

TOWN OF JUPITER



DATE: May 23, 2015
TO: Honorable Mayor and Members of Town Council
THRU: Andrew D. Lukasik, Town Manager
FROM: John R. Sickler, Director of Planning and Zoning
SUBJECT: **MIXED USE SIGN CODE** – Zoning text amendment to Section 27-990.32, entitled “Community commercial (CC) and Town center (TC) subdistricts” to reduce the distance separation requirement for monument signs on properties over five acres. (PZ 16-1835)

ASJ
JSB

HEARING DATES:	PZ 04/12/16 TC 05/17/16 1st Reading TC 06/21/16 2nd Reading	Ordinance #13-16 PZ#16-1835 GW
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EXECUTIVE SUMMARY:

Consideration of a zoning text amendment to reduce the separation requirement for monument signs in the Town Center (TC) and Community Commercial (CC) subdistrict of the Mixed Use zoning district.

At the May 17, 2016 Town Council meeting, the Town Council voted to continue the first reading of the zoning text amendment based on questions with the 4 to 3 vote by the Planning and Zoning Commission and the applicability of the change. Staff has provided additional information in the attached staff report.

The proposed zoning text amendment reduces the separation requirements for monument signs in the Town Center and Community Commercial subdistrict of the Mixed Use zoning district. The applicant, Abacoa Plaza, has one existing monument sign for the development which is located on Donald Ross Road; however, the plaza is permitted to install a second monument sign because they are over five acres. The plaza has never been able to install the second monument sign because of the separation requirement to other monument signs along the same frontage. Specifically, the existing monument signs for the McDonalds and Bank of America outparcels are located close to the main driveways along Donald Ross Road, which causes the monument sign for the overall development to be located in the landscape buffer, approximately 300 feet from each driveway.

The proposed language maintains the 250 foot separation requirement between the two monument signs allowed on large parcels, but reduces the separation required to signs on adjacent properties from 250 feet to 50 feet. The language continues to address sign clutter by requiring at least 50 feet of separation between signs located on other properties. With the proposed zoning text amendment, the applicant will be able to remove the existing monument sign in the middle of the landscape buffer and construct the two permitted monument signs closer to the development entrances.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

At the April 12, 2016 meeting, the Planning and Zoning Commission recommended approval (by a 4-3 vote) of staff’s recommendation to approve the zoning text amendment.

STAFF RECOMMENDATION:

Staff recommends **approval** of the proposed text amendments to reduce the monument sign separation requirement in the Town Center and Community Commercial subdistricts of the Mixed Use district.

Strategic Priority: Strong Local Economy

Attachments:

Staff Report	Ord. #13-16
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**TOWN OF JUPITER
TOWN MANAGER'S OFFICE**



DATE: May 23, 2016
TO: Honorable Mayor and Members of Town Council
THRU: Andrew D. Lukasik, Town Manager
FROM: John Sickler, Planning and Zoning Director JS
SUBJECT: **MIXED USE SIGN CODE** – Zoning text amendment to Section 27-990.32, entitled “Community commercial (CC) and Town center (TC) subdistricts” to reduce the distance separation requirement for monument signs on properties over five acres. (PZ 16-1835)

Ordinance #13-16	Meeting dates:	PZ	04/12/16
PZ 16-1835		TC	05/17/16 (Continued)
GW		TC	06/07/16 – 1st Reading
		TC	06/21/16 – 2nd Reading

Applicant: DonRoss Associates
Agent: Cotleur & Hearing
Applicant Request: Amend Section 27-990.32(c) and (d) for Community Commercial and Town Center subdistricts to allow for the Zoning Director to reduce the separation requirement, if the intent of the proposed sign is to be located in close proximity to a project entranceway (see Attachment A).
Staff Recommendation: Amend Section 27-990.32(c) and (d) for the Community Commercial and Town Center subdistricts of the Mixed Use zoning district to reduce the separation requirements between monument signs on adjacent properties from 250 feet to 50 feet.

Staff Update

At the May 17, 2016 Town Council meeting, the Town Council voted to continue the first reading of the zoning text amendment based on questions with the 4 to 3 vote by the Planning and Zoning Commission (PZC) and the applicability of the proposed text amendment.

- **PZC vote** – Staff attached the minutes from the April Planning and Zoning Commission meeting (see Attachment C). In general, there were concerns regarding the possibility of additional signage by subdividing a large lot into smaller lots. Any subdivision would be required to meet all of the minimum lot dimension requirements, which would make subdivision for the purpose of additional signage difficult. It is important to note that there is no minimum separation requirement for monument signs on adjacent properties anywhere else in Town.
- **Applicability of text amendment** – Staff notes that the proposed zoning text amendment is only applicable to properties within the Community Commercial and Town Center subdistrict of the Mixed-use zoning district, as shown on the attached map (see Attachment D). It is important to note that properties within the Community Commercial and Town Center subdistrict which are across the street from residential are not allowed monument signs.

Town Council (First Reading)

At their May 17, 2016 meeting, the Town Council voted unanimously (5 to 0 vote) to continue the zoning text amendment to the June 7, 2016 Town Council meeting.

Planning and Zoning Commission

At their April 12, 2016 meeting, the Planning and Zoning Commission voted (by a 4 to 3 vote) to recommend approval of the zoning text amendment as recommended by staff.

Staff Recommendation.

Based upon the facts and findings contained herein, staff recommends **Adoption** of the proposed zoning text amendment, as shown in **Ordinance 13-16**.

Background.

The applicant is proposing a zoning text amendment to reduce the separation requirements for monument signs in the Town Center and Community Commercial subdistrict of the Mixed Use zoning district. Section 27-990.32(c) allows parcels over five acres with more than one street frontage to have two monument signs; however, the signs cannot be within 250 feet of another sign along the same frontage. Currently, the additional sign allowed is only applicable to two properties within the Community Commercial subdistrict, Abacoa Plaza and Bermudiana; as well as Abacoa Town Center Phase I (aka Downtown Abacoa) within the Town Center subdistrict.

Abacoa Plaza has one existing monument sign for the development which is located on Donald Ross Road; however, the plaza is allowed a second monument sign because they are over five acres. The plaza has never been able to install the second monument sign because of the separation requirement to other monument signs along the same frontage. Specifically, the existing monument signs on the Donald Ross Road frontage for the McDonalds and Bank of America outparcels are located adjacent to the development driveways, which cause the monument sign for the overall development to be located in the landscape buffer, approximately 300 feet from each driveway. As a result, the owners of Abacoa Plaza have submitted a zoning text amendment to reduce to the separation requirements to allow the construction of two monument signs, one at each development driveway on Donald Ross Road.

Analysis.

Applicant's Request – Amend Section 27-990.32(c) and (d) as follows (Attachment A):

- (c) Parcels with more than one street frontage and greater than five acres in size are permitted one additional freestanding monument sign. The two permitted signs shall not be located within 250 feet of each other or any other adjacent sign measured along the frontage line. The Zoning Director may allow a reduction in the separation distance requirement, if the intent of the proposed sign is to be located in close proximity to a project entranceway.

- (d) Permitted signs on adjacent or contiguous properties or parcels shall not be located closer than 250 feet of each other, measured along the frontage line. The Zoning Director may allow a reduction in the separation distance requirement, if the intent of the proposed sign is to be located in close proximity to a project entranceway.

Staff Comment: The applicant's request is vague. This language could allow arbitrary decisions if there is not a basis to vary from the separation requirement. Staff recommends the language below to reduce the sign separation requirement for signs located on adjacent properties.

Staff Recommendation - Amend Section 27-990.32(c) and (d) as follows:

- (c) Parcels with more than one street frontage and greater than five acres in size are permitted one additional freestanding monument sign. The two permitted signs shall not be located within 250 feet of each other, ~~or any other adjacent sign~~ measured along the frontage line.
- (d) Permitted signs on adjacent or contiguous properties or parcels shall not be located closer than 250 feet of each other, measured along the frontage line.

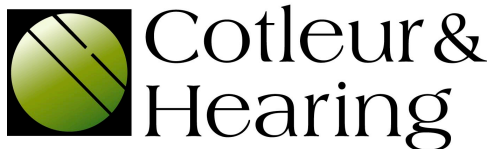
Staff comment: The above language maintains the 250 foot separation requirement for the second monument sign allowed on large parcels, but reduces the separation required to signs on adjacent properties. In recognizing constraints that signs on other properties outside of a property owner's control can cause, staff has reduced the separation requirement to monument signs located on other properties from 250 feet to 50 feet. The proposed language still prohibits two signs for the same property from being placed on each side of a entry driveway, but would allow two different properties which share a common entry driveway to both have signs, one on each side of the common driveway. The language continues to address sign clutter by requiring at least 50 feet of separation between signs located on other properties. The applicant has provided a rendering which shows the proposed monument signs in harmony with an adjacent sign. (see Attachment B)

Conclusion.

Based on the above reasons, staff recommends **approval** of the zoning text amendment proposed in **Ordinance 13-16**.

Attachment.

- Attachment A – Justification Statement
- Attachment B – Proposed Sign Renderings
- Attachment C – April Planning and Zoning Commission Meeting minutes
- Attachment D – Applicability Map



**Mixed Use Development Ordinance
Community Commercial and Town Center Subdistricts
Sign Code
Zoning Text Amendment**

On behalf of the Applicant, DonRoss Associates, we are requesting a zoning text amendment to the Mixed Use (MXD) Development Ordinance. The purpose of the amendment is to allow for a reduction in the separation distance of monument signs located on adjacent or contiguous parcels. The text to be modified is within Section 27-990.32 – *Community Commercial (CC) and Town Center (TC) subdistricts*.

Project Contact

Cotleur & Hearing
Brett Leone, Planner
1934 Commerce Lane, Suite 1
Jupiter, FL 33458
561.747.6336 x 109
bleone@cotleur-hearing.com

Background

The Mixed Use Development Ordinance was adopted in 1995 by way of Ordinance 1, 1995 and has been subsequently amended for the past 18 years to address internal conflicts and a changing economy. The Sign Code was adopted in 1997 through Ordinance 16, 1997. More specifically, Section 27-990.32 – *Community Commercial (CC) and Town Center (TC) subdistricts*, was most recently amended through the adoption of Ordinance 44-08. The Community Commercial and Town Center subdistricts are located through out the MXD district in the Abacoa DRI. The purpose of the CC subdistrict is *to provide areas in appropriate locations for community scaled mixed-use commercial, retail and office uses which provide for the daily needs of the surrounding population*. The purpose of the TC subdistrict is *to promote a compact form of mixed-use development including more intense commercial retail and office uses in the commercial core, and residential uses which shall be proportioned such that no one use shall predominate*.

All but one (1) of the parcels with the CC subdistrict have been developed. There are a few remaining parcels within the TC subdistrict which are vacant or are in the process of being developed.

Request

The Applicant, DonRoss Associates, owns the Abacoa Plaza located on the north side of Donald Ross Road between Military Trail and Central Boulevard. Abacoa Plaza is a large retail center that services not only the residents of Abacoa but also the surrounding area. There is six (6) outparcels, each owned by a different entity and has a monument sign to identify the business located on that property.

Abacoa Plaza has one (1) monument sign located half way between both entrances to the plaza on Donald Ross Road. This sign identifies the name of the center “Abacoa Plaza.” The location of this sign provides very little as a means for way finding since it is located in the middle of a 50-foot landscape

buffer and in between both points of entry to the plaza from Donald Ross Road. Currently, the Bank of America outparcel and the McDonald's outparcels have monument signs located in close proximity to each of the entrances along Donald Ross Road. The current zoning text prohibits the Applicant to locate a monument sign for the main entrance. The Code requires monument signs on adjacent or contiguous properties or parcels to be no closer than 250 feet. In accordance with the current Code language if the Applicant were to install two monuments signs they would be floating within the 50-foot landscape buffer along Donald Ross Road. In addition, the approved Master Plan allows for a monument sign along Military Trail near the northernmost entrance to the plaza. The Wells Fargo Bank also has a monument sign near this entrance to identify the bank. By placing a monument sign to identify Abacoa Plaza near this entrance it would be less than 250 feet from the Wells Fargo monument sign.

The Applicant is proposing a Zoning Text Amendment to allow a reduction in the separation requirement for monument signs located on parcels or properties only within the Community Commercial and Town Center subdistricts. The reduction in separation requirement would allow monument signs to be located near the entrance of projects for better way finding as opposed to a sign that may be floating along a property boundary. The proposed amendment to the zoning text is herein:

Sec. 27-990.32 – Community Commercial (CC) and Town Center (TC) Subdistricts

(c) Parcels with more than one street frontage and greater than five acres in size are permitted one additional freestanding monument sign. The two permitted signs shall not be located within 250 feet of each other or any other adjacent sign measured along the frontage line. The Zoning Director may allow a reduction in the separation distance requirement, if the intent of the proposed sign is to be located in close proximity to a project entranceway.

(d) Permitted signs on adjacent or contiguous properties or parcels shall not be located closer than 250 feet of each other, measured along the frontage line. The Zoning Director may allow a reduction in the separation distance requirement, if the intent of the proposed sign is to be located in close proximity to a project entranceway.

Conclusion

On behalf of the applicant and the project team we look forward to working with staff to address these issues in the MXD district ordinance so that commercial centers can adequately identify tenants and provide way finding for visitors.





5430
Abacco Plaza

publix
FOOD &
PHARMACY

TENANT

TENANT

TENANT

Abacco Plaza

5430 N. Military Trail
Jupiter, FL 33418

E-01 : Qty (2) Illuminated double sided monuments

Sales: SG Designer: D. Brodie Date: 11-9-15

THIS MONUMENT IS PROPERTY OF AMERICAN SIGNCRAFTERS. IT IS SUPPLIED FOR YOUR USE, AND IT IS NOT TO BE COPIED, REPRODUCED OR EXPIRED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION FROM AMERICAN SIGNCRAFTERS.

130 COMMERCE ROAD - BOYTON BEACH, FL 33426 Phone: (561) 547-3760 Fax: (561) 547-3842



FLUM Amendments and Rezonings – cont'd

Comm. Fleischmann asked if the FIND property was identified in the Comprehensive Plan as a spoil site. Mr. Sickler replied that there is a policy regarding the use of spoil islands. Comm. Fleischmann asked if the spoil site was permitted in the Recreation land use category and Mr. Watson said no. He stated that the proposed land use and zoning are the best to protect the FIND property along the Intracoastal as a spoil site.

Comm. Flinchum asked if Parcels 7 and 8 are still shown on the master plan for the PUD as part of the PUD. Mr. Watson said they are shown on the plat as having been deeded to the Town. Comm. Flinchum asked if the original intention was to provide public parking on the parcels and Mr. Watson said yes.

Vice Chair Rutter moved to recommend approval of the Future Land Use Map amendments as recommended by Staff; seconded by Comm. Fleischmann. The Agency was polled and the motion carried unanimously (7-0 vote).

Zacarias – Y	Acton – Y	Flinchum – Y	Fleischmann – Y
Rutter – Y	Walker – Y	Cipolla – Y	

Comm. Fleischmann moved to recommend approval of the Zoning Map amendments as recommended by Staff; seconded by Comm. Flinchum. The Commission was polled and the motion carried unanimously (7-0 vote).

Zacarias – Y	Acton – Y	Flinchum – Y	Fleischmann – Y
Rutter – Y	Walker – Y	Cipolla – Y	

- 3. **Mixed Use Sign Code** – Zoning text amendment to Section 27-990.32, entitled “Community commercial (CC) and Town Center (TC) subdistricts” to reduce the distance separation requirement for monument signs on properties over five acres. (PZ #16-1835)

Town Council consideration:

May 17, 2016 – 1st rdg
June 21, 2016 – 2nd rdg

Chair Walker read the title.

Brett Leone of Cotleur Hearing gave a presentation on behalf of DonRoss Associates and noted that Derek Brock, the owner, was present to answer questions. DonRoss Associates would like to have one monument sign at each of the two entrances to Abacoa Plaza from Donald Ross Road. The current Code prohibits monument signs within 250 feet of each other.

Garret Watson, planner, explained the proposed changes and noted that this would allow signs with a 50-foot separation on adjacent properties.

Comm. Fleischmann said the Staff recommendations would clarify the regulations and prevent unintended consequences. He supported the application.

Mixed Use Sign Code – cont'd

Comm. Flinchum asked for clarification on the history of the signs. He also asked how close the two proposed signs would be to the McDonald's sign and the Bank of America sign. Mr. Brock said about 100 feet from the McDonald's sign and about 75 feet from the Bank of America sign. Comm. Flinchum recommended using the minimum necessary for separation and removing the existing Abacoa Plaza sign.

Comm. Acton asked if the proposed signs could be installed if the McDonald's sign and Bank of America signs were not there. Mr. Leone said yes because there are no other signs within 250 feet to the east or west. Comm. Acton asked why they could not be included as tenants on the monument signs. Mr. Leone said they are on outparcels and not part of the plaza. Comm. Acton observed that neither of those businesses can be entered without entering the plaza.

Comm. Cipolla asked if the Code change would be applicable to other areas in Town. Mr. Sickler said it would only apply to the Community Commercial and Town Center subdistricts.

Comm. Zacarias asked if the Code change would create any nonconformities. Mr. Sickler said no; it will probably correct some existing nonconformities.

Chair Walker opened the floor to public comment and there was no response.

Comm. Fleischmann recommended approval with Staff recommendations; seconded by Vice Chair Rutter.

Comm. Acton was concerned that parcels could be subdivided and result in a number of signs 50 feet apart. Mr. Sickler said this is the only area in Town that has any restriction on sign separation.

The Commission was polled and the motion carried (4-3 vote).

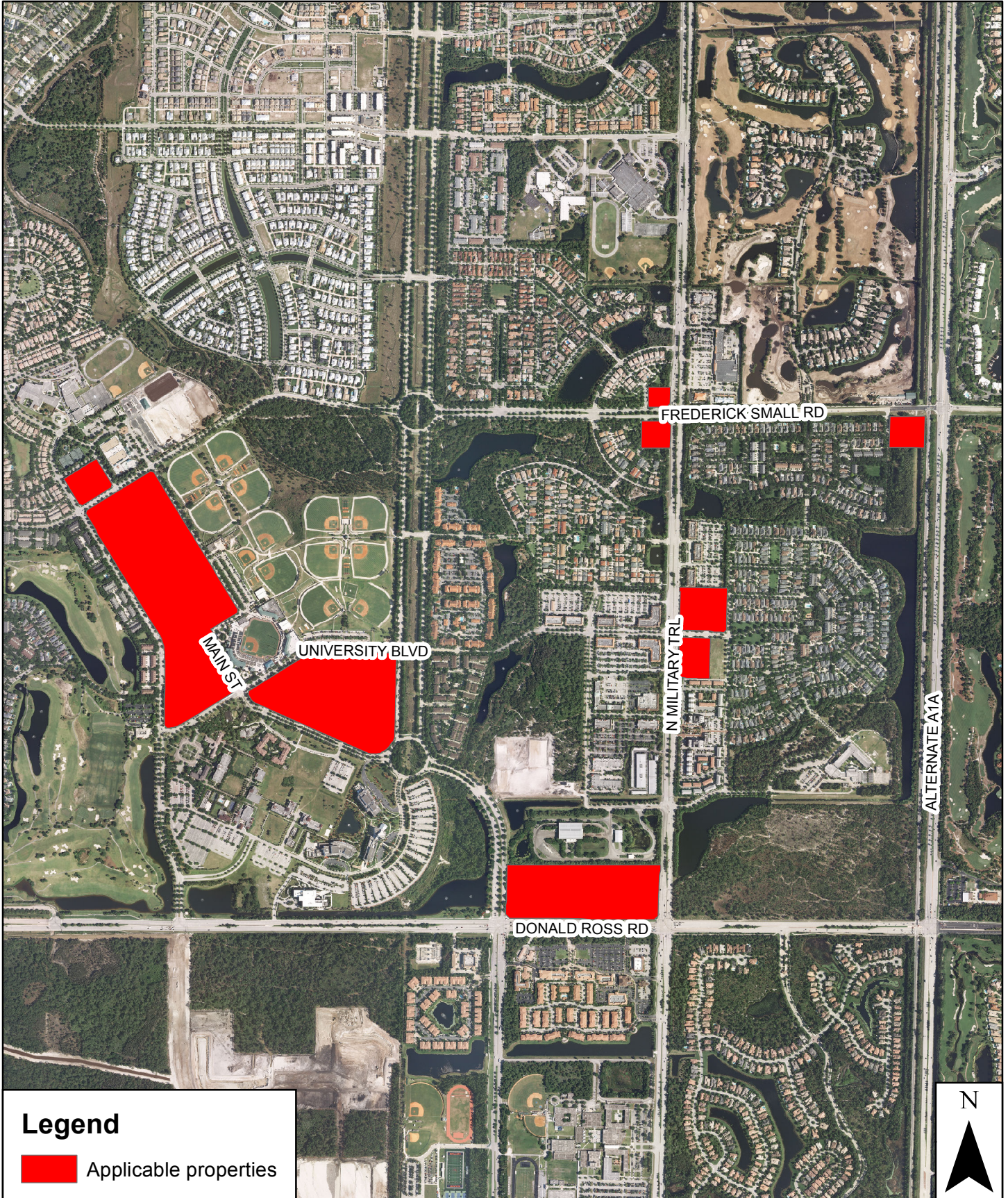
Zacarias – Y	Acton – N	Flinchum – N	Fleischmann – Y
Rutter – Y	Walker – Y	Cipolla – N	

4. **Admiral's Cove** – Planned Unit Development (PUD) amendment to request a dock waiver to increase the maximum length of a terminal platform for single family homes on two platted lots on a 727.8± acre residential PUD, located on the northeast corner of Alternate A1A and Frederick Small Road. (PZ# 16-1882)
Town Council consideration: May 17, 2016 - 1st rdg
June 21, 2016 - 2nd rdg

Chair Walker read the title.

Peter Moore, general manager of the Admiral's Cove Master Property Owners Association, gave a presentation explaining the request to allow a maximum dock length of 72 feet on combined single-family lots which currently allow 36-foot docks. The applicant agrees with all of the Staff recommendations except one: they would like to have two access walkways rather than one.

Attachment D Zoning Text Amendment Applicable Properties



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ORDINANCE NO. 13-16

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, AMENDING ARTICLE VIII, DIVISION 5, SUBDIVISION VIII OF CHAPTER 27 OF THE TOWN'S CODE OF ORDINANCES, PROVIDING FOR A REDUCTION OF THE SEPERATION REQUIREMENT FOR MONUMENT SIGNS ON PROPERTIES WITHIN THE TOWN CENTER AND COMMUNITY COMMERCIAL SUBDISTRICTS OF THE MIXED USE ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Jupiter ("Town") has adopted a Comprehensive Plan which has been determined to be in compliance with Chapter 163, Part II, Florida Statutes; and

WHEREAS, pursuant to Section 163.3202(2), Florida Statutes, municipalities are required to provide specific and detailed Land Development Regulations to implement adopted Comprehensive Plans; and

WHEREAS, the Town Council of the Town of Jupiter, Florida, has previously enacted Land Development Regulations which have been codified in the Town Code pertaining to signs; and

WHEREAS, the Town Council hereby determines that the amendments herein are necessary to maintain sign regulations in the Town Code; and

1 **WHEREAS**, the Town’s Planning and Zoning Department staff and the Planning and
2 Zoning Commission have made their respective recommendations regarding the proposed
3 amendments to the Town Council; and

4 **WHEREAS**, the Town Council, after due notice and public hearings has determined
5 that the adoption of the proposed amendments would further the public health, safety and
6 general welfare.

7 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN**
8 **OF JUPITER, FLORIDA AS FOLLOWS:**

9 **Section 1.** The whereas clauses are incorporated herein as true and correct and as
10 the legislative findings of the Town Council.

11 **Section 2.** Chapter 27, Article VIII, Division 5, Subdivision VIII, Section 27-990.32 is
12 hereby amended to add the following definitions, as follows:

13 **Sec. 27-990.32. – Community Commercial (CC) and Town Center (TC) subdistricts**

14 The following signs shall be permitted within the community commercial (CC) and town
15 center (TC) subdistricts.

16 (a) Monument signs, building identification signs and individual tenant signs in
17 the town center are permitted as stated below. For all other signage, refer to the
18 neighborhood commercial (NC) subdistrict.

19 1. Individual tenant signs shall not exceed 75 percent of the width between
20 tenant lines measured across the width of the facades with a maximum letter
21 height of 18 inches. In no case shall a sign be permitted to exceed the height
22 of the individual tenant space corresponding to the sign. Individual tenant
23 signs shall be designed such that the sign is integrated into the architecture
24 of the building.

1 2. Sign copy for individual tenant signs may be located on more than one flat
2 or wall sign structure, provided the sign copy is not repeated.

3 3. Tenants with more than one frontage on a street or vehicular use area may
4 be permitted one secondary individual tenant sign.

5 4. No tenant wall sign shall be permitted for businesses located above the
6 first floor.

7 5. Tenant wall signs shall be attached to the exterior wall of the tenant space
8 being advertised.

9 (b) The following monument signs are permitted, based on the linear frontage of the
10 said property:

11 1. On frontages that are less than 500 lineal feet of street frontage not
12 including street frontage abutting neighborhood subdistricts, one double-
13 faced freestanding monument sign shall be permitted per parcel. The
14 permitted sign shall only contain the center or individual user name; however,
15 if a property has street frontage that requires a landscape buffer of 35 feet or
16 more, the subject property may have up to two tenant names on the
17 freestanding monument sign located within the buffer. The allowable sign
18 area per sign face shall not exceed 90 square feet, nine feet in height and
19 have a minimum setback of ten feet from public rights-of-way.

20 2. On frontages between 500 and 750 lineal feet of street frontage not
21 including street frontage abutting neighborhood subdistricts, one double-
22 faced freestanding monument sign are permitted, per parcel. The permitted
23 sign shall only contain the center or individual user name; however, if a
24 property has street frontage that requires a landscape buffer of 35 feet or
25 more, the subject property may have up to three tenant names on the

1 freestanding monument sign located within the buffer. The allowable sign
2 area per sign face shall not exceed 115 square feet, 12 feet in height and
3 have a minimum setback of ten feet from the public rights-of-way.

4 3. On frontages that exceed 750 lineal feet of street frontage not including
5 street frontage abutting neighborhood subdistricts, one double faced
6 freestanding monument sign is permitted, per parcel. The permitted sign shall
7 only contain the center or individual user name; however, if a property has
8 street frontage that requires a landscape buffer of 35 feet or more, the subject
9 property may have up to four tenant names on the freestanding monument
10 sign located within the buffer. The allowable sign area per sign face shall not
11 exceed 140 square feet, 15 feet in height and have a minimum setback of ten
12 feet from the public rights-of-way.

13 (c) Parcels with more than one street frontage and greater than five acres in size are
14 permitted one additional freestanding monument sign. The two permitted signs shall
15 not be located within 250 feet of each other, ~~or any other adjacent sign~~ measured
16 along the frontage line.

17 (d) Permitted signs on adjacent or contiguous properties or parcels shall not be
18 located closer than 250 feet of each other, measured along the frontage line.

19 (e) Monument signs located at the perimeter locations of the town center (TC)
20 subdistrict shall be permitted as part of and in relationship to architectural elements
21 or features of the subdistrict.

22 (f) Cinemas are permitted the following signage:

23 a. Up to three wall signs may be permitted for cinemas consisting of one
24 primary and two secondary wall signs, with a maximum sign copy area of 130
25 square feet for the street frontage not including street frontage abutting

1 neighborhood subdistricts sign and 50 square feet for each secondary
2 frontage sign; or,

3 b. One kiosk-type, facade-mounted or monument changeable copy sign per
4 section 27-990.43, entitled "Changeable copy signs". Refer to this section for
5 specific regulations.

6 (g) Identification signage for the town center subdistrict, in lieu of a monument sign.

7 The town center subdistrict shall be allowed one rooftop sign on a community
8 building. The following regulations shall apply:

9 1. Sign copy area shall be limited to the name of the development, not any
10 individual business;

11 2. The sign shall consist of only channel letters;

12 3. The sign letter height shall be no more than three feet. The overall sign
13 height shall be five and one-half feet maximum, and the sign area shall be no
14 more than 85 square feet; and

15 4. The sign shall not extend above the top of the main roof structure.

16 (h) Banners.

17 1. Permanent light pole banners located in town center only. Light pole
18 banners shall be equal-sized two-sided pairs mounted side by side on lamp
19 posts. The dimensions for each side shall be 13 square feet maximum. The
20 sign's copy area shall be limited to name of the development and general
21 directional information, which does not include any individual business
22 names. The design and location of these signs shall be subject to site plan
23 approval.

24 2. Permanent arcade banners located in town center only. Permanent arcade
25 banners shall be mounted to the arcade ceilings within the and shall hang no

1 lower than three feet from the ceiling. The sign copy area shall be limited to
2 four square feet. The design and location of these signs shall be subject to
3 site plan approval.

4 3. Banners for periodic events in town center only. The design and location of
5 all banners for periodic events shall be subject to site plan approval.

6 (i) One building identification sign shall be allowed for multi-story buildings. A second
7 sign shall be permitted in lieu of a freestanding monument sign for buildings with
8 more than one street frontage. The total number of building identification and
9 individual tenant signs for any one tenant shall not exceed three. Such sign shall be
10 a flat or wall type sign, illuminated or non-illuminated. In no case shall the sign be
11 permitted to extend above the roofline of the building, be placed on the residential
12 portion of a building or face directly towards residential units located in adjacent
13 buildings or across the street. The square footage of the sign copy area shall be
14 based on the following:

- 15 1. For buildings that are two or three stories tall, the sign area shall not
16 exceed 40 square feet;
- 17 2. For buildings that are four stories or greater, the sign area shall not exceed
18 85 square feet; and;
- 19 3. For signs located on buildings with variations in story height, the sign copy
20 area shall be based on the location of the sign (e.g. if on a two or three story
21 section, a 40 square feet sign would be permitted, if on a four story or greater
22 section, then sign area shall not exceed 85 square feet).

23 **Section 3. Severability.** If any section, subsection, sentence, clause, phrase or
24 portion of this Ordinance is for any reason held invalid or unconstitutional by any court of

1 competent jurisdiction, such portion shall be deemed a separate, distinct and independent
2 provision and such holding shall not affect the validity of the remaining portions thereof.

3 **Section 4. Repeal of laws in conflict.** All Ordinances or parts of Ordinances in
4 conflict herewith are hereby repealed to the extent of such conflict.

5 **Section 5. Codification.** The Sections of the Ordinance may be renumbered or re-
6 lettered to accomplish such, and the word "Ordinance" may be changed to "Section",
7 "Article", or any other appropriate word.

8 **Section 6. Effective Date.** This Ordinance shall take effect immediately upon
9 adoption.

10 \\Datant\cdev\Staff\WP51\Amendtowncode\MXD\Signcode\TC and CC sign separations (PZ 16-
11 1832)\Ordinance 13-16_TC.doc
12