

SIGN ORDINANCE



Life Connected.

City of Celina

3. Signage must be lit. Lighting should be LED, ground lights, lights attached to the top of the sign focused downward directly on the sign, or other lighting that is not internally illuminated.
4. Landscaping should be thoughtfully incorporated and may include berms, planting beds, and other quality installations.
5. The maximum height of any architectural feature shall not exceed twenty (20) feet.
6. Electric plugs shall be required to accommodate holiday lighting.
7. The size, scope, and focal point of entrance signs should be in scale with the size of the associated development and provide a sense of arrival and branding, in addition to reflecting “Celina”, subject to review and approval by the Director.

ii. Place:

1. Shall be located outside sight triangles.
2. Signs should be located in HOA open space lots and not on private property, unless within a sign easement.
3. If not on private property or an HOA lot, then the City may enter into a license agreement to permit a subdivision identification sign to be located within public right-of-way. The license agreement shall be in a form acceptable to the City.
4. Signs may be located at entrances into the subdivision, or at focal/accentuation points within the subdivision. Entrance signage should be in proportion to the entrance, whether it is primary, secondary, or tertiary.

(K) Wall Sign.

i. Manner:

1. For each one linear foot of the primary building face (or lease space), two (2) square feet of wall sign is allowed. A maximum of 200 square feet of wall signage is allowed per building or tenant. Big box primary tenants may use a total of 400 square feet.
2. Sign area allowance shall be calculated/applied cumulatively for all proposed wall signage. Secondary use wall signs shall not be installed without the primary use first having a compliant wall sign. The Director may discretionarily provide a minor modification to sign area for corner locations with multiple fronts or in other similar situations.
3. Maximum height shall not project above the roof line, or top edge of parapet wall or mansard roof. Wall signs shall maintain a minimum separation distance of ten (10) feet. The Director may discretionarily provide a minor modification to this standard to ensure minimum signage.
4. Signs that project three inches or more from the wall shall maintain a minimum clearance of nine (9) feet from the ground.
5. The Director shall ensure adequate proportion, separation, and scale for wall signs. For buildings with a height of five (5) stories or greater (>), a wall sign may extend above the roofline of the building on which it is attached up to twenty-five (25) percent of the sign’s height. Such signs will be required to be engineered for wind, load, and structure accommodations.

- ii. Place:* Located on the building in which the business or use is conducted or on the wall attached to said building. Tenants within a shell strip building shall install the sign on the wall of the lease space they occupy and not elsewhere on the strip building.

(L) Window.

i. Manner:

1. Maximum sign area is 25 percent of the window area per wall. Signs exceeding 25 percent may be calculated against the maximum wall sign area permitted, upon discretionary review and approval by the Director.
2. Incidental signs shall count towards the maximum window sign area. "Open" signs are limited to one per primary business entrance.
3. Neon signs are allowed (if installed a minimum of 5' behind windows) in commercial districts.
4. Incidental signs, neon signs, and all other wall/window signage shall be static with no blinking, strobing, revolving, flashing, chasing, or other moving elements.

(d) Political signs.

- (1) Political signs may be erected in accordance with this Code upon private premises. Political signs are not allowed on utility poles, in public easements, on public fences or buildings, or any city property or city right-of-way. Political signs located on private property, which is not the property of the owner of the sign, shall have permission from property owner.
- (2) Political signs may not:
 - i. Have an effective area greater than thirty-six (36) feet;
 - ii. Be more than eight (8) feet in height;
 - iii. Be illuminated; or
 - iv. Have any moving elements.
- (3) Notwithstanding the provisions of subsection (a) of this section, two political signs per candidate (or per measure or proposition) may be lawfully erected on any city-owned property that has been designated as an election polling place for the time period beginning with early voting by personal appearance and continuing through the completion of the election contest including, if applicable, any runoff election. The placement of such sign must comply with the Texas Election Code's location requirements and may not:
 - i. Have an effective area greater than four (4) feet;
 - ii. Be more than two (2) feet in height;
 - iii. Be illuminated; or
 - iv. Have any moving elements.

(e) Nonconforming signs.

- (1) *Nonconforming sign structure.* A sign that does not conform to the regulations relating to the structure of the sign prescribed in this Code, including but not limited to sign type, height, size, or location, and that existed lawfully on the date of adoption of this Code or amendment hereto (as applicable) shall be deemed a nonconforming sign structure. A nonconforming sign structure may be maintained in its current location until one of the conditions outlined in subsection (e) of this section occurs at which time the sign structure must be removed in accordance with this section or modified to bring the sign structure into conformance with current ordinances. The sign structure must be maintained and the degree of nonconformity may not be increased; however, a face change may occur without altering the nonconforming status of the sign structure and without the need to bring the structure into compliance with this Code, unless otherwise provided for herein.
- (2) *Nonconforming sign face.* An internally illuminated sign face that does not conform to the regulations that impact the face of the sign prescribed in this Code, including but not limited to color of background and/or letters, and that existed lawfully on the date of adoption of this chapter or amendment hereto shall be deemed a nonconforming sign face. A nonconforming sign face may be maintained in its current location until one of the conditions outlined in subsection (d) of this section occurs at which time the sign face must be removed in

accordance with this section or modified to bring the sign face into conformance with current ordinances. The sign face must be maintained and not moved, altered, removed, reinstalled or replaced until it is made to conform with this Code.

- (3) *Billboards*. When a property with an existing billboard, whether legal nonconforming, illegal, legal, or any other status, applies for a permit from the City, the billboard shall have its support pole encased in masonry and any associated lateral electric service lines buried prior to any certificate of occupancy being issued for the parent project.
- (4) *Removal of nonconforming sign faces*. The right to continue all nonconforming sign faces shall cease and such sign face shall be removed whenever:
 - i. An approved application for certificate of occupancy or a certificate of occupancy for a change of business is issued as provided in the comprehensive zoning ordinance and the existing sign face is associated with the previous business.
 - ii. A change of occupancy classification occurs as described in the building code and the sign face is associated with the classification change.
 - iii. The business advertised on the sign ceases to operate on the premises on which the sign is located.
 - iv. A sign face is altered, repaired or reinstalled without a permit pursuant to the provisions of the chapter.
 - v. A sign face, or a substantial part of the sign face, is blown down or otherwise destroyed, damaged or dismantled for any purpose other than maintenance operations or for changing the letters, symbols, or other matter on the sign face; for purposes hereof, a sign or substantial part of it is considered to have been destroyed if the cost to repair the sign face exceeds 60 percent of the cost of erecting a new sign face at the same location.
 - vi. A sign face has been blown down, dismantled, deteriorated or dilapidated, or has been otherwise deemed unsafe.
- (5) *Removal of nonconforming sign structures*. The right to continue all nonconforming sign structures shall cease and such sign structure and sign face shall be removed (compensation, if required for such removal, as determined by the Board of Adjustment in accordance with V.T.C.A., Local Government Code ch. 216, may be awarded) whenever:
 - i. The property is rezoned and the existing business ceases to operate on the premises on which the sign structure is located, and the sign is no longer allowable in the new zoning classification.
 - ii. The structure is altered, remodeled, removed, or rebuilt and the costs of the alteration, remodel or rebuild exceeds 60 percent of the value of the altered structure, prior to the alteration, remodel or rebuild. Values shall be based upon County Appraisal District records.
 - iii. The sign structure is altered, moved, repaired, or relocated without a permit pursuant to the provisions of the chapter.
 - iv. The sign, or a substantial part of the sign, is blown down or otherwise destroyed or dismantled for any purpose other than maintenance operations or for changing the letters, symbols, or other matter on the sign; for purposes hereof, a sign or substantial part of it is considered to have been destroyed if the cost to repair the sign exceeds 60 percent of the cost of erecting a new sign of the same type at the same location.
 - v. The sign leans such that an angle between the sign and the ground is 70 degrees or less.
 - vi. The sign has been blown down, dismantled, deteriorated, hit by motorist, or dilapidated, or has been otherwise deemed structurally unsafe.

- vii. An occupancy change occurs as described in subsections (d)(1), (2) or (3) of this section and the non-conforming sign structure is an off-premises or on-premises wall sign.

(f) Hazardous signs.

- (1) Except as otherwise provided by law or this Code, no person may install, maintain, or use a sign that:
 - i. Obstructs a fire escape, required exit, window, or door used as a means of escape.
 - ii. Interferes with a ventilation opening, except that a sign may cover a transom window if otherwise in compliance with the International Building and Fire Codes.
 - iii. Substantially obstructs the lighting of public right-of-way or other public property, or interferes with a public utility or traffic control device;
 - iv. Contains or utilizes a supporting device placed on public right-of-way or other public area within the City limits or the extraterritorial jurisdiction of the City, unless the use of the public right-of-way or other public area has been approved by the City and a right-of-way joint use agreement and/or license agreement has been filed and approved.
 - v. Is illuminated in such a way as to create a hazard to pedestrian, bicycle, or vehicular traffic.
 - vi. Creates a traffic hazard for pedestrians, bicyclists, or motorists, by restricting visibility at a curb cut or adjoining public street.
 - vii. Has less than sixteen (16) feet of clearance above street pavement grade and/or is located outside public right-of-way and within the sight triangle at an intersection that results in impaired sight distance of users of the intersection.
 - viii. Violates a requirement of the electrical code.
 - ix. Is determined by the building official to be dangerous.
- (2) Notice that removal of a hazardous sign is required shall be given by the Director in accordance with this Code. Once notice is provided, the sign must be removed or appeal taken within 72 hours after receipt of such notice.
 - i. If after such time the sign is not removed and no appeal is taken, the Director may enter the premises and abate the hazardous condition. The reasonable cost of abating the hazardous sign, together with interest on the unpaid balance at the interest rate of ten percent, shall be taxed as a lien against the property on which the sign is located. Such lien shall attach in accordance with this Code.
 - ii. A sign removed under this provision shall be held for a period of no less than 60 days after its removal before disposal of the removed sign. If during this period the owner of the sign pays the storage fee, the Director shall return the sign to its owner. This provision is not exclusive and in no way restricts or modifies any method authorized by law to seize evidence of a crime.

(g) Notification.

Notification of violations of this chapter shall be consistent with the requirements of V.T.C.A., Government Code.

(h) Variances.

A variance to the provisions of this Code shall be considered an exception to the regulations, rather than a right. Whenever a sign to be erected is of such unusual size, shape or nature that the strict application of the requirements contained in this Code would result in substantial hardship or inequity, the Board of Adjustment, acting as the sign control board, may vary or modify, except as otherwise indicated, such requirements in accordance with the provisions listed below, so that the developer may erect a sign in a

reasonable manner, but so that, at the same time, the public welfare and interests of the City are protected and the general intent and spirit of this Code is preserved. In no event, however, may a variance be granted to the administrative process, to the permit requirements, or allowing a prohibited sign as contained in this Code.

- (1) *Jurisdiction.* When a written request for a variance from the design requirements of this Code is filed:
 - (A) After conducting a public hearing concerning such requested variance(s), the Board of Adjustment may approve or deny a request for a variance to the design standards and such variance(s), if granted, shall also be considered to be a modification of the sign regulations, applicable to the specified property within such development within the City limits or ETJ.
- (2) *Approval.* In granting approval of a request for variance, the Board of Adjustment (BOA) shall conclude that the variance is not contrary to the public interest and, due to special conditions; a literal enforcement of this Code would result in unnecessary hardship, and so that the variance observes the spirit of this Code and concludes that substantial justice is done. The Board of Adjustment shall meet these requirements by making findings that:
 - (A) The public convenience and welfare will be substantially served;
 - (B) The appropriate use of surrounding property will not be substantially or permanently impaired or diminished;
 - (C) The applicant has not created the hardship from which relief is sought;
 - (D) The variance will not confer upon the applicant a special right or privilege not commonly shared or available to the owners of similar and surrounding property;
 - (E) The hardship from which relief is sought is not solely of an economic nature;
 - (F) The variance is not contrary to the public interest;
 - (G) Due to special conditions, the literal enforcement of this Code would result in an unnecessary hardship; and
 - (H) In granting the variance, the spirit of this Code is observed and substantial justice is done.
- (3) *Appeal.* The Board of Adjustment's decision is final.

(i) Amendments.

The City Council may, from time to time, adopt, amend, and make public rules and regulations for the administration of this Code.

(j) Enforcement.

- (a) *Penalty.* Any person, firm, or corporation who shall violate any of the provisions of this Code or cause or permit the same to be done in violation of this Code shall be guilty of a class C misdemeanor and, upon conviction, shall be subject to a fine not to exceed the maximum permissible fine allowed by state law and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.
- (b) *Administrative action.* The City and/or the City Manager shall enforce this Code by appropriate administrative action, including but not limited to the rejection of plans, maps, plats, and specifications not found to be in compliance with this Code and good engineering practices, and the issuance of stop work orders.
- (a) *Court proceedings.* Upon the request of the City Manager, the City Attorney, or other authorized Attorney shall file an action in the district courts to enjoin the violation or threatened violation of this Code, or to obtain declaratory judgment, and to seek and recover court costs and attorney fees, and/or recover damages in an amount sufficient for the City to undertake any construction or other activity necessary to bring about compliance with a requirement regarding the property and established pursuant to this Code.

Table A - Allowed Sign Types by Land Use Category

Sign Type	Land Use Category		
	SF Residential	Multi-Family	Commercial
Temporary Signs			
"A" and "T" Frame	X	C	C
Banner	X	P	P
Development Sign	P	P	P
Grand Opening	X	C	C
Government or Special Events	C	C	C
Model Home	P	X	X
Real Estate, Commercial	X	C	C
Real Estate, Residential	C	X	X
Bandit Stake Signs	C	C	C
Permanent Signs			
Awning/Canopy	X	C	C
Building Directory / Information / Incidental	X	C	C
Directional	X	P	P
Flags	C	C	C
Menu	X	X	P
Monument	X	P	P
Multi-Tenant Monument	X	P	P
Multi-Tenant Panel	X	C	C
Projecting	X	P	P
Subdivision Entrance	P	P	P
Wall	X	P	P
Window	X	X	C

X	Not allowed
P	Allowed only with permit
C	Allowed in compliance with Code; no permit required