as restricted by the provisions of **Section 6.5, A**, above, there shall be no limit to the number of Wall Building Identification Signs per facade, provided that the total Sign Surface Area of all Wall Signs located on each Building facade shall not exceed the maximum Sign Surface Area for the Building facade upon which such Signs are located.

#### 3. Maximum Sign Surface Area of Building Identification Signs.

The total Sign Surface Area of all Building Identification Signs oriented to an individual facade shall not exceed:

- i). Front Facade -five (5) percent of the total area of the front facade of the Structure OT tenant space;
- ii). Side and Rear Facades -three (3) percent of the side or rear facade of the Structure or tenant space; and,
- iii). The linear measurement of a Business Identification Wall Sign shall not exceed eighty (80) percent of the linear width of the facade of the Structure or tenant space on which the Sign is located.



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Provided, that for any Building which has more than one (1) Street Frontage, the maximum Sign Surface Area of five (5) percent shall apply to all Building facades with Street Frontages. A Building facade shall be determining to have Street Frontage when it is parallel to the Street or is at no greater than a forty-five (45) degree angle to the Street.

### E. Incidental Signs.

#### 1. Type of Signs.

Incidental Signs shall be Ground or Wall Signs.

#### 2. Number of Signs.

- i). If a Lot or Integrated Center has one (1) Driveway, zero (0) Incidental Directional Signs shall be permitted at the Driveway entrance or exit;
- ii). If a Lot or Integrated Center has more than one (1) Driveway, one (1) Incidental Directional Sign shall be permitted for each Driveway; and,
- iii). One (1) Incidental Directional Sign or one (1) Incidental Parking and Loading Sign shall be permitted at each critical turning point along an Interior Access Drive when required to safely direct vehicular traffic (e.g., to direct vehicular traffic to: a drive-up window; a customer or employee Parking Area; or, a delivery or Loading Area).

#### 3. Maximum Sign Surface Area of Incidental Signs in the Business Districts.

Incidental Signs shall not exceed six (6) square feet in Sign Surface Area per Sign.

#### 4. Maximum Sign Surface Area of Incidental Signs in the I-ORT, I-1, I-2, and I-3 Districts.

- i). Incidental Directional Signs shall not exceed six (6) square feet in Sign Surface Area per Sign.
- ii). Incidental Parking and Loading Signs-, shall not exceed thirty-two (32) square feet in Sign Surface Area per Sign.

#### 5. Minimum Front, Side and Rear Yard Setback for Freestanding Incidental Signs.

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- i). Front Yard Setback or Front Bufferyard Setback -three (3) feet from Proposed Right-of-Way.

In a case where a Proposed Right-of-Way line does not exist, as determined by the Transportation Plan, or where the existing Right-of-Way is greater, the existing Right-of-Way line shall be used for the setback measurement.

- ii). Side and Rear Yard Setback or Side and Rear Bufferyard Setback ~ the same as required for any Building or Structure in the applicable zoning District.

### 6. Maximum Height of Incidental Signs.

The maximum height of a Freestanding Incidental Ground Sign shall not exceed:

- i). Incidental Directional Signs shall not exceed two and one half(2.5) feet in height above Grade.
- ii). Incidental Parking and Loading Signs shall not exceed four (4) feet in height above Grade.

### F. Suspended Signs in Integrated Centers.

Suspended Signs shall be permitted on any Building containing two or more individual, non-related and separately operated uses subject to the following regulations:

1. There shall be no more than one (1) Suspended Sign per grade-level tenant.
2. The maximum Sign Surface Area of a Suspended Sign shall not exceed five (5) square feet.
3. All portions of the Suspended Sign or Sign Structure shall be not less than eight (8) feet above the sidewalk or finished Grade.

### G. Window Signs.

The Sign copy are shall not exceed five (5) percent of the window surface area on which it is placed or through which it is viewed.

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The Sign surface area of Window Signs shall be calculated separately from the calculation of other. Building Identification Signs and shall not be included in the total area of other Building Identification Signs permitted.

### **H. Development Plan Approval Required.**

1. All Freestanding and Building Identification Signs in the Business and Industrial Districts shall be subject to the filing of a Development Plan for review and approval by the Building Commissioner as set forth in Article 4 of this Ordinance.
2. Development Plan Approval petitions for Signs in the Business and Industrial Districts shall be submitted as a part of the application for an Improvement Location Permit for Signs.
3. Findings.

The Building Commissioner shall grant Development Plan Approval upon written finding that the proposed Freestanding or Building Identification Sign:

- i). Is consistent with and harmonious to the Buildings and sites which they occupy;
- ii). Represents a use of design features which will enhance the use or value of area properties;
- iii). Utilizes materials and is of a style which is compatible with the Zionsville Theme;
- iv). Is consistent with the intent and purpose of this Ordinance.

### **Section 6.3. Urban On-Premise Signs: VBD Village Business District**

#### **A. Freestanding Identification Signs in the VBD -Village Business District.**

1. Type of Freestanding Identification Signs Permitted.

Freestanding Identification Signs shall be Ground Signs.

Provided, however, Freestanding Identification Signs shall not be permitted on a Street Frontage when the Lot contains a Building that has less than a ten (10) foot Setback from that Street.

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### 2. Maximum Number of Freestanding Identification Signs.

One (1) Freestanding Identification Sign shall be permitted for each Street Frontage of a Lot.

When a Lot has more than one Street Frontage and qualifies for an additional Freestanding Identification Sign, the minimum separation between Freestanding Identification Signs on the Lot, regardless of the orientation of the Freestanding Identification Signs, shall be fifty (50) feet.

### 3. Maximum Sign Surface Area of Freestanding Identification Signs. Maximum Sign Surface Area shall apply individually to each Street Frontage. The maximum Sign Surface Area shall not exceed twelve (12) square feet per Street Frontage.

### 4. Minimum Front Setback for Freestanding Identification Signs.

There shall be no minimum required Front Setback for Freestanding Identification Signs. provided, however such Signs shall not encroach into any Public Right-of-Way. sidewalk, or any Vision Clearance Area.

### 5. Maximum Height of Freestanding Identification Signs.

The maximum height of a Freestanding Identification Sign shall not exceed four (4) feet in height above Grade.

## B. Building Identification Signs in the VBD -Village Business District.

### 1. Types of Building Identification Signs Permitted.

- i). Lower level Building Identification Wall Signs shall be Wall Signs, Suspended Signs, Projecting Signs Awning Signs, or Canopy Signs.
- ii). Upper level Building Identification Signs shall be Wall Signs.

### 2. Maximum number of Building Identification Signs.

Each tenant space within a Building shall be permitted a maximum of two (2) Signs, which may be Wall, Projecting, Awning, or Canopy Signs. In addition, each tenant space shall be permitted one (1) Suspended Sign, per **Section 6.6. B ., 3., d.**, below. Provided, however, the total Sign Surface Area for the Building shall not be exceeded.

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### **3. Requirements for Lower Level Building Identification Signs.**

Any Building Identification Signs located on the first twenty-six (26) feet of Building height or the actual Building height, whichever is less, shall be considered a lower level Building Identification Sign.

#### **i). Total Sign Surface Area of lower level Building Identification Signs.**

The total Sign Surface Area of all lower level Building Identification Signs oriented to an individual facade shall not exceed:

- (a) Front Facade** -five (5) percent of the total area of the first twenty-six (26) feet or the actual Building height, whichever is lesser, of front facade of a Building; and,
- (b) Side and Rear Facades** -three (3) percent of the total area of the first twenty-six (26) feet or the actual Building height, whichever is lesser, of a side or rear facade of a Building.

Provided, that for any Building which has more than one Street Frontage, the maximum Sign surface area of five (5) percent shall apply to all Building facades with Street Frontages.

#### **ii). Illumination of lower level Building Identification Signs.**

Lower level Building Identification Signs shall not be internally illuminated.

#### **iii). Additional requirements for lower level Projecting Signs.**

- (a) Maximum Height of lower level Projecting Signs.** Projecting Signs shall not extend above the roof line.

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- (b) Maximum Projection from Building for lower level Projecting Signs. No Projecting Sign or Sign Structure supporting a Projecting Sign shall extend more than six (6) feet from or beyond its supporting Building. No Projecting Sign or Sign Structure shall extend any closer than two (2) feet to an imaginary perpendicular vertical plane located at the Street pavement line, curb or outside edge of sidewalk. Projecting Signs in compliance with the above regulations may project into the air rights of a Public Right-of-Way if approval for such encroachment into the air rights of a Public Right-of-Way is obtained from the governmental authority having jurisdiction prior to the placement of the Projecting Sign.
  - (c) Minimum Height Above Grade for a lower level Projecting Sign. The bottom edge of a Projecting Sign shall not be less than nine (9) feet above Grade over a sidewalk or walkway. or fifteen (15) feet above Grade over any type of Street, Alley, Drive or Driveway.
  - (d) Maximum Sign Area permitted for a lower level Projecting Sign shall be twelve (12) square feet. .
  - (e) Lower Level Projecting Signs shall not be internally illuminated.
- iv). Additional provisions for lower level Suspended Signs.
- (a) Maximum Sign Surface Area for Suspended Signs. The Maximum Sign Surface area for a suspended sign shall not exceed five (5) square feet.
  - (b) Maximum Number of lower level Suspended Signs. One. (1) Suspended Sign shall be permitted per each Building facade (if containing a single use) or grade level tenant space (if the Building contains more than one business).
  - (c) Minimum Height above Grade for lower level Suspended Signs. AU portions of any Suspended Sign or Sign Structure shall be not less than eight (8) feet above the sidewalk or finished Grade.
- v). Additional provisions for lower level Awning or Canopy Signs.

Awnings or Canopies, as regulated in **Section 2.14, B., 5., a., (3)**, may contain Signs, subject to the following provisions:

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- (a) The total area of the Awning or Canopy (i.e. the combined two dimensional surface area of all sides of the Awning or Canopy shall not exceed the Sign Surface Area allocated to the facade of the Building upon which the Awning, or Canopy is attached.
- (b) The portion of the Awning or Canopy which includes a Sign Surface shall not exceed twentyfive (25) percent of the total area of an Awning or Canopy.
- (c) Awnings or Canopies shall be neither internally illuminated, nor illuminated from inside or underneath the Awning or Canopy in such a manner that the entire Awning or Canopy is lit up.

### 4. Requirements for Upper Level Building Identification Signs.

Any Building Identification Signs located above the first twenty-six (26) feet of Building height shall be considered an upper level Building Identification Sign.

- i). The total Sign Surface Area of upper level Building Identification Signs.

The total Sign Surface Area of all upper level Building Identification Signs oriented to an Individual facade shall not exceed:

Front, Side, or Rear Facade -two and one-half (2.5) percent of the total area of the applicable facade of a Building located above twenty-six (26) feet above Grade.

- ii). Illumination of upper level Building Identification Signs.

Upper level Building Identification Signs shall not be internally illuminated.

### C. Incidental Signs.

- 1. Type of Incidental Signs.

Incidental Signs shall be Wall Signs.

- 2. Number of Incidental Signs.

There shall be no limit on the number of Incidental Wall Signs and such Signs shall be exempt from the total number of Building Identification Signs permitted by **Section 6.6. B.. 2** above. However, such Signs shall be calculated

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in the total Sign Surface Area for the Building facade on which they are placed.

### D. Window Signs (Building Identification and Incidental).

The provisions of **Section 6.6, B, and C** above shall not apply to Window Signs. Window Signs shall comply separately with the following:

1. Maximum Number of Window Signs. There shall be no limit on the number of Window Signs permitted.

2. Maximum area of window coverage for Window Signs.

The Sign copy area shall not exceed ten (10) percent of the window surface area on which it is placed or through which it is viewed.

3. Illumination of Window Signs. Window Signs shall not be internally illuminated.

### E. Development Plan Approval Required.

1. All Freestanding and Building Identification Signs in the VBD District shall be subject to the filing of a Development Plan for review and approval by the Building Commissioner as set forth in Article 4 of this Ordinance.

2. Development Plan Approval petitions for Signs in the VBD District shall be submitted as a part of the application for an Improvement Location Permit for Signs.

3. Findings.

The Building Commissioner shall grant Development Plan Approval upon written finding that the proposed Freestanding or Building Identification Sign:

- i). Is consistent with and harmonious to the Buildings and sites which they occupy;
- ii). Represents a use of design features which will enhance the use or value of area properties;
- iii). Utilizes materials and is of a style which is compatible with the Zionsville Theme;



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- iv). Is consistent with the intent and purpose of this Ordinance.

### Section 6.4. Urban On-Premise Signs: Signs in Residential and Open Land Districts

- A. Signs Permitted in the 0-1 District; and R-SF-1, R-SF-2, R-SF-3, R-SF-4 Districts.
  - 1. Individual Lots containing Single Family Dwellings, Two-Family Dwellings, Residential Facilities for the Mentally Ill, Residential Facilities for the Developmentally Disabled, and Child Care Home Uses shall be permitted one (1) Ground Identification or Building Identification Sign per Street Frontage of the Lot, identifying the name or address of the occupant, provided:
    - i). The maximum Sign Surface Area shall not exceed two (2) square feet;
    - ii). The Sign shall be constructed a material(s) which blends in with the residential character of the neighborhood, such as but not limited to, wood or stone;
    - iii). The Sign shall not encroach into any Public Right-of-Way;
    - iv). The maximum height of a Ground Identification Sign shall not exceed four (4) feet;
    - v). The Sign shall not interfere with the Vision Clearance Area as specified in **Section 1.21**; and,
    - vi). The Sign shall not be internally illuminated.
  - 2. Signs for Recorded, Platted Residential Subdivisions in the R-SF-1, R-SF-2, R-SF-3, and R-SF-4 Districts.

In addition to Signs permitted in **Section 6.7, A.**, above for individual Lots, a recorded, platted residential subdivision also shall be permitted the following Signs:

Two (2) Ground Identification Signs shall be permitted at each entrance to a recorded, platted residential Subdivision provided:

- i). The Signs shall indicate only the name of the Subdivision;

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- ii). The Signs shall not exceed twenty-four (24) square feet in Sign Surface Area each. If a Sign is located on a fence or wall, only the area of the actual Sign itself shall be calculated in determining the maximum Sign Surface Area, not the fence or wall itself. Fence or wall height shall comply with **Section 3.1, B., 3.**;
- iii). The Maximum height of a Ground Identification Sign shall not exceed four (4) feet;
- iv). The Signs shall not encroach into any Public Right-of-Way;
- v). The Signs shall not interfere with the Vision Clearance Area as specified in **Section 1.21**;
- vi). Only one (1) Sign shall be permitted in each quadrant of an intersection;
- vii). The Signs shall not be internally illuminated; and,
- viii). The Signs shall be surrounded by a landscaped area at least equal to the Sign area of the Signs erected. Landscaping shall consist of living vegetation (annuals, perennials, ornamental grasses, hedge plants or trees) and natural ground cover materials. Loose stone, rock or gravel may be used as a landscaping accent, but shall not exceed twenty (20) percent of the landscaped area. Plant materials used to satisfy this provision shall not be used to satisfy the calculations of landscaping required by any other provisions of this Ordinance.

### B. Signs Permitted in the R-MF-1 and R-MF-2 Districts.

Multifamily Dwelling Uses shall be permitted two (2) Ground Identification Signs at each entrance to a Multifamily Dwelling project provided:

1. The Signs shall indicate only the name, address of the management thereof, or associated information of the Multifamily Dwelling project;
2. Each Sign shall not exceed twenty-four (24) square feet in Sign Surface Area each. If a Sign is located on a fence or wall, only the area of the actual Sign itself shall be calculated in determining the maximum Sign Surface Area, not the fence or wall itself. Fence or wall height shall comply with **Section 3.1, B., 3.**;

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3. The Signs shall maintain a minimum Front Yard Setback of ten (10) feet from the Proposed Right-of-Way. In the case where a Proposed Right-of-Way line does not exist, as determined by the Transportation Plan, or where the existing Right-of-Way is greater, the existing Right-of-Way line shall be used for the setback measurement. The Signs shall maintain a minimum Side and Rear Yard Setback consistent with the requirements for an Accessory Structure in the District to which the real estate is zoned;
  4. The Maximum height of a Ground Identification Sign shall not exceed four (4) feet;
  5. The Signs shall not interfere with the Vision Clearance Area as specified in **Section 1.21**; and,
  6. The Signs shall not be internally illuminated.
  7. The Signs shall be surrounded by a landscaped area at least equal to the Sign area of the Sign erected. Landscaping shall consist of living vegetation (annuals, perennials, ornamental grasses, hedge plants or trees) and natural ground cover materials. Loose stone, rock or gravel may be used as a landscaping accent, but shall not exceed twenty (20) percent of the landscaped area. Plant materials used to satisfy this provision shall not be used to satisfy the calculations of landscaping required by any other provisions of this Ordinance.
- C. Signs Permitted for Business and Other Uses Permitted by Special Exception in the O-1 District and the "R Districts.

The following regulations shall apply to all businesses and other uses permitted in the Residential Districts by Special Exception.

1. Freestanding Identification Signs.

i). Type of Signs.

Freestanding Identification Signs shall be Ground Signs.

ii). Number of Signs.

One (1) Freestanding Identification Sign shall be permitted for each Street Frontage of a Lot.

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iii). Maximum Sign Surface Area of Freestanding Identification Signs.

Maximum Sign Surface Area shall not exceed twenty-four (24) square feet.

iv). Minimum Front, Side and Rear Yard Setback for Freestanding Identification Signs.

(a) Front Yard Setback -ten (10) feet from Proposed Right-of-Way. In the case where a Proposed Right-of-Way line does not exist, as determined by the Transportation Plan, or where the existing Right-of-Way is greater, the existing Right-of-Way line shall be used for the setback measurement.

(b) Side and Rear Yard Setback -The minimum Side or Rear Yard Setback for a Freestanding Identification Sign shall be the same as required for an Accessory Structure in the applicable zoning District.

v). Maximum Height of Freestanding Identification Signs.

The maximum height of a Ground Identification Sign shall not exceed four (4) feet in height above Grade.

vi). Landscaping.

The Sign shall be surrounded by a landscaped area at least equal to the Sign area of the Sign erected. Landscaping shall consist of living vegetation (annuals, perennials, ornamental grasses, hedge plants or trees) and natural ground cover materials. Loose stone, rock or gravel may be used as a landscaping accent, but shall not exceed twenty (20) percent of the landscaped area. Plant materials used to satisfy this provision shall not be used to satisfy the calculations of landscaping required by any other provisions of this Ordinance.

2. Building Identification Signs.

i). Type of Signs.

Building Identification Signs shall be Wall Signs.

ii). Number of Building Identification Signs.

There shall be no limit, to the number of Wall Building Identification Signs, provided that the total Sign Surface Area of all Wall Identification Signs

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located on a Building shall not exceed the maximum Sign Surface Area for the Building.

### iii). Maximum Sign Surface Area of Building Identification Signs.

The total Sign Surface Area of all Building Identification Signs oriented to an individual facade shall not exceed:

- (a) Front Facade -three (3) percent of the total area of a front facade of a Building. For any Building which has more than one (1) Street Frontage, the maximum Sign Surface Area of three (3) percent shall apply to all Building facades with Street Frontages. A Building facade shall be determined to have Street Frontage when it is parallel to the Street or is at no greater than a forty-five (45) degree angle to the Street.
- (b) Side and Rear Facades -two and one half (2 1/2) percent of a side or Rear facade of building.

Provided, that for any Building which has more than one Street Frontage, the maximum Building Identification Sign Surface Area of three (3) percent shall apply to all Building facades with Street Frontages.

### D. Incidental Signs.

In addition to Signs permitted in **Section 6.7, B., and C.**, above, Incidental Signs shall be permitted in the R-MF-1 and R-MF-2 Districts, and shall apply to all businesses and other uses permitted in the "R" Districts by Special Exception.

#### 1. Incidental Signs.

##### i). Type of Signs.

Incidental Signs shall be Ground or Wall Signs.

#### 2. Number of Signs.

- i). If a Lot has one (1) Driveway, zero (0) Incidental Directional Signs shall be permitted at the Driveway entrance or exit;
- ii). If a Lot has more than one (1) Driveway, one (1) Incidental Directional Sign shall be permitted for each Driveway; and,

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iii). One (1) Incidental Directional Sign or one (1) Incidental Parking and Loading Sign shall be permitted at each critical turning point along an Interior Access Drive when required to safely direct vehicular traffic (e.g., to direct vehicular traffic to: a customer or employee Parking Area; or, a delivery or Loading Area).

iv). Maximum Sign Surface Area of Incidental Signs.

Incidental Signs shall not exceed two (2) square feet in Sign Surface Area.

v). Minimum Front, Side and Rear Yard Setback for Freestanding, Incidental Signs.

(a) Front Yard Setback -Three (3) feet from Proposed Right-of-Way. In the case where a Proposed Right-of-Way line does not exist, as determined by the Transportation Plan, or where the existing Right-of-Way is greater, the existing Right-of-Way line shall be used for the setback measurement.

(b) Side and Rear Yard Setback -The minimum Side or Rear Yard Setback for a Free-standing Incidental Sign shall be the same as required for an Accessory Structure in the applicable zoning District.

vi). Maximum Height of Incidental Signs.

The maximum height of a Freestanding, Incidental Ground Sign shall not exceed two and one half (2 1/2) feet in height above Grade.

E. Development Plan Approval Required.

1. All Freestanding and Building Identification Signs in the "R" Districts shall be subject to the filing of a Development Plan for review and approval by the Building Commissioner as set forth in Article 4 of this Ordinance.

2. Development Plan Approval petitions for Signs in the "R" Districts shall be submitted as a part of the application for an Improvement Location Permit for Signs.

3. Findings.

The Building Commissioner shall grant Development Plan Approval upon written finding that the proposed Freestanding or Building Identification Sign:

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- i). Is consistent with and harmonious to the Buildings and sites which they occupy;
- ii). Represents a use of design features which will enhance the use or value of area properties;
- iii). Utilizes materials and is of a style which is compatible with the Zionsville Theme;
- iv). Is consistent with the intent and purpose of this Ordinance.

### Section 6.5. Urban On-Premise Signs: Signs in Special Use Districts

#### A. Maximum Number of Signs Permitted

No individual Special Use shall be permitted more than four (4) Identification Signs (i.e., any combination of Freestanding, Building, Suspended, or Window Signs).

#### B. Freestanding Identification Signs for Single Use Sites

1. Type of Signs. Freestanding Identification Signs shall be Ground Signs.
2. Number of Signs.

One (1) Freestanding Identification Sign shall be permitted for each Street Frontage of a Lot.

When a Lot has more than one (1) Street Frontage and qualifies for an additional Freestanding Identification Sign, the minimum separation between Freestanding Identification Signs on the Lot, regardless of the orientation of the Freestanding identification Signs, shall be one hundred (100) feet.

Exception -When a Lot has Frontage in excess of five hundred (500) feet on the same Street, one (1) additional Freestanding Identification Sign shall be permitted on that Street for each additional five hundred (500) feet of Frontage, provided that:

- i). the minimum separation between Freestanding Identification Signs along the same Street shall be three hundred (300) feet;
- ii). the additional Freestanding Identification Sign is oriented to the Street with Frontage in excess of five hundred (500) feet; and,

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- iii). the total Sign Surface Area of all Freestanding Identification Signs does not exceed the maximum Sign Surface Area permitted below.

### 3. Maximum Sign Surface Area of Freestanding Signs.

Maximum Sign Surface Area shall apply individually to each Street Frontage.

The Maximum Sign Surface Area shall not exceed:

<u>Street Frontage</u>	<u>Maximum Sign Surface Area</u>
less than three hundred (300) feet	twenty-four (24) square feet for
each additional linear foot of Street Frontage	0.25 square foot of additional Sign Surface Area.

Provided, however, that no Freestanding Sign shall exceed seventy-two (72) square feet.

### 4. Minimum Front, Side and Rear Setback for Freestanding identification Signs.

- i). Front Yard Setback -The minimum Front Yard Setback for any Freestanding Identification. Sign shall be:
  - (a) Required Front Yard -ten (10) feet from the Proposed Right-of-Way.
  - (b) Required Front Bufferyard-twenty (20) feet from the Proposed Right-of-Way.

In the case where a Proposed Right-of-Way line does not exist, as determined by the Transportation Plan, or where the existing Right-of-Way is greater, the existing Right-of-Way line shall be used for the setback measurement.

- ii). Side and Rear Yard Setback or Side and Rear Bufferyard Setback -The minimum Side or Rear Yard Setback for a Freestanding Identification Sign shall be the greater of five (5) feet or that required for any Building or Structure in the applicable zoning District.

### 5. Maximum Height of Freestanding Identification Signs.

Ground Sign -The maximum height of a Freestanding Ground Identification Sign shall not exceed six (6) feet in height above Grade. .



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### 6. Landscaping.

Freestanding Identification Signs shall be surrounded by a landscaped area at least equal to the Sign area of the Sign erected. Landscaping shall consist of living vegetation (annuals, perennials, ornamental grasses, hedge plants or trees) and natural ground cover materials. Loose stone, rock or gravel may be used as a landscaping accent, but shall not exceed twenty (20) percent of the landscaped area. Plant materials used to satisfy this provision shall not be used to satisfy the calculations of landscaping required. by any other provisions of this Ordinance.

### 7. Illumination.

Freestanding Identification Signs shall not be internally illuminated.

### C. Building Identification Signs.

#### 1. Type of Signs.

Building Identification Signs shall be limited to Wall Signs and Suspended Signs.

#### 2. Number of Building Identification Signs. One (1) Wall Building Identification Sign per tenant space per facade. In addition, each tenant space shall be permitted one (1) Suspended Sign, per **Section 6.8, C., 4**, below.

#### 3. Maximum Sign Surface Area of Building Identification Signs.

The total Sign Surface Area of all Building Identification Signs. including Wall and Suspended Signs, oriented to an individual facade shall not exceed:

- i). Front Facade -three (3) percent of the total area of the front facade of the Structure or tenant space. For any Building which has more than one (1) Street Frontage, the maximum Sign Surface Area of three (3) percent shall apply to all Building facades with Street

Frontages. A Building facade shall be determining to have Street Frontage when it is parallel to the Street or is at no greater than a forty-five (45) degree angle to the Street.

- ii). Side and Rear Facades -two and one half (2 1/2) percent of the side or rear facade of the Structure or tenant space; and

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iii). The linear measurement of a Business Identification Wall Sign shall not exceed-eighty (80) percent of the linear width of the facade of the Structure or tenant space on which the Sign is located.

4. Additional provisions for lower level Suspended Signs.

i). Maximum Sign Surface Area for Suspended Signs. The Maximum Sign Surface area for a suspended sign shall not exceed five (5) square feet.

ii). Maximum Number of lower level Suspended Signs. One (1) Suspended Sign shall be permitted per each Building facade.

iii). Minimum Height above Grade for lower level Suspended Signs.

All portions of any Suspended Sign or Sign Structure shall be not less than eight (8) feet above the sidewalk or finished Grade.

D. Incidental Signs.

1. Type of Signs.

Incidental Signs shall be Ground or Wall Signs.

2. Number of Signs.

i). If a Lot or Integrated Center has one (1) Driveway, zero (0) Incidental Directional Signs shall be permitted at the Driveway entrance or exit;

ii). If a Lot or Integrated Center has more than one (1) Driveway, one (1) Incidental Directional Sign shall be permitted for each Driveway; and,

iii). One (1) Incidental Directional Sign or one (1) Incidental Parking and Loading Sign shall be permitted at each critical turning point along an Interior Access Drive when required to safely direct vehicular traffic (e.g., to direct vehicular traffic to: a customer or employee Parking Area; or, a delivery or Loading Area). .

3. Maximum Sign Surface Area of Incidental Signs.

4. Incidental Signs shall not exceed six (6) square feet in Sign Surface Area per Sign.

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### Minimum Front, Side and Rear Yard Setback for Freestanding Incidental Signs.

- i). Front Yard Setback or Front Bufferyard Setback -three (3) feet from Proposed Right-of-Way. In the case where a Proposed Right-of-Way line does not exist, as determined by the Transportation Plan, or where the existing Right-of-Way is greater, the existing Right-of-Way line shall be used for the setback measurement.
  - ii). Side and Rear Yard Setback or Side and Rear Bufferyard Setback -the same as required for any Building or Structure in the applicable zoning District.
5. Maximum Height of Incidental Signs.

The maximum height of a Freestanding Incidental Ground Sign shall not exceed:

- i). Incidental Directional Signs shall not exceed two and one half (2.5) feet in height above Grade.
- ii). Incidental Parking and Loading Signs shall not exceed four (4) feet in height above Grade.

### E. Window Signs.

The Sign copy shall not exceed five (5) percent of the total Grade level window surface area of the Building facade 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 Building Identification Signs and shall not be included in the total area of other Building Identification Signs permitted.

Window Signs shall not be internally illuminated.

### F. Development Plan Approval Required.

1. All Freestanding and Building Identification Signs in the Special Use Districts shall be subject to the filing of a Development Plan for review and approval by the Building Commissioner as set forth in Article 4 of this Ordinance.

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2. Development Plan Approval petitions for Signs in the Special Use Districts shall be submitted as a part of the application for an Improvement Location Permit for Signs.
3. Findings.

The Plan Commission shall grant Development Plan Approval upon written finding that the proposed Freestanding or Building Identification Sign:

- i). Is consistent with and harmonious to the Buildings and sites which they occupy;
- ii). Represents a use of design features which will enhance the use or value of area properties;
- iii). Utilizes materials and is of a style which is compatible with the Zionsville Theme;
- iv). Is consistent with the intent and purpose of this Ordinance.

### **Section 6.6. Urban Off-Premise Outdoor Advertising Signs**

#### **A. Districts Allowed.**

Off-Premise Outdoor Advertising Signs shall be a permitted in the-I-2•General Industrial District and the I-3 Heavy Industrial District, provided, however, that Off-Premise Outdoor Advertising Signs shall not be permitted within six hundred (600) feet of the Proposed Right-of-Way of U.S. Highway 421- Michigan Road.

#### **B. Type of Signs.**

Off-Premise Outdoor Advertising Signs shall be Pole or Ground Signs.

#### **C. Maximum Sign Surface Area for Off-Premise Outdoor Advertising Signs.**

1. Sign Surface Area -an Off-Premise Outdoor. Advertising Sign shall not exceed seventy-two (72) square feet in Sign Surface Area;
2. Number of Displays -an Off-Premise Outdoor Advertising Sign shall not contain more than two (2) Advertising Signs per Sign Surface;

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3. Extensions Allowed -temporary extensions or embellishments integrally incorporated into the Sign Surface having: a vertical height of no more than two (2) feet above the top of a Sign; a maximum horizontal dimension of no more than one (1) foot beyond the sides of the Sign; and, a maximum vertical dimension of one (1) foot below the bottom of the Sign, shall be allowed.

### D. Spacing Between Off-Premise Outdoor Advertising Signs.

The minimum distance between Off-Premise Outdoor Advertising Signs shall be as specified below.

1. Linear Spacing -The minimum distance between Off-Premise Outdoor Advertising Signs located along and oriented towards the same side of a Public Street shall be two thousand five hundred (2,500) linear feet subject to the following:
  - i). The spacing requirement shall be applied equally to both sides of the Street at the same time regardless of whether the Off-Premise Outdoor Advertising Signs are on the same side of the Street;
  - ii). The spacing requirement shall be applied continuously along a Street to all Off-Premise Outdoor Advertising Signs oriented towards that Street in either direction whether the Off Premise Outdoor Advertising Signs are in the same block or are in different blocks separated by an intersecting Street;
  - iii). For purposes of applying the spacing requirement to; Off-Premise Outdoor Advertising Signs, Pole or Ground Signs shall be treated the same, whether double-faced or single-faced; and,
  - iv). Off-Premise Outdoor Advertising Signs located at the same intersection are not in violation of the minimum spacing requirement specified herein, because of their nearness to one another if they are located so that their messages are directed towards traffic flowing in different directions.
2. Measurement of Linear Spacing -The method of measurement of the spacing between Off Premise Outdoor Advertising Signs oriented towards the same Street shall be along the centerline of the Street to which the Off-Premise Sign is oriented from the point in the Street's centerline closest to the leading edge of the Off-Premise Sign.

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3. Radial Spacing. In no event shall an Off-Premise Outdoor Advertising Sign be closer than one thousand (1,000) feet from any other Off-Premise Outdoor Advertising Sign regardless of location or orientation.
- E. Minimum Front, Side and Rear Yard Setback for Off-Premise Outdoor Advertising Signs.
1. Front Yard Setback -The minimum Front Yard Setback for an Off-Premise Outdoor Advertising Sign shall be sixty (60) feet from the Proposed Right-of-Way.
  2. Side and Rear Yard Setback -Off-Premise Outdoor Advertising Signs may have a maximum height of up to four (4) feet above Grade when located at the minimum required Side or Rear Yard Setback. The maximum height may be increased-by one (1) foot in height for each additional one (1) foot of Setback from the minimum required Side or Rear Yard until the maximum height allowed for an Off-Premise Outdoor Advertising Sign is reached.
- F. Maximum Height of Off-Premise Outdoor Advertising Signs.
- The maximum height of an Off-Premise Outdoor Advertising Ground Sign shall not exceed six (6) feet in height above Grade.
- The maximum height of an Off-Premise Outdoor Advertising Pole Sign shall not exceed fifteen (15) feet in height above Grade.
- G. Construction of Off-Premise Outdoor Advertising Signs.
- The supports, uprights, bracing and framework of an Off-Premise Outdoor Advertising Pole Sign shall be of steel construction.
- H. Separation from "R" Districts.
- No Off-Premise Outdoor Advertising Sign shall be located within six hundred (600) feet of any "R" District.

### Section 6.7. RURAL : Signs

SIGNS. The purpose of this **section** is 1) to encourage the effective use of signs as a means of communication in the county; 2) to maintain and enhance the aesthetic environment and the county's ability to attract sources of economic development and growth; 3) to minimize the possible adverse effect of signs on

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nearby public and private property; 4) and to enable the fair and consistent enforcement of these sign restrictions.

A sign may be located only in conformance with the requirements of this ordinance. Signs and advertising structures may be permitted in the Districts where such uses are permitted after having secured an ILP approving the proposed sign except when not required by this **section**.

1. **STATE REQUIREMENTS.** Signs and advertising structures are also subject to the requirements of The Highway Advertising Control Act of 1967, as amended. All signs and advertising structures shall conform to the provisions of said Act. Should this ordinance and the Act be in conflict, the requirements of the more restrictive shall apply.
2. **LOCAL REQUIREMENTS.** Signs and advertising structures may be subject to local ordinances of incorporated cities or towns in the jurisdictional area of this ordinance. Should the two be in conflict, the requirements of the more restrictive shall apply.
3. **SIGNS ALLOWED WITH AND WITHOUT PERMITS.** Signs shall be allowed on private property in accordance with **Table 11, Sign Regulations**. The letter “X” means such sign is allowed without a permit in the appropriate zoning districts. The letter “P” means such sign is allowed only with permit approval in the appropriate zoning districts. Special conditions may apply in some cases. If an “X” or “P” is not present, such sign is not allowed in the zoning district under any circumstances. Although permitted under the previous paragraph, a sign designed by a “P” or “X” in **Table 11, Sign Regulations** shall be allowed only if:
  - i). The sum of the area of all signs on the lot conforms to the maximum permitted sign area (as determined by the formula for the zoning district in which the lot is located).
  - ii). The size, location, and number of signs on the lot conform with the requirements which establishes permitted sign dimensions by sign type, and with any additional limitations;
  - iii). The characteristics of the sign conform with the requirements and to any additional limitations listed in **Table 11**.

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4. DESIGN, CONSTRUCTION, AND MAINTENANCE OF SIGNS. All signs shall be designed, constructed, and maintained in accordance with the following standards:
  - i). All signs shall comply with applicable provisions of the Uniform Building Code and the electrical code.
  - ii). Except for banners, flags, 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, building, or another structure by direct attachment to a rigid wall, frame, or structure.
  - iii). All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this ordinance.
5. PERMITS FOR SIGNS IN THE PUBLIC RIGHT-OF-WAY. No signs shall be allowed in the public right-of-way, except for the following:
  - i). Permanent Signs. Permanent signs shall be in accordance with the conditions of the **Table** included in this ordinance regarding, Sign Regulations. Such permitted permanent signs include public signs erected by or on behalf of a governmental body, public transit company, or public utility.
  - ii). Emergency Signs. Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the public
  - iii). Other Signs Forfeited. Any sign installed or placed on public property, except in conformance with the requirements of this **section**, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the county shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.
6. SIGNS EXEMPT FROM REGULATION UNDER THIS ORDINANCE. The following signs shall be exempt from regulation under this ordinance:



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- i). Any public notice or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance;
  - ii). Any sign inside a building, not attached to a window or door, that is not legible from a distance of more than three feet beyond the lot line of the lot or parcel on which such sign is located;
  - iii). Works of art that do not include a commercial message;
  - iv). Commercial murals on barns, silos, etc;
  - v). Holiday lights and decorations with no commercial message; and
  - vi). Traffic control signs on private property, such as Stop, Yield, and similar signs, the face of which meet the Department of Transportation standards and which contain no commercial message of any sort.
  - vii). Temporary campaign signs displayed for not more than one month before and two days after said election is held.
7. **SIGNS PROHIBITED UNDER THIS ORDINANCE.** All signs not expressly permitted under this ordinance or exempt from regulation hereunder are prohibited in the county. Such signs include, but are not limited to: beacons, pennants, strings of lights not permanently mounted to a rigid background, and inflatable signs and tethered balloons.
8. **GENERAL PERMIT AND INSPECTION PROCEDURES.** The following shall be procedure for locating or modification of all sign permits under this ordinance.
- i). **Applications.**

All applications for sign permits shall be submitted on an application form published by the Town of Zionsville. One application may include multiple signs on the same lot, however a separate permit will be issued and a separate fee will be collected for each sign.
  - ii). **Site Plan.**

For any lot on which the owner proposes to erect one or more signs requiring a permit, the owner shall submit a site plan containing the following:

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- (a) A plot plan of the lot, at such scale as may be reasonably required.
- (b) Location of buildings, parking lots, driveways, and landscaped areas on such lot.
- (c) Computation of the total sign area for all signs, the height of each sign, and the number of signs.
- (d) An accurate indication on the plot plans of the proposed location of each present and future sign of any type, whether requiring a permit or not. Incidental signs need not be shown.

### iii). Fees.

Upon the issuance of a permit, the applicant shall provide all applicable fees, as established in the Town of Zionsville Fee Schedule.

### iv). 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 face) shall be computed by means of the smallest shape that will encompass the extreme limits of the sign, 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.
- (b) Computation of Area of Multifaceted Signs. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces.
- (c) Computation of Height. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (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 a public street or the grade of the land at the principal entrance to the principal structure on the zone lot, whichever is lower.

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(d) Computation of Maximum Total Permitted Sign Area for a Lot. The permitted sum of the area of all individual signs on a lot shall be computed by applying the formula contained in the **Table** included in this ordinance regarding Sign Regulations to the road frontage, building frontage, or wall area, as appropriate, for the zoning district in which the lot is located. Lots fronting on two or more streets are allowed the permitted sign area for each street frontage. However, the total sign area that is oriented toward a particular street may not exceed the portion of the lot's total sign area allocation that is derived from the lot, building, or wall area frontage on that street.

v). Inspection.

A final inspection of each permit for a new sign or modification of an existing sign will be performed six months after the issuance of such permit or earlier if owner requests. 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 and electrical codes, a permanent label identifying the sign and permit number shall be affixed. If the construction is substantially complete but not in full compliance with this ordinance and applicable codes, the owner or applicant shall be notified of the deficiencies and shall be given an additional 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. If the construction is then complete, a permanent label identifying the sign(s) and applicable permit number shall be affixed.

vi). Lapse of a Sign Permit.

A continuing sign permit shall lapse automatically if the business or activity on the premises is discontinued for a period of 180 days or more.

9. NONCONFORMING SIGNS AND SIGNS WITHOUT PERMITS. Except as otherwise provided herein, the owner of any lot or other premises on which exists a sign that does not conform with the requirements of this ordinance, a previous applicable ordinance, or for which there is no valid sign permit issued under a previous ordinance shall be obligated to remove such sign.

i). Nonconforming Existing Signs, Permits, and Terms.

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A sign that would be permitted under this ordinance only with a sign permit, but which was in existence at the time this ordinance went into effect, and which was constructed in accordance with the ordinance and other applicable laws in effect on the date of its construction, but which by reason of its size, height, location, design, or construction is not in conformance with the requirements of this ordinance, shall be classified as a Nonconforming Sign. A change in the information on the face of an existing nonconforming sign is allowed. However, any nonconforming sign shall either be eliminated or made to conform to the requirements of this **section** upon proposed expansion of the sign or if the face area of such sign has been damaged beyond 50%.

ii). Lapse of Permit for a Nonconforming Sign.

A permit for a nonconforming sign shall lapse and become void under the same circumstances as those under which any other sign permit may lapse and become void.

10. VIOLATIONS. Any of the following shall be a violation of this ordinance and shall be subject to the enforcement remedies and penalties provided by this ordinance, and by state or federal law:

- i). To install, create, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zone lot on which the sign is located;
- ii). To install, create, erect, or maintain any sign requiring a permit without such a permit;
- iii). To install, create, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zone lot on which sign is located;
- iv). To fail to remove any sign that is installed, created, erected, or maintained in violation of this ordinance, or for which the sign permit has lapsed; or
- v). To continue any such violation. Each such day of a continued violation shall be considered a separate violation when applying the penalty portions of this of this ordinance.

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11. ENFORCEMENT AND REMEDIES. A violation of this **section** of the ordinance shall be considered a violation of the zoning ordinance and shall be enforced accordingly.

**Table 1: RURAL Sign Regulations**

		AG	R1	R2	R3, R4, MF	LB	PB	GB, UB	AB	AZ, 11,12
<b>Total Number of all types of Signs Permitted</b>										
	Per Lot	1	1	1		1				
	Per lot per linear feet of road				1/200		1/100	1/200	1/200	1/200
<b>Lighting</b>										
	Animated, Exposed Bulbs, or									
	Internal/External Illumination					X	P (k)	P	P	P
<b>Regulations for On-Premises Freestanding Signs</b>										
Regulations	Maximum Combined area	6	6	6	12	40	40	80	160	80
Maximum Height (feet)		5	5	5	5	12	12	12	36	12
Setback (feet) (j)		2	2	2	2	2	5 (h)	5 (h)	10	10
Type	Residential (a)	P	P	P	P					
	Incidental (b)				X (b)	X	X (b)	X	X	X
	Other	P			P	P	P	P	P	P
<b>Regulations for Off-Premises Freestanding Signs</b>										
	Permitted Districts (i)							P	P	P
	Maximum Area (per side)							100	200	150
	Maximum Height (feet)							35	5	35
	Setback (feet) (j)							20	20	20
<b>Regulations for All Other Signs</b>										
Regulations	Maximum Area (sq. ft.)	2	2	2	2	10				
	Maximum Wall Area (%)						10%	15%	15%	20%
Type	Banner (b), Canopy						P	P	P	P
	Incidental (b)				X (e)	X	X (b)	X	X	X
	Marquee (f), Roof- Integral, Temporary (h)									
	Residential (a)	P	P	P				P	P	
	Suspended (f)					P				
	Wall					P	P	P	P	P
	Flag (g)	X	X	X	X	X	X	X	X	X

Signs in the PUD District shall meet the requirements of the District most comparable

X = Allowed without a sign permit. P = Allowed only with sign permit

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- i). No commercial message allowed on sign, except for a commercial message drawing attention to an activity legally offered on the premises.
- ii). No commercial message of any kind allowed on sign if such message is legible from any location off the lot on which the sign is located.
- iii). Only address and name of occupant allowed on sign.
- iv). May include only building name, date of construction, or historical data on historic site; must be cut or etched into masonry, bronze, or similar material.
- v). No commercial message of any kind allowed on sign.
- vi). If such a sign is suspended or projects above a public right-of-way, the issuance and continuation of a sign permit shall be conditioned on the sign owner obtaining and maintaining in force liability insurance for such a sign in such form and such amount as the Director may reasonably from time to time determine, provided that the amount of such liability insurance shall be at least \$500,000 per occurrence per sign.
- vii). Flags of the United States, the state, the city, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction, provided that such a flag shall not exceed 60 square feet in area and shall not be flown from a pole the top of which is more than 40 feet in height. These flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Any flag not meeting any one or more of these conditions shall be considered a banner sign and shall be subject to regulation as such.
- viii). Maximum sign height is 12 feet, and minimum setback is five feet; however, in no case shall the actual sign height exceed the actual sign setback from any adjacent lot that is zoned and used for residential purposes. For example, if the sign is set back seven feet from such a lot, it may be no more than seven feet high.
- ix). Must be 1,000 from any other off-premises sign on the same side of the road, measured along the right-of way.

## **Article 6: Sign Regulations**

- x). In addition to the setback requirements on this **table**, signs shall be located such that there is at every street intersection a clear view between heights of three feet and 10 feet in a triangle formed by the corner and points on the curb 30 feet from the intersection or entranceway.
  
- xi). No direct light or significant glare from the sign shall be cast onto any adjacent lot that is zoned or used for residential purposes.

## **Article 6: Sign Regulations**