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**Effective date:**

**Title:** Ordinance Amending the Pittsburgh Code, Title Nine, Zoning, Chapters 907, 919 and 921, by revising various sections relating to Electronic Message Signs, creating a definition and requirements for Electronic Advertising Signs and Temporary Event Banners and clarifying abandonment of nonconforming advertising signs.

**Sponsors:** Reverend Ricky V. Burgess

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**Attachments:** 1. 2008-0721.DOC

Date	Ver.	Action By	Action	Result
9/17/2008	1	Committee on Land Use and Economic Development	Held for Cablecast Public Hearing	Pass
9/17/2008	1	Committee on Land Use and Economic Development	Referred for Report and Recommendation	Pass
9/9/2008	1	City Council	Read and referred	

Ordinance Amending the Pittsburgh Code, Title Nine, Zoning, Chapters 907, 919 and 921, by revising various sections relating to Electronic Message Signs, creating a definition and requirements for Electronic Advertising Signs and Temporary Event Banners and clarifying abandonment of nonconforming advertising signs.

**Whereas,** several ambiguities currently exist within the Pittsburgh Zoning Code regarding Electronic Message signs and Advertising signs; and

**Whereas,** there currently exists no definition within the Pittsburgh Zoning Code for Electronic Advertising Signs making them distinct from traditional Advertising Signs; and

**Whereas,** these ambiguities have led to much confusion and consternation; and

**Whereas,** Resolution No. 180 of 2008 authorized and directed the Director of City Planning, the Zoning Administrator and the Chief of the Bureau of Building Inspection to place a Six (6) month moratorium on the erection, size modification and/or approval of all advertising signs in all zoning districts; and

**Whereas,** this Moratorium is scheduled to expire on October 18, 2008; and

**Whereas,** it is in the interest of the City to eliminate said ambiguities and provide for a clear definition of Electronic Advertising Signs and a public process for their approval.

**THE COUNCIL OF THE CITY OF PITTSBURGH HEREBY ENACTS AS FOLLOWS:**

**SECTION 1.**           **The Pittsburgh Code, Title Nine, Zoning Code, is hereby amended at Chapter 907, as follows:**

**CHAPTER 907: DEVELOPMENT OVERLAY DISTRICTS**

907.01. AS-O, Advertising Sign Overlay District.

907.02. IPOD, Interim Planning Overlay District.

907.03. NSCPO, North Side Commercial Parking Area Overlay District.

**907.01. AS-O, Advertising Sign Overlay District.**

**907.01.A Purpose**

The AS-O, Advertising Sign Overlay District is intended to be applied to property that before the effective date specified by the provisions of Sec. 901.05 was located in a zoning district that allowed advertising signs. The AS-O District shall be applied in combination with any base zoning district. By allowing Advertising Signs and Electronic Advertising Signs, the AS-O District provisions ensure that the adoption of this Code has no effect on a property owner's right to erect and maintain an Advertising Sign or an Electronic Advertising Sign, when compared with the regulations in effect prior to the effective date specified by the provisions of Sec. 901.05.

**907.01.B Effect of AS-O District Regulations**

The AS-O District regulations apply in combination with all other applicable standards and requirements of this Code. Notwithstanding the provisions of Sec. 901.07.A, when the standards of the AS-O District conflict with the regulations of the underlying zoning district, or when they conflict with other standards of this Code, the regulations of the AS-O District shall always control. When no AS-O standards are specified, all other applicable regulations of this Code shall control.

**907.01.C Use Regulations**

The uses allowed within the AS-O District shall be those allowed by the underlying zoning district, plus Advertising Signs, which shall be a use permitted By-Right, and Electronic Advertising Signs, which shall be a use permitted by Special Exception, subject to compliance with all other applicable regulations.

**907.01.D Development Regulations**

The development regulations that apply within the AS-O District shall be those of the underlying zoning district, plus the Sign Regulations of Chapter 919. Development within the AS-O District shall specifically be subject to the Advertising Sign and Electronic Advertising Sign regulations of Sec. 919.02.

**SECTION 2.**           **The Pittsburgh Code, Title Nine, Zoning Code, is hereby amended at Chapter 919, as follows:**

**CHAPTER 919: SIGNS**

919.01. General.

919.02. Advertising Signs.

919.03. Nonadvertising Signs.

919.04. Neighborhood Business District Sign Regulations.

**919.01. General.**

**919.01.A Purpose**

The sign regulations of this chapter are intended to:

1. Encourage sound practices with respect to size, spacing, illumination, type and placement of signs for the purpose of safeguarding and enhancing properties in each of the various types of zoning districts;
2. Provide an environment that will promote the orderly growth and development of business and industry in the City;
3. Protect public investment in public structures, open spaces and thoroughfares;
4. Promote the safety and welfare of the people at-large.
5. Recognize the City's environmental attributes, systems of parks, Greenway Program, Riverfront Plan, and public open spaces and the effect that signage can have on these features and programs;
6. Recognize the City's built environment, its significant architecture and cultural resources which provide the City with a sense of its history;
7. Recognize that the unique views and vistas offered by Pittsburgh's many hills, valleys and rivers provide the city with a visual amenity which helps to attract residents, businesses and visitors to the City;
8. Preserve and perpetuate uncluttered and natural views for the enjoyment and environmental enrichment of the citizens of the community and visitors hereto;
9. Enhance the Community appearance, reduce visual clutter and blight, and promote the recreational value of public travel and the economic development of the community;
10. Promote safety upon the streets and highways in the City;
11. Recognize that advertising signs are a legitimate advertising medium in the locations which neither lessen the visual attributes of the City through the placement of such signs, nor cause confusion, safety problems or lessen the ability to identify local businesses through visual clutter; and
12. Regulate advertising signs, or billboards, within the City in the interests of economic prosperity, civic pride, quality of life and general welfare of the people who reside in, are visiting, are employed in or conduct business in the City.

**919.01.B Applicability**

The sign regulations of this chapter shall govern and control the erection, rehabilitation, enlargement, illumination, animation and maintenance of all signs that are visible from the public right-of-way or from property other than that on which the subject sign is located. Nothing herein contained shall be deemed a

waiver of the provisions of any other ordinance or regulation applicable to signs. No sign shall be painted on a wall or on the surface of any window or door of a building or other structure until the provisions of this Code are satisfied.

### **919.01.C Special Definitions**

The following special definitions shall apply throughout the Sign regulations of this chapter.

1. *Sign* means any surface, fabric or device bearing lettered, trademarked, pictorial, or sculptured matter designed to convey information visually and expose to public view the identity of a business, organization, building, or commercial product, service, or activity; or any structure designed to carry the above visual information.

(a) A sign includes, but is not limited to:

(1) Separate structure consisting of a face or faces upon which information is portrayed and its supporting elements including foundation; or

(2) A structure or device erected in the form of a symbol or trademark; or

(3) A structure or device designed to carry visual information, attached or fastened to another structure, such as on the wall or roof of a building; or

(4) A surface of a structure or device upon which lettered, pictorial or other visual information is painted; or

(5) Window signs, cloth banners, balloons, festoon lighting, pennants or other devices designed to attract attention by animation or direct or reflected lighting; or

(6) Visual information projected onto a surface by any device; or

(7) Search light or spotlights used to bring attention to any product, service, activity, event or location.

(b) A sign does not include:

(1) Merchandise, pictures or models of products or services incorporated in a window display;

(2) Holiday decorations customarily displayed in a window or on or about the premises of residential structures, or in windows of business uses, without business advertising; or

(3) Works of art or physical constructs that do not promote product, service, or activity.

2. *Advertising Sign* means a sign that directs attention to a business, commodity, service or entertainment, conducted, sold or offered:

(a) Only elsewhere than upon the premises where the sign is displayed; or

(b) As a minor and incidental activity upon the premises where the sign is displayed.

3. *Electronic Advertising Sign* means any advertising sign with text or graphics generated by electronic

components, including, but not limited to, light emitting diode ("LED") and plasma displays, or any other past or future technology. This definition does not include a vinyl, painted, or any other sign face that is merely illuminated by electric bulbs.

4. *Business Sign* means a sign that directs attention to a business, organization, profession or industry located upon the premises where the sign is displayed; to the type of products sold, manufactured or assembled; and/or to the service or entertainment or other activity offered on such premises; except a sign pertaining to the preceding if such activity is only minor and incidental to the principal use of the premises.

5. *Identification Sign* means a sign used to identify the name of the principal entity occupying the premises; the profession of the principal occupant; the name of the building on which the sign is displayed; the name of a public destination facility, or portion thereof, including any sponsor or memorialized names assigned thereto; or the name of the major enterprise or principal product or service on the premises.

6. *Nonconforming Sign* means a sign, lawfully existing on the effective date specified by the provisions of Sec. 901.05 that does not completely conform to the sign regulations applicable in the district in which it is located. Nonconforming signs are regulated by Sec. 921.03.F.

7. *Area of Sign* means the entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem or any figure or similar character together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed (excluding the necessary supports or uprights on which such sign is placed or apron designed to cover such uprights or work board installed to provide a safe area for servicing such sign). Where a sign has two (2) or more faces on the same side, the area of all faces shall be included in determining the area of the sign, except that when two (2) such faces are placed back-to-back and are at no point more than two (2) feet from one (1) another, the area of the sign shall be taken as the area of one (1) face if the two (2) faces are of equal area, or as the area of the larger face if the two (2) faces are of unequal area.

8. *Back-to-Back Signs* means a structure with two (2) parallel and directly opposite signs with their faces oriented in opposite directions and spaced no more than two (2) feet apart.

9. *Decked Sign* means a structure consisting of two (2) signs, one (1) above the other, both facing the same direction.

10. *Face of Sign* means the side or sides of a sign on which the lettered, pictorial or sculptured matter designed to convey information is to be placed.

11. *Ground Sign* means a free standing sign that is not attached to any building and is supported by uprights, braces or a type of object that is anchored within the ground or if located above ground.

12. *V-Type Sign* means a structure of two (2) signs arranged in the shape of the letter "V" when viewed from above and with their faces oriented in opposite directions, with the faces separated by an angle not to exceed 45 degrees.

13. *Electronic Message Sign* means a sign with changing text or graphics generated by electronic components, including, but not limited to, light emitting diode ("LED") and plasma displays, or any other past or future technology. Electronic message signs shall provide information such as current date, time, weather and news updates or any information permitted in a business sign, as defined herein. Electronic message signs shall not contain any text or graphs permitted only in advertising signs.

14. Temporary Event Sign means a sign that advertises a specific event, including but not limited to sporting events, festivals and parades, which takes place not more than once per year.

#### **919.01.D Signs Exempt from Permit Requirements**

A Certificate of Occupancy is not required for a sign satisfying the provisions of this Code that does not exceed four (4) square feet in face area.

#### **919.01.E Prohibited Signs**

The following signs shall be prohibited in all zoning districts:

1. Any display, decoration, sign or show window that provides the observation of any material depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" from any public right-of-way or public park.
2. Any sign that imitates or resembles any official traffic sign, signal or device.
3. Any sign erected or maintained in such a manner as to obscure or otherwise physically interfere with an official traffic sign, signal or device or to obstruct or physically interfere with the driver's view of approaching, merging or intersecting traffic.
4. Any sign erected, painted or maintained upon fences, trees, rocks or similar natural feature.
5. Any sign that is structurally unsafe or in disrepair.
6. Any roof sign or sign that extends above the roof line or parapet wall.
7. Any building which uses trademark colors, shapes or symbols as a primary exterior architectural element.

#### **919.01.F Signs Identifying Nonconformities**

No sign shall be erected or painted identifying a nonconforming use without review by the Board of Adjustment.

#### **919.01.G Illumination**

Illumination of signs shall be permitted only in those districts specified and thence with a stationary shielded light source, with internal illumination or with neon type construction.

#### **919.01.H Liability for Damages**

The provisions of this Code or the issuance of any sign permit shall not be construed as relieving or limiting the responsibility or liability of the person erecting, owning or maintaining any sign from personal injury or property damage resulting from such sign or work relating thereto; nor shall it be construed as imposing upon the City, or its officers or employees any responsibility or liability by reason of the approval of any sign, material or device under any of the provisions of this Code.

#### **919.01.I Maintenance**

Any sign, together with its supports, braces, guys, anchors and electrical equipment, shall be kept fully operable, in good repair and maintained in a safe manner and in a neat, clean and attractive condition; the sign face areas shall be kept neatly painted or posted.

**919.01.J Sign Removal**

All signs relating to a product no longer available for purchase and all signs relating to a business which is terminated or relocated, shall be removed or the advertising copy shall be removed. Painted wall signs shall be painted over with a color that resembles or matches the remainder of the building. Should the owner of, or person responsible for the sign, or if the tenant terminating the business fails to remove or paint over the sign within thirty (30) days following the date of obsolescence, the owner of the premises then shall be held responsible for such removal within sixty (60) days following the date of obsolescence.

**919.01.K Double-Face Signs**

Where a sign is permitted by any provision of this chapter, it shall be construed to permit a double face sign. Each face of a double sign may equal the maximum size for the particular type of sign permitted in this chapter. (Ord. 22-2002, §§ 1A, 1C, eff. 6-25-02; Ord. 42-2005, § 30, eff. 12-30-05)

**919.02. Advertising Signs and Electronic Advertising Signs.**

Advertising signs and electronic advertising signs shall be permitted only in the AS-O district, subject to the regulations of this section.

**919.02.A General Location**

Advertising signs and electronic advertising signs shall be situated so as to be entirely within the boundaries of the subject zoning lot; shall not extend above the roof line or parapet wall, whichever is higher, of any building to which it may be attached; and shall not be located within the boundary lines of any railroad right-of-way or upon any zoning lot on which a railroad passenger station or other railroad building is located.

**919.02.B Subdistricts**

**919.02.B.1 Advertising Sign Subdistricts**

There shall be two (2) subdistricts established within the AS-O District - Subdistrict A and Subdistrict B, as indicated on the Zoning District Map. Regulations applying to these subdistricts are indicated below.

TABLE INSET:

	Subdistrict A		Subdistrict B	
Districts (permitted)	UI	GI	LNC	UNC
Max. Size (sq. ft.)	750	750	378	378
Max. Height (feet)	45	45	35	35

**919.02.B.2 Electronic Advertising Sign Subdistricts**

There shall be two (2) subdistricts established within the AS-O District - Subdistrict A and Subdistrict B, as indicated on the Zoning District Map. Regulations applying to these subdistricts are indicated below.

TABLE INSET:

	Subdistrict A		Subdistrict B	
Districts (special exception)	UI	GI	LNC	UNC
Max. Size (sq. ft.)	750	750	378	378
Max. Height (feet)	45	45	35	35

**919.02.C Separation from Other Uses**

The face of an advertising sign or an electronic advertising sign shall be situated so that it is not visible within a sight distance of three hundred fifty (350) feet of the following:

1. Property in a residential or EMI zoning district;
2. Park or recreation area of one-quarter ( 1/4) acre or more;
3. Cultural service;
4. The center line of a restricted access highway or center line of ramps thereof.
5. The floodway of the Allegheny, Monongahela or Ohio Rivers;
6. The entry or exit points of the Liberty Tunnels, The Fort Pitt Tunnels, The Squirrel Hill Tunnels or the Wabash Tunnels;
7. Any bridge which crosses the Allegheny, Monongahela, or Ohio Rivers.

**919.02.D No Painting Directly on Walls**

Advertising signs shall not be painted directly on the wall of any building.

**919.02.E Number Allowed**

The number of advertising sign or electronic advertising sign structures shall be limited to one (1) structure per zoning lot which shall contain no more than two (2) separate sign faces. The faces may be arranged: back-to-back, side-to-side, decked or V-type. In no case shall there be more than one (1) sign face on any wall of a building.

**919.02.F Maximum Face Area**

The square foot face area of an advertising sign or an electronic advertising sign shall not exceed seven hundred fifty (750) square feet in Subdistrict A and three hundred seventy-eight (378) square feet in Subdistrict B. The



face shall not exceed twenty (20) feet in height or sixty (60) feet in length.

### **919.02.G Height**

The height of an advertising sign or an electronic advertising sign shall be measured from the ground elevation nearest to the sign to the highest elevation of the sign structure, the overall height of the sign shall not exceed a height of thirty-five (35) feet in Subdistrict B and forty-five (45) feet in Subdistrict A. All signs shall be setback within the buildable area of the zoning lot in accordance with the area requirements of the applicable zoning district.

### **919.02.H Spacing**

The spacing of advertising signs and/or electronic advertising signs shall be limited as follows:

1. Along restricted access highways or interchange ramps thereof; no two (2) sign structures , including any combination of advertising signs and electronic advertising signs, shall be spaced less than one thousand five hundred (1,500) feet apart;
2. Along any other right-of-way; no two (2) sign structures, including any combination of advertising signs and electronic advertising signs, shall be spaced less than five hundred (500) feet apart;
3. The distance between sign structures shall be measured along the center line of the roadway on which the signs are located, and shall extend along the center line of any intersecting roadway. The closest point of the center line to the pertinent sign shall provide the point from which measurements along the center line are taken.

### **919.02.I Illumination**

The illumination of advertising signs shall be limited as follows:

1. Illumination shall be effectively shielded so as to prevent beams or rays of light from being directed at any portion of the traveled rights of way or which is of such intensity or brilliance as to cause glare or to impair the vision of the driver of the vehicle, or which interferes with any driver's operation of a motor vehicle;
2. Illumination shall not be permitted that interferes with the effectiveness of or obscures an official traffic sign, device or signal;
3. Advertising signs shall not be permitted that contain, include or are illuminated by any flashing, intermittent or moving lights except those giving public service information such as time, date, temperature, weather or similar information.

### **919.02.J Limitations on Motion for Advertising Signs**

Advertising signs that contain any form of motion shall be limited as follows:

1. Rotation of any visual component shall be limited to fifteen (12) revolutions per minute;
2. The component involving movement shall not project more than two (2) feet from the face of sign nor shall it

extend beyond the vertical or horizontal "area of sign" as defined in this chapter.

3. Any mechanical component which is the source of movement shall be concealed in such a manner as to not be obvious;
4. Movement shall not be permitted that interferes with the effectiveness of or obscures an official traffic sign, device or signal;
5. Movement shall not be permitted that adversely affects the community taking into consideration the character of the uses in the vicinity, the possible effect on vehicular traffic and the relationship of the use to its immediate surroundings and to other areas of the City from which it may be viewed.

#### **919.02.K Limitations on Text and Graphics for Electronic Advertising Signs**

The text and graphics displayed on any Electronic Advertising Sign are limited as follows:

1. Animation or articulation of any sort is prohibited. Electronic advertising signs shall have only static text and graphics;
2. Electronic advertising signs shall have no flashing text or graphics;
3. Electronic advertising signs shall not have speakers, a sound system or any other apparatus creating an auditory message; and
4. The changing of any visual component of the sign is limited to fifteen (12) changes per minute.

#### **919.02.L Location on Restricted Access Highways**

Any advertising sign erected after May 10, 1958, shall be removed by the owner thereof, at the owner's expense, within one (1) year after the affected portion of any highway becomes or is designated a restricted access highway in accordance with the provisions of this Code and has been officially opened for public use, if an advertising sign is within three hundred fifty (350) feet of the center line of such highway or the interchange ramps thereof and the face of an advertising sign is visible therefrom.

#### **919.02.M General Prohibitions**

1. No advertising sign shall be erected or maintained in such a manner as to obscure or otherwise physically interfere with an official traffic sign, signal or device, or to obstruct or physically interfere with the driver's view of approaching, merging or intersecting traffic.
2. No advertising sign shall be erected or maintained which imitates or resembles any official traffic sign, signal or device.
3. No advertising sign shall be erected, painted or maintained upon trees, rocks, other natural features or that which is structurally unsafe or in disrepair.

#### **919.02.N Maintenance**

Any advertising sign, together with its supports, braces, guys, anchors and electrical equipment, shall be kept

fully operable, in good repair and maintained in a safe manner and in a neat, clean and attractive condition. The display surfaces of all advertising signs shall be kept neatly painted or posted.

### **919.02.O Nonconforming Advertising Signs**

A nonconforming advertising sign may be continued only as provided in this section:

1. Normal maintenance of a nonconforming sign may occur, including any necessary repairs or alterations which do not enlarge, extend, or intensify the nonconformity;
2. No structural alteration, enlargement, or extension shall be made of a nonconforming sign, except when the alteration is required by law or will eliminate the nonconforming condition;
3. Shall not be moved to a different location;
4. Poster paper and panel copy boards may be replaced. Painted bulletin boards may be repainted.
5. If a nonconforming sign is damaged or destroyed by any means to the extent of fifty (50) percent or more of its replacement value at the time of the damage or destruction (based on prevailing costs), the sign shall be made to conform to the provisions of this section. However, if the damage or destruction is less than fifty (50) percent of the replacement value, then the sign may thereafter be restored to its original condition.
6. An electronic advertising sign shall not replace an advertising sign, and an advertising sign shall not replace an electronic advertising sign, unless the replacement sign meets all of the requirements of Sec. 919 for a new sign.

### **919.02.P Location in Historic Districts**

Advertising signs in City designated Historic Districts or within one hundred (100) feet of and visible from such Districts shall be approved by the Historic Review Commission prior to obtaining zoning approval.

### **919.02.Q Annual Inspection Tags**

The Bureau of Building Inspection shall annually issue inspection tags for each sign face as follows:

1. The Chief of the Bureau of Building Inspection shall issue an inspection tag for each advertising sign. The tag shall contain a number peculiar to that sign face. The Chief shall inspect each advertising sign annually and if it complies with the provisions of the Code shall issue a renewal sticker to be affixed to the inspection tag. The color of the renewal sticker shall be changed annually to simplify visual inspection. The tag and renewal sticker issued for a sign which is subsequently removed shall be returned to the Bureau of Building Inspection.
2. The Chief of the Bureau of Building Inspection is authorized and directed to make reasonable rules and regulations for implementation and administration of an annual inspection tag and sticker system.

### **919.02.R Advertising Signs on Public Transit Shelters, as follows:**

Advertising signs shall only be permitted on public transit shelters located within the public right-of-way, which comply with the provisions of Chapter 419 of Title Four, Article I of the Pittsburgh Code of Ordinances. Additionally, public information kiosks, installed by, or under the direction of, the City of Pittsburgh, with advertising signs shall also be permitted, whether on private property, public property, or in the public right-of-way. Both must meet the following criteria:

- (a) Advertising signs shall not be located within any residential Zoning District;
- (b) Such signs shall not exceed twenty-four (24) square feet in display surface per sign;
- (c) There shall be a maximum of two (2) advertising signs or one (1) back-to-back advertising sign on each shelter or kiosk;
- (d) Sign display areas must be integral to the design of the structure and may not extend more than five (5) inches from the face of the structure; and
- (e) No advertising display shall exceed the height of the structure.

(Ord. 23-2003, eff. 8-4-03)

### **919.03. Nonadvertising Signs.**

The regulations of this section shall apply to signs other than advertising signs. Nonadvertising signs shall be permitted in accordance with the regulations of this section.

#### **919.03.A Signs Inside Buildings**

Signs on the inside of the buildings or other structures, designed not to be seen from the exterior of such buildings or structures shall be permitted in any district with unlimited size and interior location.

#### **919.03.B Flags**

Official government flags, emblems and insignia shall be permitted in any district with unlimited size and location.

#### **919.03.C Plaques, Cornerstones and Nameplates**

Memorial plaques, cornerstones or name plates bearing only the name of the owner, the name or use of the structure or the date of erection of the structure shall be permitted in any district, subject to the following:

1. Such signs shall be limited to one (1) of each type for each structure and shall not exceed four (4) square feet in face area;
2. Such signs shall be limited to one (1) along each street frontage, built in or attached to a wall of the structure.

#### **919.03.D Historic Tablets**

Historic tablets or building directories bearing only the name of the owner, the name or use of the structure and

its occupants, the date of erection of the structure or reading matter commemorating a person, event or significance of the location shall be allowed in all districts, subject to the following standards:

#### **919.03.D.1 Residential Districts**

In residential zoning districts, such signs:

- (a) Shall not exceed eight (8) square feet in face area;
- (b) Shall be limited to one (1) along each street frontage;
- (c) May be attached to a wall of the building and shall not project more than four (4) inches therefrom or may be situated as a ground sign and shall not exceed more than twelve (12) feet from the top of the sign to the grade beneath the sign.

#### **919.03.D.2 Other Districts**

In districts other than residential zoning districts, such signs:

- (a) Shall not exceed twelve (12) square feet in face area;
- (b) Shall be limited to one (1) along each street frontage;
- (c) May be attached to a building wall and no part of the sign shall project more than four (4) inches at a height below six (6) feet eight (8) inches from the grade beneath the sign. Signs attached to the building at a height above six (6) feet eight (8) inches from the bottom of the sign to the grade beneath the sign shall not project more than three (3) feet from the building.

#### **919.03.E Bulletin Boards**

Bulletin boards of religious and other institutions used to indicate the services or activities offered on the premises shall be permitted in any district provided that such signs:

1. Shall not exceed thirty (30) square feet in face area; and
2. Shall be limited to one (1) along each street frontage.

#### **919.03.F Real Estate and Political Signs**

Temporary real estate signs pertaining to the sale or lease of the premises and temporary political campaign signs or posters relating to the election of a person to public office, to a political party or to a matter to be voted upon at an election called by a public body shall be subject to the following regulations.

##### **919.03.F.1 General**

- (a) Such signs may be attached to a building wall and no part of the sign shall project more than four (4) inches at a height below eighty (80) inches from the grade beneath the sign. Signs attached to the building at a height above eighty (80) inches from the bottom of the sign to the grade beneath the sign shall not project more than three (3) feet from the building.

(b) Such signs shall be removed within thirty (30) days following the sale or election. An elected candidate in a primary election may maintain the sign until thirty (30) days following the general election.

### **919.03.F.2 Residential, LNC, UNC, GT, DR, EMI Districts**

In the Residential, LNC, UNC, HC, GT, DR and EMI zoning districts such signs:

- (a) Shall not exceed twelve (12) square feet in face area;
- (b) Shall be nonilluminated and limited to one (1) along each street frontage.

### **919.03.F.3 HC, NDI, UI and GI Districts**

In the HC, GI, UI and NDI zoning districts, such signs:

- (a) Shall not exceed thirty-two (32) square feet in face area;
- (b) Shall be limited to two (2) along each street frontage and may be illuminated.

### **919.03.G Address Signs**

Street address numerals shall be permitted in any district provided the face area shall not exceed two (2) square feet.

### **919.03.H Holiday Displays**

Temporary displays or signs in the nature of decorations, clearly incidental and commonly associated with any national, local or religious holiday, permitted in any district provided:

1. They shall not be displayed for a period of more than ninety (90) consecutive days nor more than ninety (90) days in any one (1) year;
2. They may extend over public right-of-ways provided authorization is supplied by the Director of the Department of Public Works and the Chief of the Bureau of Building Inspection.

### **919.03.I Convenience Information Signs**

Convenience information signs, such as date, time and weather, and official emblems of on-premises religious, charitable, public and nonprofit organizations may be permitted in any district provided that such signs:

1. Shall not contain advertising matter attached to or integrated with or as part of such sign;
2. May be attached to a building wall and no part of the sign shall project more than four (4) inches at a height below eighty (80) inches from the grade beneath the sign. Signs attached to the building at a height above eighty (80) inches from the bottom of the sign to the grade beneath the sign shall not project more than three (3) feet from the building.

3. Shall not exceed eighteen (18) square feet in face area;

4. The Zoning Administrator shall determine whether such sign is appropriate at the specific location taking into consideration the character of the uses in the vicinity, the possible effect of vehicular traffic, if any, and the relationship of the use to its immediate surroundings and to other portions of the City from which it may be viewed, including the size, height, extent and other characteristics.

### **919.03.J Public Information Signs**

Public service and information signs of such size and type and in such locations approved by the Director of the Department of Public Works, intended to satisfy the public need, are permitted in any district, including:

1. Convenience signs identifying location of rest rooms, freight entrances and parking areas;
2. Government signs for the control of traffic and other regulatory purposes;
3. Public transit service signs;
4. Public utility information signs;
5. Safety signs;
6. Signs erected by a public agency in the performance of a public duty;
7. Signs indicating scenic or historic points of interest;
8. Street signs;
9. Trespassing signs;
10. Other directional signs as may be deemed necessary for the preservation of the public safety.

### **919.03.K Public Parking Identification and Rate Signs**

#### **919.03.K.1 Residential Districts**

In residential zoning districts, public parking identification and rate signs:

- (a) Shall not exceed eight (8) square feet in face area;
- (b) Shall be limited to one (1) sign within the vicinity of each entrance.

#### **919.03.K.2 Other Districts**

In districts other than residential zoning districts, any number of public parking identification and rate signs shall be permitted, provided that the total accumulated face area of such signs does not exceed twenty-four (24) square feet.

### **919.03.L Home Occupation Signs**

Signs required by licensing requirements:

1. Shall not exceed four (4) square feet in face area;
2. Shall be limited to one (1) sign for each principal entrance;
3. May be attached to a wall of the building and shall not project more than twelve (12) inches therefrom or may be situated as a pole sign not extending more than ten (10) feet from the top of the sign to the grade beneath the sign and shall be setback at least five (5) feet from any lot line when such space is unoccupied by building;
4. Shall be nonilluminated.

### **919.03.M Business Signs and Identification Signs**

Business signs or identification signs (other than the miscellaneous signs described in Sec. 919.03.A through Sec. 919.03.L, and Sec. 919.03.N )shall be allowed in accordance with the following standards.

#### **919.03.M.1 General**

- (a) Ground signs shall be situated on the zoning lot, shall not extend beyond any street line or lot line and shall not extend above the height limit of the respective zoning district, unless otherwise designated;
- (b) The face area of signs shall not exceed a vertical measurement of twenty (20) feet;
- (c) Such signs may be attached to a building wall and no part of the sign shall project more than four (4) inches at a height below eighty (80) inches from the grade beneath the sign; except projecting signs as defined in 919.03.M.8. Signs attached to the building at a height above eighty (80) inches from the bottom of the sign to the grade beneath the sign shall not project more than three (3) feet from the building; and
- (d) May be illuminated.

#### **919.03.M.2 Signs Containing Animation, Rotation or Illumination in HC, GT, NDI, UI and GI Districts**

In the HC, GT, NDI, UI and GI zoning districts, such signs may contain animation, rotation or illumination that flashes or is intermittent provided:

- (a) Revolving or rotating components shall not exceed a speed of eight (8) revolutions per minute;
- (b) Flashing or intermittent illumination shall not be of high intensity, strobe type lights or emergency vehicle type lights;
- (c) It is demonstrated that such sign is appropriate at the specific location with respect to the impact upon adjacent property uses, particularly those of a public or semi-public nature, taking into consideration the relative size, height and location of the sign, the hours of illumination, type of lighting, color and intensity of lighting, nature and effect of animated components and the nature and number of illuminating devices already in the immediate neighborhood.



### **919.03.M.3 RP, EMI and GPR and OPR zoning districts**

In the RP, EMI, GPR and OPR zoning districts:

(a) Wall mounted signs shall be limited to one (1) along each street frontage, not exceeding eighty (80) square feet in face area and shall not extend more than forty (40) feet above grade. Such signs may be attached to a building wall and no part of the sign shall project more than four (4) inches at a height below eighty (80) inches from the grade beneath the sign. Signs attached to the building at a height above eighty (80) inches from the bottom of the sign to the grade beneath the sign shall not project more than three (3) feet from the building.

(b) Ground signs shall be limited to one (1) along each street frontage when the property frontage measures two hundred (200) feet or less. Otherwise, ground signs shall not be spaced within two hundred (200) feet of each other when located on the same zoning lot. Ground signs shall not extend more than twenty (20) feet from the top of the sign to the grade beneath the sign and shall not exceed a total face area of fifty (50) square feet;

(c) Roof signs shall not be permitted;

(d) These signs shall not contain animation, rotation (other than barber poles) or illumination that flashes or is intermittent;

(e) Marquee or canopy sign is a sign attached to, painted on or inscribed upon a marquee or canopy that otherwise complies with any other governmental regulation; the face of such sign shall not project above or below the marquee or canopy, shall not exceed eight (8) inches in height, shall not project more than six (6) inches horizontally from the surface of such marquee or canopy, shall not contain flashing lights or animation and shall not contain any advertising except for the name of the owner, name of the building or the name of the business.

### **919.03.M.4 HC Districts**

In the HC zoning districts:

(a) Wall mounted signs are permitted provided that the total face area attached to a wall shall not exceed two (2) square feet of sign face area for each lineal foot of building wall width to a maximum of eighty (80) square feet, and shall be mounted no higher than forty (40) feet above grade except where expressly permitted. For buildings with multi-commercial tenants on the first and second floors with direct street access one (1) additional tenant business or identification sign shall be permitted per tenant identifying the name of the tenant or business, the total face area of which shall not exceed two (2) square feet of sign face area for each lineal foot of store frontage to a maximum of eighty (80) square feet per sign, and shall be mounted no higher than the second floor above grade. Tenant signs are to be located within the facade area of the tenant. Maximum letter height on all wall signs below forty (40) feet above grade shall be four (4) feet.

(b) Ground signs shall be limited to one (1) along each street frontage when the property frontage measures one hundred fifty (150) feet or less, otherwise ground signs shall not be spaced within one hundred fifty (150) feet of each other when located on the same zoning lot. Ground signs shall not extend more than thirty (30) feet from the top of the sign to the grade beneath the sign and shall not exceed a total face area of sixty (60) square feet;

(c) Signs attached to gasoline dispensing pumps shall be limited to one (1) sign not exceeding four (4) square

feet in face area for each pump;

(d) Marquee or canopy sign is a sign attached to, painted on or inscribed upon a marquee or canopy that otherwise complies with any other governmental regulation; the face of such sign shall not project above or below the marquee or canopy, shall not exceed eight (8) inches in height, shall not project more than six (6) inches horizontally from the surface of such marquee or canopy, shall not contain flashing lights or animation and shall not contain any advertising except for the name of the owner, name of the building or the name of the business. Such signs may be attached to a building wall and no part of the sign shall project more than four (4) inches at a height below eighty (80) inches from the grade beneath the sign. Signs attached to the building at a height above eighty (80) inches from the bottom of the sign to the grade beneath the sign shall not project more than three (3) feet from the building.

### **919.03.M.5 LNC, UNC, CP, and AP**

In the LNC, UNC, CP, and AP Districts:

(a) Wall mounted signs are permitted provided that the total face area shall not exceed two (2) square feet of sign face area for each lineal foot of building wall width to a maximum of eighty (80) square feet and shall be mounted no higher than twenty (20) feet above grade except where expressly permitted. For buildings with multi-commercial tenants on the first and second floors one (1) additional tenant business or identification sign shall be permitted per tenant identifying the name of the tenant or business, the total face area of which shall not exceed two (2) square feet of sign face area for each lineal foot of tenant frontage to a maximum of eighty (80) square feet per sign on each wall or facade and shall be mounted no higher than the second floor above grade. Tenant signs are to be located within the facade area of the tenant. Maximum letter height on all wall signs below twenty (20) feet above grade shall be four (4) feet.

(b) Ground signs shall be limited to one (1) along each street frontage when the property frontage measures one hundred (100) feet or less, otherwise ground signs shall not be spaced within one hundred (100) feet of each other when located on the same zoning lot. Ground signs shall not extend more than forty (40) feet from the top of the sign to the grade beneath the sign and shall not exceed a total face area of one hundred fifty (150) square feet;

(c) Marquee or canopy sign is a sign attached to, painted on or inscribed upon a marquee or canopy that otherwise complies with any other governmental regulation; the face of such sign shall not project above or below the marquee or canopy, shall not exceed eight (8) inches in height, shall not project more than six (6) inches horizontally from the surface of such marquee or canopy, shall not contain flashing lights or animation and shall not contain any advertising except for the name of the owner, name of the building or name of the business.

(d) Wall mounted signs mounted between twenty (20) above grade and no higher than forty (40) feet above grade are permitted by Administrator's Exception provided that the following conditions are met:

1. The sign does not exceed two (2) square feet of sign face area for each lineal foot of building wall width.
2. The letters of the sign do not exceed three (3) feet in height
3. The sign is architecturally compatible with the building and surrounding buildings.
4. Zoning Administrator approval is in accordance with PDP review procedures as outlined in the Zoning

Ordinance.

5. The sign is limited to the business and identification exclusively and does not repeat itself or include extraneous identifying information.

(e) Wall mounted signs exceeding eighty (80) square feet may be approved by Administrator's Exception if the following conditions are met:

1. The sign does not exceed two (2) square feet of sign face area for each lineal foot of building wall width.
2. The letters of the sign do not exceed three (3) feet in height
3. The sign is architecturally compatible with the building and surrounding buildings.
4. Zoning Administrator approval is in accordance with PDP review procedures as outlined in the Zoning Ordinance.
5. The sign is limited to the business and identification exclusively and does not repeat itself or include extraneous identifying information.

#### **919.03.M.6 NDI, GI and UI Districts**

In the NDI, GI and UI Zoning Districts:

(a) Wall mounted signs are permitted provided that the total face area shall not exceed two (2) square feet of sign face area for each lineal foot of building wall width, to a maximum of eighty (80) square feet and shall be mounted no higher than forty (40) feet above grade. For buildings with multi-commercial tenants on the first and second floors one (1) additional tenant business or identification sign shall be permitted per tenant identifying the name of the tenant or business, the total face area of which shall not exceed two (2) square feet of sign face area for each lineal foot of tenant frontage to a maximum of eighty (80) square feet per sign, and shall not extend higher than the second floor. Tenant signs are to be located within the facade area of the tenant. Maximum letter height on all wall signs below forty (40) feet above grade shall be four (4) feet.

(b) Ground signs shall not extend more than forty-five (45) from the top of the sign to the grade beneath the sign provided that no sign shall exceed two hundred (200) square feet in face area or a vertical measurement of twenty (20) feet;

(c) Marquee or canopy sign is a sign attached to, painted on or inscribed upon a marquee or canopy that otherwise complies with any other governmental regulation; the face of such sign shall not project above or below the marquee or canopy, shall not exceed eight (8) inches in height, shall not project more than six (6) inches horizontally from the surface of such marquee or canopy, shall not contain flashing lights or animation and shall not contain any advertising except for the name of the owner, name of the building or name of the business.

#### **919.03.M.7 GT and DR Zoning Districts**

In the GT and DR Zoning Districts:

(a) Wall mounted signs, except for Public Destination Facilities, are permitted provided that;

(i) The total face area shall not exceed two (2) square feet of sign face area for each lineal foot of building wall width to a maximum of eighty (80) square feet and shall be mounted no higher than forty (40) feet above grade except where expressly permitted.

(ii) For buildings with multi-commercial tenants on the first and second floors one (1) additional tenant business or identification sign shall be permitted per tenant identifying the name of the tenant or business, the total face area of which shall not exceed two (2) square feet of sign face area for each lineal foot of tenant frontage to a maximum of eighty (80) square feet per sign on each wall or facade and shall be mounted no higher than the second floor above grade.

(iii) Tenant signs are to be located within the facade area of the tenant. Maximum letter height on all wall signs below forty (40) feet above grade shall be four (4) feet.

(b) For Public Destination Facilities, the total face area of wall mounted signs below forty (40) feet shall not exceed a total of three (3) percent of exposed building facade area and shall be subject to design review and approval by the City Planning Commission.

(c) Only business and building name signs shall be mounted higher than forty (40) feet above grade and shall face in all directions but shall not be roof mounted nor project above the roof peak or parapet wall, shall not exceed in face area 40 square feet or two (2) percent of exposed facade area whichever is larger, shall be limited to four (4) per building, and shall be subject to design review and approval by the City Planning Commission.

(d) Ground signs shall be limited to one (1) along each street frontage when the property frontage measures one hundred (100) feet or less, otherwise ground signs shall not be spaced within one hundred (100) feet of each other when located on the same zoning lot. Ground signs shall not extend more than forty (40) feet from the top of the sign to the grade beneath the sign and shall not exceed a total face area of one hundred fifty (150) square feet;

(e) Marquee or canopy sign is a sign attached to, painted on or inscribed upon a marquee or canopy that otherwise complies with any other governmental regulation; the face of such sign shall not project above or below the marquee or canopy, shall not exceed eight (8) inches in height, shall not project more than six (6) inches horizontally from the surface of such marquee or canopy, shall not contain flashing lights or animation and shall meet the definition of business or identification sign; provided that a marquee or canopy sign attached to a Public Assembly (general) facility which shall otherwise be subject to this provision, may be up to eight (8) feet in height and subject to review by the Planning Commission under the Project Development Plan criteria put forth in Section 922.10.

### **919.03.M.8 Projecting Signs**

#### **(a) Purpose**

The purpose of these regulations is to permit and regulate the installation of projecting signs in commercial areas of the city.

#### **(b) Definition**

Projecting sign means any business or identification sign which sole means of support is by attachment to a

legal structure on a zoning lot and which projects more than twelve (12) inches into a public right-of-way. A projecting sign shall contain no more than two (2) sign faces which include lettering, and these signs faces shall be back-to-back.

(c) Applicability

These regulations shall apply in the following districts:

- (i) NDO/Neighborhood Office
- (ii) LNC/Local Neighborhood Commercial
- (iii) NDI/Neighborhood Industrial
- (iv) UNC/Urban Neighborhood Commercial
- (v) HC/Highway Commercial
- (vi) UI/Urban Industrial
- (vii) EMI/Educational/Medical Institute
- (viii) GPR-C Grandview Public Realm Subdistrict C
- (ix) OPR/Oakland Public Realm (Subdistricts A-D)
- (x) SP-4/Station Square
- (xi) SP-5/South Side Works
- (xii) CP/Commercial Planned Unit Development
- (xiii) AP/Mixed Use Planned Unit Development
- (xiv) GT/Golden Triangle
- (xv) DR/Downtown Riverfront

(d) General Requirements

(i) For each street-level business a maximum of one (1) projecting sign shall be permitted for each facade of a structure facing a street;

(ii) Projecting signs shall be a maximum of nine (9) square feet per side. The area of irregular or three-dimensional shapes shall be computed by multiplying the height and width at the widest points;

(iii) Projecting signs shall extend no more than four (4) feet from the front of a building or structure or two-thirds (2/3) of the width of the sidewalk beneath the sign where such sidewalk exists, whichever is less. The bottom most point of a projecting sign shall be no less than ten (10) feet above the grade beneath the sign; and

(iv) No projecting sign structure shall be placed onto or obscure or damage any significant architectural feature of a building.

### **919.03.N Identification Signs Not Regulated Above**

1. Identification signs for Child Care uses, and office of minister or physician, shall be permitted in any district where the use is permitted provided that:

- (a) The sign shall not exceed five (5) square feet in face area;
- (b) The use shall be limited to one (1) sign for each principal entrance;
- (c) The sign may be attached to a wall of the building and shall not project more than twelve (12) inches therefrom or may be situated as a pole sign not exceeding more than ten (10) feet from the top of the sign to the grade below the sign and shall be setback at least five (5) feet from any lot line when the space is unoccupied by building; and
- (d) The sign shall be non-illuminated.

2. Identification signs for Multi-Unit Residential uses, Multi-Suite Residential uses, Community Centers, Funeral Homes, Housing for the Elderly, Institutional uses, Library, Medical Office, Cultural Service, Nursing Home, or School, shall be permitted in any district where the use is permitted provided that:

- (a) The sign shall not exceed twelve (12) square feet in face area;
- (b) The use shall be limited to one (1) sign for each primary entrance; and
- (c) The sign may be attached to a wall of the building and shall not project more than twelve (12) inches therefrom, or may be situated as a pole sign not extending more than twelve (12) feet from the top of the sign to the grade beneath the sign and shall be setback at least five (5) feet from any lot line when such space is unoccupied by building.

3. Identification signs for Institutional uses, including Hospital, College or University, and Park uses, shall be permitted in any district where such use is permitted, provided that:

- (a) The sign shall not exceed thirty-two (32) square feet in face area;
- (b) The use shall be limited to one (1) sign along each street frontage or as necessary for adequate direction;
- (c) The sign may be attached to a wall of the building and shall not project more than twelve (12) inches therefrom, or may be situated as a pole sign not extending more than twelve (12) feet from the top of the sign to the grade beneath the sign and shall be setback at least twenty (20) feet from any lot line other than the street line.

(Ord. 33-2001, § 1, eff. 12-31-01; Ord. 16-2002, § 1, eff. 6-4-02; Ord. 21-2002, §§ 17--22, eff. 6-18-02; Ord. 22

-2002, §§ 1D--1K, eff. 6-25-02)

#### **919.04. Neighborhood Business District Sign Regulations.**

##### **919.04.A General**

###### **919.04.A.1 Purpose**

The purpose of these special neighborhood business district sign regulations is to provide a level of control over signage in commercial areas of the City that include uses that are within and adjacent to residential neighborhoods, where such uses are physically oriented toward pedestrian traffic rather than vehicular traffic, and where the existing general provisions regulating signage allow types and sizes of signs which are not appropriate to these districts.

###### **919.04.A.2 Applicability**

These regulations shall apply only to those areas specifically listed hereunder, and shall be used in addition to the general provisions for signs found throughout this chapter. Where differences occur between the Neighborhood Business District Sign Regulations of this section (Sec. 919.04) and those found elsewhere in this chapter, the Neighborhood Business District Sign Regulations of this section shall control.

###### **919.04.A.3 Neighborhood Business Sign Districts Established**

The following Neighborhood Business Sign Districts are hereby established:

- (a) East Carson Street

###### **919.04.A.4 Special Definitions**

The following special definitions shall apply throughout the Neighborhood Business District Sign Regulations of this section (Sec. 919.04).

(a) Projecting Sign means any business or identification sign which sole means of support is by attachment to a legal structure on a zoning lot and which projects more than twelve (12) inches into a public right-of-way. A projecting sign shall contain no more than two (2) sign faces which include lettering, and these sign faces shall be back-to-back.

(b) Such signs may be attached to a building wall and no part of the sign shall project more than four (4) inches at a height below eighty (80) inches from the grade beneath the sign. Signs attached to the building at a height above eighty (80) inches from the bottom of the sign to the grade beneath the sign shall not project more than three (3) feet from the building.

##### **919.04.B Regulations Applicable to All Neighborhood Business Districts**

The provisions of this section apply to all Neighborhood Business Sign Districts.

###### **919.04.B.1 Number of Signs**

- (a) For each street level business, a maximum of one (1) wall sign, two (2) window signs, and either one (1)

awning sign or one (1) projecting sign or one (1) ground sign shall be permitted for each facade of a structure facing a street.

(b) For each upper floor business, a maximum of two (2) window signs, one (1) door sign, and either one (1) awning sign or one (1) projecting sign shall be permitted for each facade of a structure facing a street.

(c) The maximum area of all signs, including ground signs, shall be fifteen (15) percent of the area of the face of the building on which the signs are proposed. For ground signs, the area of the face of the building nearest to and visible from the ground signs shall be considered for this calculation.

#### **919.04.B.2 Sign Size**

(a) Wall signs shall be a maximum of two (2) square feet in area for every lineal foot of building frontage, up to a maximum of forty (40) square feet. Maximum lettering Size shall be eighteen (18) inches high.

(b) For each street level business window and door signs shall be a maximum of twenty (20) percent of the glazed area of the window or door in which they are placed up to a maximum of eight (8) square feet. For each upper floor business, window or door signs shall be maximum of fifty (50) percent of the glazed area of the window or door in which they are placed, up to a maximum of ten (10) square feet.

(c) Projecting signs shall be a maximum of nine (9) square feet per side. The area of irregular or three-dimensional shapes shall be computed by multiplying the height and width at the widest points.

(d) Ground signs shall be limited to forty (40) square feet, and the sign and sign structure shall be no higher than twelve (12) feet.

#### **919.04.B.3 Location**

(a) No sign or sign structure or support shall be placed onto or obscure or damage any significant architectural feature of a building, including but not limited to a window or door frame, cornice, molding, ornamental feature, or unusual or fragile material.

(b) No sign shall be painted onto any significant architectural feature, including but not limited to a window or door frame, cornice, molding, ornamental feature, or unusual or fragile material.

(c) No sign or sign structure or support shall be located on the roof of any building or structure, nor shall any sign or sign structure or support extend beyond the cornice line of any building or structure.

(d) Projecting signs shall extend no more than four (4) feet from the front of a building or structure or two-thirds (2/3) of the width of the sidewalk beneath the sign where such sidewalk exists, whichever is less. The bottom most point of a projecting sign shall be no less than ten (10) feet from above grade beneath the sign.

#### **919.04.B.4 Materials**

(a) The following types of signs and materials shall not be permitted for signs in a Neighborhood Business Sign District:

(1) Internally illuminated box signs;



- (2) Individually illuminated channel letters;
  - (3) Flashing, moving or intermittently illuminated sign;
  - (4) Internally illuminated awnings.
- (b) Wall signs shall be painted only onto a separate material which is applied to the facade of the building.
- (c) For awning signs, letters shall be applied or painted onto the valance portion of the awning only.

#### **919.04.B.5 Illumination**

- (a) Internally illuminated signs or sign letters shall not be permitted.
- (b) The sign face may be illuminated with small shielded spotlights which are placed as to not glare onto the public right-of-way or onto adjacent properties or neon tubing may be attached to the face of the sign for illumination.

#### **919.04.B.6 Historic Plaques**

In addition to the signs permitted above, the City's historic designation plaque and one (1) other historic plaque may be applied to a wall of a building or structure. These historic plaques shall be a maximum of one and one-half (1 1/2) square feet in area.

#### **919.04.C East Carson Street District Standards**

The provisions in this section apply only within the East Carson Street Neighborhood Business Sign District.

##### **919.04.C.1 Intent**

This commercial area is an historic district with a unique collection of nineteenth and early twentieth century structures, built in a variety of architectural styles, but forming a continuous urban fabric along an important city arterial. The vast majority of structures are attached brick structures built to the property line along the street with narrow sidewalks along a two- or three-lane cartway.

The intent of these special provisions is to minimize the possibly adverse effect of signs on these significant architectural resources, to improve the safety of pedestrian and vehicular traffic, and to improve the communicative value of the signage for the primary users of the district.

A further intent of these regulations is to provide for signage which is compatible with the architectural character of the district, so that the historic characteristics of the district are not adversely impacted by inappropriate signage.

##### **919.04.C.2 Number**

One (1) ground sign shall be permitted per zoning lot and shall substitute for a projecting sign or an awning sign.

### **919.04.C.3 Size**

(a) Ground signs shall be limited to twenty-five (25) square feet in area, and the sign and sign structure shall be no higher than eight (8) feet.

(b) The limitation on the total area of all signs shall not include signs which are determined to be a significant historic element of the building and which are an integral part of the building facade.

### **919.04.C.4 Location**

(a) Signs for street level businesses shall be located below the sills of the second floor windows and above the frame of the storefront windows.

(b) Ground signs shall be located within the buildable area of the lot. Ground signs shall be used only where the building or structure on a zoning lot is set back from the front property line by at least twenty (20) feet. Ground signs shall not be supported by poles, uprights, braces or other means of support which are not a part of the sign face.

### **919.04.C.5 Materials**

Sign supports and structures shall be designed to be the minimum necessary to safely install the sign. Sign structures and supports shall be designed to be compatible with the architecture of the building.

(Ord. 21-2002, § 23, eff. 6-18-02)

### **919.05 Temporary Event Signs**

Temporary event signs shall be permitted by an Administrator's Exception, pursuant to the following restrictions:

1. The signs shall be prohibited in all residential zoning districts and in all historic districts designated pursuant to Title XI of this Code;

2. The signs shall be posted for consecutive days, but not more than thirty (30) consecutive days;

3. There shall not be more than five (5) signs for a single event approved pursuant to this section;

4. Signs for the same event shall not be approved, pursuant to this section, more than once per calendar year;

5. Any sponsorship logos or trademarks shall not cover more than 15 (fifteen) percent of the sign face;

6. The signs shall not be larger than 378 square feet;

7. The signs shall not contain any flashing text or graphics;

8. The signs shall not contain any animation;

9. The changing of any visual component of the sign shall be limited to fifteen (12) changes per minute.

**SECTION 3. The Pittsburgh Code, Title Nine, Zoning Code, is hereby amended at Chapter 921,**

as follows:

## **CHAPTER 921: NONCONFORMITIES**

921.01. General.

921.02. Nonconforming Uses.

921.03. Nonconforming Structures.

921.04. Nonconforming Lots.

921.05. Other Nonconformities.

921.06. Certificates of Occupancy.

### **921.02.B Abandonment**

#### **921.02.B.1 Effect of Abandonment**

Once abandoned, a nonconforming use shall not be reestablished or resumed. Any subsequent use or occupancy of the structure or land site must conform with the regulations of the district in which it is located and all other applicable requirements of this Code.

#### **921.02.B.2 Evidence of Abandonment**

A nonconforming use shall be presumed abandoned when any one (1) of the following has occurred:

- (a) A less intensive use has replaced the nonconforming use;
- (b) Greater than twenty-four (24) percent of the building or structure has been removed through the applicable procedures for condemnation of unsafe structures or otherwise by operational law;
- (c) The owner has physically changed the building or structure or its fixtures or equipment in such a way as to clearly indicate a change in use or activity to something other than the nonconforming use; or
- (d) The use has been discontinued, vacant or inactive for a continuous period of at least one (1) year, provided this presumption may be rebutted upon showing, to the satisfaction of the Zoning Board of Adjustment, that the owner had no intention to abandon. Where appropriate, the Zoning Board of Adjustment may require contemporaneous documentation of previous use or intended use, such as leases or real estate advertisement, to rebut the presumption.
- (e) Nonconforming signs relating to a product no longer available for brand new retail purchase and nonconforming signs relating to a business or service which is terminated or relocated, shall be presumed abandoned after a period of at least one (1) year after the termination of the product, business or service. This presumption may be rebutted upon showing, to the satisfaction of the Zoning Board of Adjustment, that the owner had no intention to abandon. Where appropriate, the Zoning Board of Adjustment may require contemporaneous documentation of previous use or intended use, such as leases or real estate advertisement, to rebut the presumption.