

CHAPTER 6: SIGNS

6.1 GENERAL

- A. The sign regulations of this chapter are intended to balance the public interest in promoting a safe, well-maintained, and attractive city with the interests of businesses, organizations, and individuals in ensuring the ability to identify and advertise products, services, and ideas.
- B. The regulations allow for a variety of sign types and sizes, based on zoning, land use, lot/building sizes and other considerations. They are not intended to guarantee that every property owner and business owner will be able to achieve their desired level of visibility.

6.2 SPECIFIC

The sign regulations of this chapter have the following specific purposes:

- A. To ensure that signs are designed, constructed, installed, and maintained in a way that protects life, health, safety, property, and the public's general welfare;
- B. To allow signs as a means of communication, while at the same time avoiding adverse impacts on nearby properties, motorists, and others;
- C. To promote the desired character of the City and maintain and enhance the City's high quality appearance and attractive visual environment;
- D. To allow for adequate and effective signs, while preventing signs from dominating the appearance of the area;
- E. To protect residential neighborhoods from potential adverse impacts associated with signs; and
- F. To ensure that the constitutionally guaranteed right of free speech is protected.

6.3 APPLICABILITY

All of the guidelines outlined in Title 19.8 Signs of the Development Code will apply to the signage located within the Master Plan area, unless otherwise expressly stated within this section.

6.4 WALL SIGNS

A. Maximum Area

1. Sign Area Ratios

The maximum allowed wall sign area is determined by multiplying the subject tenant frontage (in feet) by the applicable maximum sign area ratio, as set forth in Table 6.4.1, below. Maximum wall sign area may be further restricted by the alternative maximum and minimum sign area standards of Section 6.4.B.2. Businesses or other entities that occupy pad sites that are part of a shopping center development but stand separate from the principal building on the site are allowed wall signs only.

Table 6.4.1 Maximum Wall Sign Area Ratios

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Sign Types	Water Street, Atlantic, Basic Townsite, St. Rose Transition	Gateway, St. Rose	
		With Freestanding Sign	Without Freestanding Sign
Channel Letter Sign, Raceway mounted	1.00	1.00	1.33
Channel Letter Sign, Pin-mounted	1.50	1.50	2.00
Distinctive materials/design sign	1.75	1.75	2.50

2. Combination Signs

If a sign consists of a combination of sign elements (e.g., raceway-mounted channel letter used in conjunction with a cabinet) the entire sign must be regulated in accordance with the standards that apply to the most strictly regulated element of the sign. This rule does not apply to a cabinet sign used solely to display a logo if the area of the logo/cabinet sign comprises no more than 20% of the overall, cumulative sign area of the combination sign or 20 square feet, whichever is less.

B. Alternative Maximum and Minimum Wall Sign Area

1. Regardless of the maximum allowed wall sign area calculated pursuant to Section 6.4.A.1. Only wall signs used solely to convey the name of the subject building or multi-tenant development or primary tenant may be placed above the second floor of the building.
2. Wall signs on separate tenant frontages must be separated by a minimum of 18 inches from the edge of tenant space.
3. Wall and roof-mounted signs may project above the parapet on a building with a flat roof or above the fascia board on a building with a pitched roof.
4. The exposed face of a wall sign must be parallel to and may project no more than 12 inches from the face of the building wall to which it is attached.

C. Multi-tenant Buildings

In multi-tenant buildings individual tenants are entitled to their own wall sign if all of the following conditions exist:

1. The tenant is located on the first or second floor of the building and occupies floor area that directly abuts exterior tenant frontage; and
2. The tenant has their own (separate) public building entrance.

D. Transfer of Wall Sign Area

Allowable wall sign area may not be transferred from one tenant or building wall area to another.

E. Roof Mounted Signs

Roof mounted signs will be allowed within the Water Street, Gateway and St. Rose Districts. Only one roof mounted sign is permitted per building.

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A. Where Allowed

Freestanding signs are allowed only in the Gateway and St. Rose Districts.

B. Number

1. A maximum of one freestanding sign is permitted per 500 feet of street frontage or fraction thereof.
2. Where the freestanding signs on the site are less than or equal to eight feet in height, a maximum of two freestanding signs are permitted per 500 feet of street frontage or fraction thereof.
3. Mixed-use parcels are permitted one freestanding sign that is greater than eight feet in height per 1,000 feet of street frontage or two freestanding per 1,000 feet of freestanding signs where both signs are less than or equal to eight feet in height.

C. Separation

Freestanding signs must be separated from other freestanding signs by the following minimum distances:

1. From others on the same site: 100 feet;

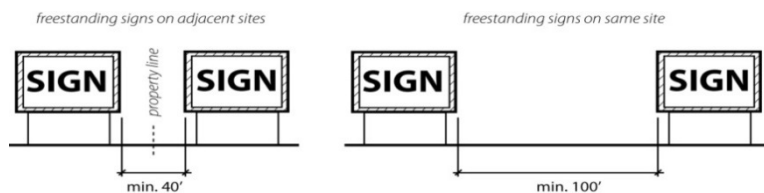


Fig. 6.5.1

2. From other freestanding signs on adjacent sites: 40 feet.

D. Area

The following regulations apply to the Gateway and St. Rose Districts.

1. Freestanding signs may not exceed 80 square feet in area per sign except as expressly stated in this section.
2. Freestanding signs for multi-tenant developments with four or fewer tenants may be up to 120 square feet in area per sign if such sign includes at least two tenant panels. For multi-tenant developments with four or fewer tenants that are eligible for multiple freestanding signs, allowable sign area may be increased to 200 square feet if only one freestanding sign is used.
3. Freestanding signs for multi-tenant developments with five or more tenants may be up to 160 square feet in area per sign if such sign includes at least three tenant panels. For multi-tenant developments with five or more tenants that are eligible for multiple freestanding signs, allowable sign area may be increased to 300 square feet if only one freestanding sign is used.
4. With the exception of freestanding signs that abut a residential use, freestanding signs may increase in area by two square feet for each additional one foot the sign is setback from the required minimum setback of 15 feet, up to a maximum sign area of 30 square feet.

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E. Height

The following regulations apply to the Gateway and St. Rose districts:

1. Freestanding signs may not exceed eight feet in height except as expressly stated in this section.
2. Freestanding signs for multi-tenant developments with four or fewer tenants may be up to 12 feet in height. For multi-tenant developments with four or fewer tenants that are eligible for multiple freestanding signs, allowable sign height may be increased to 20 feet if only one freestanding sign is used and if such sign does not exceed the height of the tallest building on the site.
3. Freestanding signs for multi-tenant developments with five or more tenants may be up to 16 feet in height. For multi-tenant developments with five or more tenants that are eligible for multiple freestanding signs, allowable sign height may be increased to 30 feet if only one freestanding sign is used and if such sign does not exceed the height of the tallest building on the site.

F. Setbacks

The following regulations apply to the Gateway and St. Rose districts:

1. Freestanding signs must be set back at least 15 feet from the back of curb or 15 feet from the outer edge of the pavement or travel way where no curb exists and outside the public right-of-way. They must also be set back at least five feet from side and rear property lines.
2. Freestanding signs may not encroach on any required sight visibility zone.
3. Freestanding signs on parcels that abut residential uses must be set back the required minimum of 40 feet plus a distance equal to one-half of the sign's height. Changing-image signs, digital video displays, and electronic message center signs must be a minimum of 250 feet from any residential property line.

G. Design

1. Poles or pylons used to support freestanding signs must have decorative covers or be clad in materials that are compatible with the overall design of the sign and the architectural character of buildings on the site, in terms of style, color, and materials.

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2. Freestanding signs supported by poles or pylons must be supported by at least two poles or pylons. A single supporting element may be used when it is at least 40 percent as wide as the widest portion of the sign face. The ground area surrounding the base of freestanding signs must be landscaped. The landscape area must be at least five feet in width measured from face-of-curb to base of sign when adjacent to drive aisles or parking areas.

3. Each freestanding sign allowed pursuant to this subsection must display the address of the subject property. The address must be affixed on the sign face or on the supporting structure. For freestanding signs within 50 feet of the street curb addresses must employ minimum six-inch tall, 1.25-inch wide letters or characters. If a sign is located on street frontage other than the parcel's assigned address, the sign must include the assigned street name and address.

H. Multi-Tenant Developments

Multi-tenant developments are subject to the freestanding sign regulations of this subsection, except as expressly modified or supplemented by the following regulations:

1. Directory Signs

In addition to other allowed signs, multi-tenant developments may have up to one directory sign for each building within the development or two per driveway whichever is less. Directory signs may not exceed 24 square feet in area and, if freestanding, may not exceed six feet in height. Directory signs are intended to convey information to pedestrians and motorists who have entered the development site and therefore may not be oriented to be legible from off site. Directory signs are allowed only on multi-tenant development sites.

2. Freestanding Signs on Pad Sites

Freestanding signs are permitted on pad sites in multi-tenant developments only if the parcel has frontage on a public right-of-way and all buildings on the site are located more than 300 feet from the public right-of-way. This provision does not prohibit freestanding menu boards, directional/informational signs or signs accessory to service stations on pad sites. Service stations on pad sites may have no more than one freestanding sign with a maximum height of six feet and a maximum area of 32 square feet.

I. Nonconforming Freestanding Signs

Any freestanding sign which conformed to the zoning regulations when erected and subsequently declared nonconforming due to the enactment of this Master Plan, may continue to be utilized in place, subject to the following provisions:

1. All nonconforming freestanding signs shall not increase the usable sign area of the freestanding sign.

2. Nonconforming freestanding signs are permitted to change out the existing sign faces and/or adding architectural embellishments, which do not increase sign area, to the existing support structures.

3. Through a Master Sign Plan application for staff level decision, an existing nonconforming freestanding sign associated with a nonrestricted gaming establishment with frontage on Water Street, may be updated to allow for a Digital Video Display or an Electronic Graphic Display as long as the display area complies with the requirements found in Chapter 6 of the Downtown Master

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reasonably request aesthetic improvements to the sign structure as consideration for approval of the Digital Video Display or Electronic Graphic Display enhancement. The sign(s) are subject to all other regulations for a Digital Video Display and Electronic Graphic Display.

6.6 PROJECTING SIGNS

A. Number

A maximum of one projecting sign is permitted per ground-level, publicly accessible building entrance. A maximum of one projecting sign is permitted per publicly accessible building entrance on the second floor of a building if the second floor building entrance is accessed via a common exterior (outdoor) walkway. A revocable permit is required when sign projects into a public right-of-way.

B. Maximum Area

Projecting signs may be up to eight square feet in area. Decorative hardware used to attach the sign or trim materials that complement the building architecture does not count as part of the sign's area. This sign area does not count toward the overall wall signage total for the site.

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C. Location

1. No part of a projecting sign may project more than four feet from the building wall or be located within three feet of the curb face.
2. Sign supports for projecting signs must appear to be an integral part of the sign.

D. Clearance

Projecting signs must maintain a minimum eight-foot clearance between the bottom of the sign and the highest point of the ground or walkway immediately beneath the sign and 14 feet above alleys or driveways.

E. Lighting

Projecting signs may be illuminated only through external means, using indirect or shielded fixtures and bulbs.

6.7 AWNING AND CANOPY SIGNS

Non-illuminated awnings or canopies with no more than six square feet of sign (copy) area on the border (valance) of the awning may be used in addition to wall signs and does not count as wall sign area. Other awning signs or canopy signs do count as wall sign area.

6.8 A-FRAME AND EASEL SIGNS

A business may have one of the following sign types, as follows:

- A. A maximum of one A-frame sign not to exceed a total of nine square feet per business is permitted in addition to other allowed signs. Such signs must be professionally designed, using shapes and forms indicative of the type of business, products, and services being advertised. A-frame signs may not exceed a maximum vertical or horizontal dimension of three feet; or
- B. A maximum of one easel sign not to exceed a total of nine square feet per business is permitted in addition to other allowed signs. The sign must be professionally designed, using shapes and forms indicative of the type of business, products, and services being advertised. The maximum vertical dimension of the easel support may not exceed six feet, and the maximum sign area may not exceed a vertical or horizontal dimension of three feet.

6.9 CHANGING-IMAGE SIGNS

For the purposes of this Code, there are three categories of signs that will be considered changing image signs: Electronic message centers, electronic graphic display signs, and digital video display signs.

6.10 ELECTRONIC MESSAGE CENTERS

Electronic message center signs are subject to the following regulations:

A. Number

No more than one electronic message center sign is allowed per lot or development site.

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6.11 ELECTRONIC GRAPHIC DISPLAY SIGNS

B. Area and Height

1. The electronic message center component of a sign may comprise no more than 50 percent of a sign's total sign area.
2. Freestanding electronic message center signs must be mounted on a base with a width that is at least 75 percent of the width of the sign's face, based on the greatest horizontal dimension of the sign face.
3. The maximum height of the electronic message center component of a freestanding sign is 12 feet.

C. Brightness

Lamp size may not exceed 54 watts of incandescent lighting for daytime use. An automatic dimmer must be installed to reduce nighttime wattage to a maximum of 30 watts. LEDs (light emitting diodes) and magnetic discs may be used, provided that light intensity is no greater than allowed for incandescent lighting. Special effects such as flashing, strobing, or simulated moving graphics are not allowed. Signs shall be factory certified not to exceed a maximum illumination of 54 watts during daylight hours and a maximum illumination of 30 watts between dusk to dawn.

D. Spacing

1. Electronic message centers are prohibited within 250 feet of a building containing only residential dwelling units.
2. Electronic message centers are prohibited within 35 feet of any electronic graphic display sign or digital video display sign and within 250 feet of another electronic message center.

6.11 ELECTRONIC GRAPHIC DISPLAY SIGNS

Electronic graphic display signs are subject to the following regulations:

A. Number

No more than one such sign is allowed per development site.

B. Area

The graphic display component of any one sign may not exceed 35 percent of the sign's total area.

C. Spacing

1. Electronic graphic display signs are prohibited within 250 feet of a building containing only residential dwelling units.
2. Electronic graphic display signs are prohibited within 35 feet of any electronic message center and within 250 feet of another electronic graphic display or digital video display sign.

D. Orientation

The sign face must be oriented away from residential uses and districts.

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6.12 DIGITAL VIDEO DISPLAY SIGNS

E. Message Duration

Each image must remain static for at least 20 seconds.

F. Message Transition

The transition from one message or image display to the next must be accomplished in one second or less.

G. Brightness

Electronic graphic display signs may not exceed a maximum illumination of 5,000 nits (candelas per square meter) during daylight hours or more than 500 nits during nighttime hours (between dusk and dawn), as measured from the sign's face at maximum brightness. Signs shall be factory-certified to not exceed a maximum illumination of 5,000 nits during daylight hours and a maximum illumination of 500 nits between dusk to dawn. Signs shall be equipped with an automatic dimmer device to reduce nighttime wattage to a maximum of 500 nits.

H. Hours of Operation

Signs located within the Atlantic, Basic Townsite, St. Rose Transition, and Water Street Transition Districts must be programmed to display a static message from 10:00 p.m. until 6:00 a.m.

I. Default Image

Digital display signs must have a default design or image that will freeze in one position if a malfunction occurs. If a partial or incomplete message freezes or remains static on the sign due to a technical malfunction or a portion of the display face malfunctions, the sign's illumination must be turned off until the sign is repaired.

J. Prohibited Display Types

Digital display signs may not include flashing, scrolling, intermittent, or full-motion video elements. Audio or pyrotechnic elements are prohibited.

6.12 DIGITAL VIDEO DISPLAY SIGNS

Digital video display signs are subject to the same regulations as electronic graphic display signs with the following additions and exceptions.

A. Message Duration

Each video message or image display cycle must be completed in no more than eight seconds.

B. Message Transition

The transition from one message or image display cycle to the next must be accomplished in one second or less during which the screen is black or all images remain still. The transition must not employ special effects such as fade, fly-in, dissolve, or repixelization.

C. Hours of Operation

Signs located within the Atlantic, Basic Townsite, St. Rose Transition, and Water Street Transition Districts must be programmed to display a static message from 10:00 p.m. until 6:00 a.m.

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D. Brightness

Digital video display signs may not exceed a maximum illumination of 5,000 nits (candelas per square meter) during daylight hours or more than 500 nits during nighttime hours (between dusk and dawn), as measured from the sign's face at maximum brightness. Signs shall be equipped with an automatic dimmer device to reduce nighttime wattage to a maximum of 500 nits.

E. Default Image

Digital video display signs must have a default design or image that will freeze in one position if a malfunction occurs. If a partial or incomplete message freezes or remains static on the sign due to a technical malfunction or a portion of the display face malfunctions, the sign's illumination must be turned off until the sign is repaired.

F. Spacing

1. Digital video display signs are prohibited within 250 feet of the Basic Townsite and Atlantic Districts. This minimum spacing requirement may be modified through design review with modification process if the authorized decision-making body determines that views of the sign will be obscured by an intervening building or other feature or that adequate protection is in place to protect nearby residential areas from possible adverse effects.
2. Digital video display signs are prohibited within 35 feet of any electronic message center or electronic graphic display sign and within 250 feet of another digital video display sign.

6.13 MURALS

The following regulations apply to all mural signs within the Downtown Master plan area.

A. General Standards

1. A mural may be painted on or placed on an exterior building wall or fence and maintained in conformance with the provisions of this chapter.
2. All murals should be properly maintained, cleaned, and repaired as necessary.
3. Murals may be used to display artistic and graphic displays. A business that has a mural on the wall of their establishment may add the name of that business to the mural. The square footage of the business name within the mural cannot exceed 1% of the overall mural size.
4. External illumination of murals is allowed in accordance with Section 6.15, *Sign Illumination and Design*.

B. Permit Required

1. A permit is required for each mural on a lot or site as provided in this section. The permit application must be submitted on forms available in the Department of Community Development and Services or Redevelopment Agency.
2. An application for a mural permit must contain all information otherwise required for a wall sign in the district in which it is proposed. It must also include the following additional information and any other items deemed necessary by the Community Development and Services Director or Redevelopment Agency:

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- (a) One color sketch of the proposed mural, drawn to scale;
- (b) A sketch drawn to scale or a photograph showing the proposed building or fence area to be covered by or used for the mural;
- (c) Information as to existing texture and material of the building or fence surface will also be required;
- (d) A graphical or written description of the proposed mural, including subject matter; type of paint/sealer to be used; and expected life span and maintenance plan for mural;
- (e) If applicable, the distance in feet of all other murals within a quarter-mile radius of the site of the proposed mural; and
- (f) Contact information for the person or entity primarily responsible for the installation, maintenance, and repair of the mural.

6.14 WINDOW SIGNS

- A. Window displays shall cover no more than 25 percent of each window in a nonresidential zoning district.
- B. Signs shall not be placed in windows in a location that will obstruct the view of sales transaction areas from outside the business.

6.15 SIGN ILLUMINATION AND DESIGN

A. Illumination

Lighted signs or lighting devices must be directed or beamed in a manner that does not cause glare or illuminate a public street, highway, sidewalk, or adjacent premises to a degree that may constitute a traffic hazard or nuisance.

- 1. Channel letter signs may be illuminated internally or by halo or silhouette lighting.
- 2. No sign may flash, blink, or emit a varying intensity of light or color, or make or emit any sound, or emit smoke or vapors.
- 3. All light sources must be shielded from view.

B. Design

- 1. Signs should be designed to complement the architectural design and building materials used on principal buildings on the site.
- 2. Raceway mounts for channel letter signs must be painted and designed to blend in with the color of the wall to which it is attached. Raceway mounts must be of a size and design that gives them the appearance of being an integral background design feature of the sign rather than a separate mounting device.

6.16 TEMPORARY SIGNS

A. General

Temporary signs are allowed only in accordance with the regulations of this section. All temporary signs must conform to sight visibility requirements at all entrances, exits, and intersections.

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B. Temporary Business Signs

1. "Grand Opening" Signs

- (a) Upon issuance of an initial business license for sales of products or for the provision of a service to the public, a proprietor may install temporary signs and banners for up to 90 days to announce the opening of the new business on the premises. This 90-day initial promotion sign period is a one-time opportunity for product and service businesses and is not intended for use by residential or commercial rental agents or owners to market their available residential units or commercial or industrial lease space.
- (b) Merchants seeking to take advantage of this 90-day "grand opening" sign allowance may do so without obtaining a sign permit provided; however, the type and mounting methods of any proposed temporary signs must be reviewed and approved by the Director of Building and Safety, and further provided that no such sign or banner may be constructed or employed on the premises that presents a hazard to traffic or pedestrian safety.

2. Sales/Promotional Event Signs/Coming-Soon Signs

- (a) Proprietors licensed for sales of products or for the provision of a service to the public who are not eligible for a temporary "grand opening" sign, must obtain approval from the Community Development Director before installation, placement or other use of temporary sales/promotional event signs. Coming-soon signs are permitted without a proprietor's license being obtained.
- (b) In the request for approval from the Community Development and Services Director, the applicant must specify the type of signs to be used (either banner or a-frame only), their location on the premises, installation date, and date of removal.
- (c) Once an application is approved by the Community Development and Services Director, the applicant then submits plans and specifications and obtains a sign permits as required by the Director of Building and Safety.
- (d) The regulations of this subsection are not intended for use in selling or leasing residential units or commercial or industrial space.
- (e) Temporary signs are permitted once every 90 days for a maximum of 14 days within any 90-day period.
- (f) A maximum of two temporary signs shall be permitted within any 14-day period.
- (g) Maximum square footage of temporary banner sign shall be 36 square feet and maximum square footage of an A-frame sign shall be nine square feet. A-frame signs shall not exceed a maximum vertical or horizontal dimension of three feet.
- (h) A-frame signs shall not be located within the required sight visibility zone. All temporary signage must comply with Henderson Municipal Code Title 19.9.9 *Temporary Signs*.

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6.17 OTHER SIGNAGE

- (i) Temporary banner signs shall be located on the tenant space of the business advertising. Temporary signs shall not be attached to public utility poles, landscaping or on-site informational signs.

6.17 OTHER SIGNAGE

All other signage not addressed within this Master Plan must conform to Title 19.8, *Signs* requirements.