

ORDINANCE NO. ___2026-04-003

AN ORDINANCE OF THE TOWN OF PINE ISLAND, TEXAS, ADOPTING A COMPREHENSIVE SIGN ORDINANCE PURSUANT TO THE TOWN'S GENERAL POLICE POWERS; MAKING LEGISLATIVE FINDINGS REGARDING PUBLIC HEALTH, SAFETY, AND WELFARE; PROVIDING FOR INTERPRETATION AS A CONTENT-NEUTRAL TIME, PLACE, AND MANNER REGULATION; PROVIDING A SAVINGS CLAUSE, SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY AND FINE OF \$500.00 NOT TO EXCEED \$2,000.00 PER DAY, WITH EACH DAY CONSTITUTING A SEPARATE OFFENSE; PROVIDING FOR REPEALER, AND EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Town of Pine Island, Texas (the "Town"), is a Type C general-law municipality organized and operating under the laws of the State of Texas; and

WHEREAS, pursuant to its general police powers, the Town is authorized to adopt ordinances necessary to protect and promote the public health, safety, and welfare of its citizens, including regulations addressing conditions affecting traffic safety, property maintenance, and the general appearance of the community; and

WHEREAS, signs, including their size, height, illumination, location, and maintenance, may affect traffic safety by distracting drivers, obstructing sight lines, or creating visual clutter; and

WHEREAS, unregulated or poorly maintained signs may contribute to blight, light trespass, and other conditions that adversely affect the comfort, safety, and general welfare of residents and visitors; and

WHEREAS, the Town finds that reasonable, content-neutral regulation of the time, place, and manner of signs is necessary to promote traffic safety, protect property values, preserve the Town's visual character, and prevent nuisance conditions; and

WHEREAS, the Town Council intends that the Sign Ordinance be applied in a content-neutral manner and be interpreted as a reasonable regulation of the time, place, and manner of signs, consistent with applicable law;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PINE ISLAND, TEXAS:

SECTION 1. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the Town Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. SIGN REGULATIONS ADOPTED

Pursuant to Texas Local Gov't Code Sec. 51 and for the good government, peace, or order of the municipality and for the trade and commerce of the municipality, the Sign Ordinance attached hereto as Exhibit "A" is hereby adopted and incorporated by reference as if fully set forth herein and shall apply within the corporate limits of the Town.

SECTION 3. CONTENT-NEUTRAL CONSTRUCTION

The provisions of this Ordinance and Exhibit "A" shall be interpreted and applied as content-neutral regulations of the time, place, and manner of signs. Nothing herein shall be construed to regulate speech based on its content or viewpoint.

SECTION 4. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

SECTION 5. SEVERABILITY

If any provision of this Ordinance or Exhibit "A," or the application thereof to any person or circumstance, is held invalid or unconstitutional, such invalidity shall not affect the remaining provisions, and the Town Council hereby declares that it would have adopted this Ordinance and each provision thereof irrespective of the invalidity of any other provision.

SECTION 6. SAVINGS CLAUSE

All rights and remedies of the Town are expressly saved as to any violations of prior ordinances, and nothing herein shall be construed to affect any pending enforcement action or prosecution.

SECTION 7. PENALTY

Any person, firm, or corporation who violates any provision of this ordinance shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense; provided, however, that in all cases involving violation of this ordinance governing public health shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense as

allowed by law, and each and every day any such offense shall continue shall be deemed to constitute a separate offense.

SECTION 9. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its passage and publication as required by law.

PASSED AND APPROVED on this 4th day of May, 2026.

By: Steve Nagy, Mayor
Steve Nagy, Mayor

ATTEST:

By: Sheri Ordner
Sheri Ordner, Town Secretary

APPROVED AS TO LEGAL FORM:

Josh Brockman-Weber

Josh Brockman-Weber

EXHIBIT "A"

**Town of Pine Island
Sign Ordinance**

1. General Provisions

1.1. Title

This ordinance shall be known as the “sign ordinance”

1.2. Purpose and Findings

The city adopts this chapter pursuant to Tex. Loc. Gov't Code Chapter 51. The City Council finds that signs affect public safety, community aesthetics, and economic vitality. Reasonable regulation of signs promotes traffic safety, supports local business visibility, and maintains the character of neighborhoods, while respecting constitutional free speech protections.

1.3. Geographic Scope and Applicability

This chapter applies to all property within the incorporated municipal boundaries (i.e., city limits) and the extraterritorial jurisdiction (ETJ) as it exists at the time this chapter is adopted and as may be modified in the future. All signs must comply with this chapter, the outdoor lighting ordinance, the building code, and all other applicable codes.

1.4. Summary of Sign Regulations by Type

Appendix A, Chart of Sign Design Standards, summarizes regulations for each sign type. In the event of an inconsistency between the chart of sign design standards and the remainder of this chapter, the latter shall prevail.

1.5. Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1.6. Administration

The City Manager or designee shall administer and enforce this chapter. The City Manager or designee may issue permits, interpret provisions, and grant variances consistent with section 2.3, *Variances*.

1.7. Violations and Penalties

Violations of this chapter are subject to enforcement under the City Code. Each day a violation continues constitutes a separate offense. Remedies include fines, removal, and injunctive relief.

1.8. Authorized Signs Without a Separate Permit

The following signs authorized under this section are authorized on every property in the city limits or in the ETJ without a permit, unless specifically required below:

- A. Government signs including signs placed by the city, county, state, or federal governing in their governmental capacity which are not otherwise prohibited.
- B. Traffic-control devices that are erected and maintained to comply with the Texas Manual on Uniform Traffic-Control Devices.
- C. Signs required by this chapter.
- D. Signs required by other law, including federal, state, or local law, including a sign that a property owner is required to post on the owner's property to warn of a danger or to prohibit access to the property either generally or specifically; the owner must comply with the federal, state, or local law to post a sign on the property.
- E. Official governmental notices and notices posted by governmental officers in the performance of their duties for regulatory purposes such as neighborhood crime watch areas, to identify streets, or

to warn of danger including those placed by the city, county, water district, or other governmental entity.

- F. Signs displayed on trucks, buses, trailers, mobile food vendors, or other vehicles that are attached to a vehicle where no portion of the sign is not affixed to the vehicle itself and does not extend more than 18 inches from the body of the vehicle itself and are being operated as motor vehicles, provided that the primary purpose of the vehicles is not for display of signs and provided that they are parked in areas appropriate to their use as vehicles, are in operable condition, and carry a current and valid license plate and state inspection tag. Vehicle signs shall conform to the following restrictions:
 - a. Vehicular signs shall contain no flashing or moving elements;
 - b. Vehicular signs shall not be attached to a vehicle so that the driver's vision is obstructed from any angle;
 - c. Signs, lights and signals used by authorized emergency vehicles shall not be restricted;
- G. Vending machine signs where the sign face is not larger than the normal dimensions of the machine to which the sign is attached.
- H. Memorial signs or tablets when cut into any masonry surface or attached to a building when constructed of bronze or other metal up to six square feet as part of a building.
- I. Any sign wholly within the confines of a building, and oriented to be out of view from outside the building.
- J. Any sign wholly within the confines of a sports field or court and oriented to be out of view from outside the field or court. No sign under this section may be larger than 32 square feet. The maximum height for a field sign shall not exceed six feet.
- K. A noncommercial sign that is carried by a person or is a bumper sticker on a vehicle.
- L. Business-related signs on or visible through doors or windows indicating: Store hours, security systems, trade organization memberships, credit cards accepted, no solicitation, and open/closed. These signs will not count towards the cumulative signable area limits so long as their total cumulative signable area does not exceed five square feet.
- M. Parking signs adjacent to parking spaces on nonresidential property are allowed without a permit so long as they are a maximum of six feet in height and four square feet in area.
- N. Noncommercial signs on residential property. Noncommercial signs are permitted on any residential lot without a permit, provided that such signs comply with reasonable, content-neutral regulations of size, height, number, and location set forth in this chapter, including visibility and safety requirements.

1.9. Prohibited Signs

- A. All signs are prohibited in the city limits and ETJ unless:
 - a. Constructed, maintained, structurally altered, or improved pursuant to a valid permit when required under this chapter; and,
 - b. Expressly authorized by this chapter.
- B. Signs which cannot be expressly authorized include:
 - a. Signs, except government signs, located in or projected over any public right-of-way or across the public right-of-way line extended across a railroad right-of-way, except when attached to and projecting no more than 18 inches from a building wall legally located at or near the right-of-way line in the city limits or in the ETJ.
 - b. Portable signs.
 - c. Electronic signs that have changes in screen image more than once an hour.
 - d. Off-premises signs (including billboards) containing commercial advertising of goods, real property, or services.
 - e. Signs with lights that blink, fluctuate, or move. Light rays must shine only upon the sign and upon the property within the premises.

- f. Signs that obstruct, interfere with, or create a hazard to vehicular, bicycle, or pedestrian traffic, including signs within a visibility triangle.
 - g. Signs placed in or over a public right-of-way, except as authorized by this Ordinance, by separate encroachment agreement, or by state or federal law.
 - h. Signs, other than government or traffic-control signs, of a size, location, movement, coloring, or manner of illumination which may be confused with or construed as a traffic-control device or which hide from view any traffic or street sign or signal.
 - i. Signs, other than flagpoles, that are taller than 15 feet.
 - j. Signs that are attached to any utility pole or wire, traffic sign, or public easement or are placed on government-owned property unless placed by written permission of the governmental entity.
 - k. Signs that obstruct any fire escape, required exit, window, or door opening intended as a means of egress.
 - l. Boxes, tires, or other goods stored in view of the street, etc. which have large product identification that serves as a sign.
 - m. Feather banners.
 - n. Commercial signs or advertising materials that are worn, held, or attached to a person's body advertising the sale of goods, real property, or services.
 - o. Balloon signs.
 - p. Inflatable signs.
 - q. Banners on residential property.
 - r. Pennants.
 - s. Pole signs except as otherwise specifically allowed.
 - t. Roof signs (including signs that are otherwise authorized but are placed on a roof or on a mobile food vendor or vehicle).
 - u. Marquee signs.
 - v. Changeable copy signs.
 - w. Signs placed or attached to trees, bushes, planters, benches, or other pedestrian elements.
 - x. Signs on trash receptacles except for signs that are required by law, provide direction on the trash receptacle's use, provide safety instructions, or are otherwise customarily found on trash receptacles as a means of identifying the trash collection company.
 - y. Flags with a commercial message.
- C. A violation of this section is an offense under 8.4, *Violations and Penalties*.

1.10. Lessors

For purposes of this chapter, the lessor of a property is considered the property owner as to the property if the lessor holds a right to use that exclusive of others (or the sole right to occupy). If there are multiple lessors of a property, then each lessor must have the same rights and duties as the property owner as to the property the lessor leases and that the lessor has the sole right to occupy, and the size of the property must be deemed to be the property that the lessor has the sole right to occupy under the lease. Written authorization from property owner to place signage onsite may be required.

1.11. Permit Required

A sign permit is required prior to the display and erection of any sign except as otherwise provided in this chapter.

1.12. Compliance with Outdoor Lighting Ordinance

- A. Reflective surfaces. Glare-producing surfaces on signs are not allowed.
- B. All lighting of signs shall be indirect illumination as defined herein. No sign shall be illuminated, in whole or in part, where the illumination is intermittent or varies in color or intensity or appears to be

emergency lighting similar to public safety vehicles. Variation in intensity or color is allowed if such change occurs less than once an hour and is static the remainder of the time. The use of searchlights is prohibited. Changeable electronic variable message signs (CEVMS), are prohibited if facing or visible from a roadway.

- C. All signs shall be compliant with the city's outdoor lighting ordinance.
- D. A violation of subsection (a) above is an offense under section ***.

1.13. Wind Pressure and Dead Loads

Any sign that requires a permit shall be designed and constructed to withstand wind pressures and receive dead loads if the structure is required to comply with the International Building Code (IBC).

1.14. Applicability of Other Codes Not in Conflict

All signs erected or maintained pursuant to the provisions of this chapter shall be erected and maintained in compliance with all applicable state laws and with the building code, outdoor lighting ordinance, comprehensive plan, and other applicable ordinances of the city.

1.15. Noncompliant Signs Prohibited

It is an offense for a person to install, maintain, repair, alter, or relocate a sign within the city limits or ETJ, except in accordance with the provisions of this chapter. It is an offense for a person in the city or its ETJ to have any sign located on the person's property in violation of this chapter. A violation of this section is an offense under section 8.4, *Violations and Penalties*

1.16. Large Real Estate Signs

- A. Only one nonilluminated real estate sign shall be permitted per lot that is for sale or lease, except that two nonilluminated real estate signs shall be permitted if it is a corner lot.
- B. The maximum area of a sign shall not exceed 32 square feet.
- C. The maximum height for a sign shall not exceed eight feet.
- D. Real estate signs advertising the sale or lease of property shall be removed at the completion of the transaction advertised.
- E. The owner of the property must apply for a permit before erecting such a sign. If the sign is placed more than 12 months, an annual renewal of the sign permit is required. The sign must be kept in good condition.
- F. If multiple units are available for lease on a single property or property ownership is structured as a condominium project, the property may have smaller signs (not to exceed six square feet in area or six feet in height) for each individual unit provided the individual signs are not legible from the public right-of-way (i.e., street). Neither a permit nor a permit fee is required for these smaller, individual signs.

1.17. Small Real Estate Signs

- A. Only one nonilluminated real estate sign shall be permitted per lot that is for sale or lease, except that two nonilluminated real estate signs shall be permitted if it is a corner lot.
- B. The maximum area of a sign shall not exceed six square feet.
- C. The maximum height for a sign shall not exceed three feet.
- D. Real estate signs advertising the sale or lease of property shall be removed at the completion of the transaction advertised. The sign must be kept in good condition.
- E. A small real estate sign does not require a permit.
- F. If multiple units are available for lease on a single property or property ownership is structured as a condominium project, the property may have multiple small real estate signs for each individual unit. Neither a permit nor a permit fee is required for these smaller, individual signs.

2. Administration

2.1. Permit Required

- A. Requirements. Except as otherwise provided for herein, no sign shall be erected, posted, painted, or otherwise produced, changed, refaced, remodeled, or reconstructed, in whole or in part, within the city limits and ETJ of the city without first obtaining a permit.
- a. Applications. Application for a permit required by this article shall be made as required by the City. The application for sign permits shall contain all information, drawings, and specifications necessary to fully advise the city building department and City Manager or designee of the type, size, shape, location, zoning district if within city limits, construction, and materials of the proposed sign and the building structure or premises upon which it is to be placed. Drawings shall also show all existing signs on the property. An application is not considered complete until all necessary information listed in this code are provided with the application.
 - b. Application for permit. An application for a sign permit must be filed with the City Manager or designee. An application for any sign must state the date when the owner intends to erect the sign.
 - c. Proof of property interest. All applicants must provide sufficient proof, to be determined by the city building department, showing a real property ownership interest in the property on which the sign will be located or sufficient proof of authorization from the real property owner for sign placement on the property.
 - d. Refacing permit for refacing, remodeling, or repainting sign. A permit is required for anything more than routine maintenance that results in refacing, remodeling, or repainting a sign. The permit fee shall be as listed in the fee schedule. A refacing permit is only available if: (i) the size of the face remains the same; and (ii) the sign is compliant with the outdoor lighting ordinance.
- B. Permit Fee. A nonrefundable fee as set forth in the uncodified fee schedule adopted by the City Council shall accompany all sign permit applications. A reapplication fee may be charged as designated in this article. No permit shall be issued until applicable fees have been paid to the city. Fees may be subject to change without prior notification. The sign permit fee schedule shall be in accordance with the fee schedule enacted by the City Council and located at city hall.
- C. Duration and Revocation of Permit
- a. The city determines that information in the application was materially false or misleading;
 - b. The sign as installed does not conform to the sign permit application;
 - c. The sign violates this article, the zoning ordinance, building code, or other applicable law, regulation, or ordinance; or,
 - d. The city building department determines that the sign is not being properly maintained or has been abandoned.
- D. Appeals
If the city building department denies a permit, the applicant may appeal in writing to the City Council under section 26.03.003(g)(2). The City Council shall make the final decision on the approval or denial of any permit.
- E. Qualifications
Only those individuals who properly obtained a permit by the city building department, or other statutorily required permit or approval shall receive a permit to erect or alter any sign. Permits for the installation, erection, or alteration of any electrical components on a sign shall be issued only to those individuals who hold a commercial sign master sign electrician's license or is a licensed electrician. It is an offense under this ordinance for any person licensed under the provisions of this article to obtain a permit on behalf of, or for the benefit of, any unlicensed

person whose business activities are such that such unlicensed person would need a license to obtain a permit.

F. Conditions for Issuing Permits

No permit for the erection or alteration of any sign over any sidewalk, alley, or other public property, or on or over any roof or building shall be issued to any person except upon the condition that the permit may be withdrawn at any time, in which case the sign shall be immediately removed by the responsible party, who will also be liable under the penalties provided for in this article.

G. Issuance. A permit shall not be issued when:

- a. An existing billboard sign is in a deteriorated, unsafe, or unsightly condition.
- b. A sign on the premises is not in compliance with this article.
- c. Authorization of the property owner on which the sign is to be placed has not been obtained.
- d. All taxes are paid on the property .

H. Inspection. Any sign for which a permit is issued shall be inspected after its erection for conformity to the provisions of this article.

- I. Before any permit may be issued for a new sign under this chapter, the responsible party shall modify or remove any of its own nonconforming signs and sign structures displayed or erected on the same property for which the permit is being sought, so that all the signs and sign structures they are responsible for on the property conform to the provisions of this chapter. This provision does not apply to real estate signs, banners, temporary signs, or daily display signs. This provision does not apply to nonconforming signs with a variance.

2.2. Permit Not Required

Permit shall not be required for:

- A. Simple routine maintenance, adjustments, replacement of compliant light bulbs, etc., on existing signs.
- B. When a sign has been damaged by fire, windstorm, or other causes, immediate work may be done to prevent damage to property or hazard to persons, and to this extent only. Notice will be given as soon as practical to the city building department.
- C. Changing a commercial message to a noncommercial message on any legal sign surface. Any sign surface on which a commercial message may contain a noncommercial message.
- D. Changing of permitted copy of an existing sign, provided that no increase occurs with respect to either the sign area or the manner in which the sign is structurally supported.
- E. Any sign or display exempted from the sign article or permit requirement.

2.3. Variances

- A. A responsible party that wants a variance from this article must file a request for variance with the City Manager or designee along with a variance application fee, as stated in the city's most recent fee schedule. The City Manager or designee will indicate what documentation the responsible party must provide in support of the request.
- B. Once the complete and necessary documentation has been provided to the City Manager or designee, they shall review the request and make a determination based on the documentation provided by the responsible party.
- C. The City Manager or designee may, in specific cases and subject to appropriate conditions, and only after a finding based on the evidence presented that strict compliance with the requirements of this article will result in substantial undue hardship, sufficient mitigation, or inequity to the applicant

without sufficient corresponding benefit to the city and its citizens in accomplishing the objectives of this article:

- a. Permit a variance for a noncommercial or commercial sign of the setback, effective area, size of internal components of a sign so long as total size of sign face is compliant, or height requirements of this article;
 - b. Authorize one additional sign on premises more than the number permitted by this article;
 - c. Approve and increase in height up to four feet;
 - d. Approve an electronic or LED sign for the display of illuminated, changeable copy sign that consists of electronically changing alphanumeric text; or,
 - e. Approve a roof sign.
- D. Other requests for variances require a variance application to the City Council. The City Council may decide, subject to appropriate conditions, and only after a finding based on the evidence presented that strict compliance with the requirements of this article will result in substantial undue hardship, sufficient mitigation, or inequity to the applicant without sufficient corresponding benefit to the city and its citizens in accomplishing the objectives of this article.
- E. The City Manager or designee and City Council shall consider:
- a. Special or unique hardship because of the size or shape of the property on which the sign is to be located, or the visibility of the property from public roads.
 - b. Hardship claim based on the exceptional topographic conditions or physical features uniquely affecting the property on which a sign is to be located.
 - c. Proposed sign location, configuration, design, materials and colors are harmonious with the rural, prairie setting.
 - d. Natural colors (earth tones) and muted colors are favored. Color schemes must be compatible with the surrounding structures. Predominate use of bold and/or bright colors is discouraged under this section.
 - e. The sign and its supporting structure is in architectural harmony with the surrounding structures.
 - f. Mitigation measures related to the sign in question or other signs on the same premises.
 - g. Demonstrated and documented correlation between the variance and protecting the public health and safety.
 - h. The stage at which the variance is requested. The city will be more inclined to consider a variance request when it is sought during an earlier stage of the construction approval process, for instance when the responsible party is submitting/obtaining a plat, planned unit development, development agreement, or site plan.
 - i. Whether the sign could have been included in a master signage plan. Master signage plans are highly encouraged. The city will be more inclined to favorably consider a variance request when the variance is part of a master signage plan. There will be a presumption against granting variances piecemeal, ad hoc, on a case-by-case basis when the sign for which a variance is sought could have been included in a master sign plan and considered in the course of a comprehensive review of the entire project's signage.
 - j. The City Manager or designee may authorize the remodeling, renovation, or alteration of a sign when some nonconforming aspect of the sign is thereby reduced.
- F. Where a permit was required for a sign's erection according to the law in effect at the time the sign was erected and where the City Manager or designee finds no record of a permit being issued, the City Manager or designee may authorize the issuance of a replacement permit when, from the evidence presented, the City Manager or designee finds either that a permit was issued or that arrangements were made with a sign company to obtain such permit.

- G. If a variance applicant wishes to appeal the decision of the City Manager or designee, the applicant shall file for an appeal with the City Council within ten days of receipt of the City Manager or designee's decision. The City Council shall consider the appeal at its next regular meeting or as soon as practicable. The City Council shall either: (1) approve, reject, or approve upon condition the variance application, if any, at its meeting; (2) postpone its decision on the request of the applicant; or (3) postpone its decision to its next regular meeting for good cause based on need for further review by the City Council. Upon approval by the City Council, the sign permit and variances, if any, the permit shall be issued by the city administrator or the administrator's designee.

2.4. Condition

The City Manager or designee or City Council may impose conditions upon the granting of a variance under this chapter. Such conditions must be related to the variance sought and be generally intended to mitigate the adverse effects of the sign on neighboring tracts and the general aesthetic ambiance of the community. Examples of conditions include increased setbacks, added vegetation, muted colors, and decreased lighting. The City Council may condition sign variances on the responsible party bringing other existing, nonconforming signs into compliance with current regulations. A responsible party's failure to comply with conditions placed on a variance may result in the City Council voiding the variance and authorizing all available code enforcement actions and other remedies available in equity or at law.

2.5. Approval of Master Sign Plans - Reserved

3. Existing Signs

3.1. Maintenance of Existing Signs

- A. All signs in the city and ETJ shall be properly maintained at all times to the satisfaction of the City Manager or designee. The City Manager or designee shall have the authority to order the painting, repair, or removal of a sign which constitutes a hazard to the safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment. If within 15 days the maintenance orders are not complied with, the city administrator may order the sign removed at the owner's expense under the provisions of this article.
- B. It is an offense under section 8 for a responsible party to fail to maintain signs and sign structures in a good and sound condition as determined by the building official in accordance with the International Building Code. Responsible parties must repair or replace signs and sign structures that are rotting, peeling, rusting, fading, becoming discolored, covered in dirt, or filled with holes. Responsible parties shall not allow signs or sign structures to become dangerous, within the meaning of the International Building Code, as a result of inadequate design, construction, repair, or maintenance. The city can seek to compel immediate removal of signs that are in such a state of disrepair as to constitute an imminent threat to public health, safety and welfare.

3.2. Newly Annexed Signs

Signs in areas newly annexed into the city limits or newly encompassed by an expanded ETJ shall be treated as nonconforming signs. If required for the type of existing sign, a permit shall be issued upon application. The signs shall be held to the amortization period addressed below of ten years so that the beginning of the amortization period is the time of annexation or encompassment.

3.3. Off-premises Pole Signs (Billboards)

- A. Off-premise signs are prohibited.
- B. Abandoned or Discontinued Signs

An abandoned or discontinued sign is a sign that advertises a business or project that has ceased operations more than one year, unless the property is leased, in which case the sign shall be removed

after two years. The responsible party shall remove any sign and/or sign structure that has not been used for advertising or promoting a going concern for at least one year. For the purposes of this section, a business or project has ceased to operate when it is no longer engaged in the sale of products or services in the normal course of business. A violation of this section is an offense under section 26.05.002.

3.4. Signs and Modifications

- A. Signs lawfully in existence on the date the provisions of this article are adopted that do not conform to the provisions of this article, but which were in compliance with the applicable regulations at the time they were constructed, erected, affixed, or maintained, must be regarded as nonconforming.
- B. For the purpose of amortization, these signs may be continued from the effective date of this article for a period not to exceed ten years, unless under a previous regulation the signs were to be amortized as allowed by law. In that case the amortization period must be as previously required or ten years, whichever is less. Signs that cannot be amortized by the city may continue in existence so long as the sign continues to be properly maintained as required by this code.
- C. Signs which were nonconforming to the prior ordinance and which do not conform to this article must be removed immediately.

3.5. Altered, Relocated, or Replaced Signs

Any sign which is altered, relocated, or replaced must be brought immediately into compliance with all provisions of this article.

3.6. Incentives for Compliance

- A. Variance Incentive. When considering granting a requested variance under this chapter or any other chapter, the city may take into consideration an applicant's commitment to bring pre-existing nonconforming signs into compliance with this chapter, and/or remove pre-existing nonconforming signs.
- B. Permit Incentive. If a responsible party voluntarily elects to bring a pre-existing nonconforming sign into compliance with this chapter, the City Manager or designee may waive the application fee for any required sign permits related to the specific property.

4. General Regulations

4.1. General Standards Applicable to All Signs

- A. Safety. All signs shall be designed, constructed, and maintained in accordance with the building code, electrical code, and other applicable codes, and shall be structurally safe.
- B. Visibility Triangle. No sign shall be placed within a visibility triangle at an intersection of two streets, or at the intersection of a driveway and a street, if any portion of the sign is between thirty (30) inches and ten (10) feet above the adjacent roadway elevation. The visibility triangle shall be measured twenty-five (25) feet along each side from the intersection of the rights-of-way or curb lines.
- C. Setbacks. Unless otherwise specified in Article 3, freestanding signs shall be set back at least fifteen (15) feet from any property line and at least fifteen (15) feet from a residential property line on an adjoining lot.
- D. Illumination. Illumination of signs shall comply with Article 4 of this Ordinance and with the City's Outdoor Lighting Ordinance. In the event of any conflict between this Ordinance and the Outdoor Lighting Ordinance, the more restrictive provision shall apply.
- E. Landscaping. Freestanding signs shall be landscaped in accordance with Article 6, *Landscaping Standards*.
- F. Identification. Every permitted sign shall display, in a legible and unobtrusive manner, the permit number issued by the City. The permit number shall not count toward the sign's copy area.

4.2. Measurement of Sign Area and Height

- A. Sign Area. The area of a sign shall be computed by means of the smallest square, rectangle, circle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material, background, or color forming an integral part of the background of the display and used to differentiate the sign from the backdrop or structure against which it is placed. The area does not include:
 - a. The structure, supports, or uprights on which the sign is placed, provided they contain no message or identifying information;
 - b. Architectural features integral to the sign structure, such as base courses and caps, that contain no message; and,
 - c. The permit number required by Section 4.1(f), *General Standards Applicable to All Signs, Identification*.
- B. Multi-Faced Signs. For signs with more than one face:
 - a. Where two (2) sign faces are parallel or at an interior angle of forty-five (45) degrees or less, only one face shall be counted;
 - b. Where faces are at an interior angle greater than forty-five (45) degrees, the area of all faces shall be counted.
- C. Height. Sign height shall be measured as the vertical distance from the average finished grade at the base of the sign to the highest point of the sign or sign structure, whichever is higher. The finished grade shall not be artificially raised by means of a berm exceeding twelve (12) inches above the natural or adjoining grade for purposes of increasing sign height.

5. Design Standards

5.1. Purpose

The design standards of this Article are intended to ensure that signs contribute positively to the rural, small-town character of Pine Island; complement the architectural character of associated buildings; and create attractive, coordinated streetscapes throughout the City. These standards are applied in a content-neutral manner and address only the physical and material characteristics of signs.

5.2. Applicability

The design standards of this Article apply to all permanent signs citywide. Temporary signs are exempt from this Article, except for Section 5.07, *Materials* and Section 5.09, *Prohibited Design Elements*.

5.3. Architectural Compatibility

- A. Relationship to Building. A sign shall be designed as an integral element of the site and building, not as an independent feature applied without regard to architectural context. The design, materials, and colors of a sign shall relate to and complement the architecture of the primary building on the lot.
- B. Relationship to Site. Freestanding signs shall be designed to appear as an intentional, integrated feature of the site, with foundation treatments, landscaping, and finishes that read as part of the overall site design.
- C. Multi-Tenant Coordination. On multi-tenant properties, all signs shall share a coordinated design vocabulary, including consistent base treatment, proportion, frame, and material palette. Individual tenant colors and logos are permitted within an otherwise coordinated sign framework.

5.4. Monument Sign Design

- A. Base Requirement. Every monument sign shall incorporate a continuous, solid base constructed of:
 - a. Native or locally quarried stone;
 - b. Brick;
 - c. Split-face or architectural concrete masonry units;

- d. Stucco over masonry; or,
 - e. Other masonry material approved by the Code Official as architecturally compatible with the principal building.
- B. Base Proportion. The base shall be a minimum of eighteen (18) inches in height and shall be at least as wide as the sign cabinet, with a base-to-cabinet width ratio of not less than 1.0.
- C. Cap and Frame. Each monument sign shall include a distinct cap, cornice, or pediment treatment and a decorative frame around the sign face. The cap and frame shall be constructed of durable materials consistent with the base.
- D. Integration. The sign cabinet, base, cap, and frame shall read as a single, unified structure rather than a cabinet placed atop a base.

5.5. Wall Sign Design

- A. Sign Band. Wall signs shall be located within a recognizable sign band on the building façade, typically located between the top of the ground-floor storefront windows and the bottom of the second-story windows, or between the top of the ground-floor storefront and the roofline or parapet.
- B. Façade Element Alignment. Wall signs shall align with and respect architectural features of the façade, including pilasters, piers, bays, column lines, and window openings. Signs shall not obscure cornices, transom windows, decorative brick courses, or other significant architectural details.
- C. Preferred Sign Types. The following wall sign types are preferred:
- a. Dimensional, individually mounted letters, either pin-mounted or attached to a raceway concealed behind or integrated with the façade;
 - b. Reverse-channel (halo-lit) letters, where illumination is provided;
 - c. Signs painted directly on masonry façades in the manner of traditional wall signs; and,
 - d. Signs on carved or routed wood, composite, or metal panels mounted flush to the wall.
- D. Cabinet Signs. Internally illuminated box-cabinet signs with translucent plastic faces are discouraged. Where used, the background of the sign face shall be opaque, with only the letters and logo illuminated (sometimes called a “reverse cabinet” or “opaque-field” treatment).

5.6. Typography and Color

- A. Legibility. Sign copy shall be designed for legibility at the speed and distance from which it is intended to be read.
- B. Number of Typefaces. A single sign or sign complex shall use no more than three (3) distinct typefaces and no more than one (1) script or decorative typeface.
- C. Copy Area. No more than sixty percent (60%) of the sign face area shall be covered by copy and logo; the remaining area shall be negative space that frames and emphasizes the copy.
- D. Colors. No more than four (4) colors, including black and white, shall appear on any single sign face, exclusive of registered corporate logos and trademarks, which may be displayed in their protected colors.
- E. Fluorescent and Day-Glo Colors. Fluorescent, day-glo, and similar high-chroma colors are prohibited on permanent signs.

5.7. Materials

- A. Preferred Materials. Permanent signs shall be constructed of durable, high-quality materials suited to exterior exposure in the Gulf Coast climate, such as:
- a. Stone, brick, masonry, and cast stone;
 - b. Finished metals, including bronze, aluminum, copper, and painted steel;
 - c. High-density urethane (HDU), sealed and finished for exterior use;
 - d. Dimensional lumber and timber, sealed and finished for exterior use;

- e. Glass and acrylic panels, where protected from impact; and,
- f. Porcelain-enameled steel
- B. Prohibited Materials. The following materials are prohibited in permanent sign construction:
 - a. Unfinished plywood, unfinished oriented strand board (OSB), and particle board;
 - b. Corrugated plastic, corrugated metal, and corrugated paper (except in temporary signs);
 - c. Vinyl banner material (except in temporary signs); and,
 - d. Paper or cardboard (except in temporary signs and window signs).

5.8. Sign Illumination

- A. General. All sign illumination shall comply with the Town of Pine Island Outdoor Lighting Ordinance, which is incorporated herein by reference. Where the Outdoor Lighting Ordinance and this Section conflict, the Outdoor Lighting Ordinance controls.
- B. External Illumination Preferred. External illumination directed downward onto the sign face from shielded, full-cutoff fixtures is the preferred method of sign illumination.
- C. Internal Illumination. Internally illuminated signs shall, to the extent consistent with the Outdoor Lighting Ordinance, use opaque sign faces with only the copy and logo illuminated, to reduce light trespass and sky glow.
- D. Color Temperature. Sign illumination shall use lamps with a correlated color temperature not exceeding three thousand (3,000) Kelvin, consistent with the Outdoor Lighting Ordinance.
- E. Hours of Illumination. Illumination of on-premises signs shall be permitted only during hours of operation and for one (1) hour before opening and one (1) hour after closing, except as otherwise permitted by the Outdoor Lighting Ordinance.
- F. Prohibited. The following illumination practices are prohibited:
 - a. Exposed bulbs, LED tape, neon tubing, or similar light sources, except as a decorative accent within a storefront window covering no more than ten percent (10%) of the window area;
 - b. Illumination that causes glare to motorists, pedestrians, or adjacent property owners; and,
 - c. Uplighting of signs from below, where the light source extends above the top of the sign or spills beyond the sign face.

5.9. Prohibited Design Elements

- A. The following design elements are prohibited in all permanent signs, in addition to those prohibited by Section 1.9:
 - a. Signs that mimic fluorescent traffic signs or public safety warning devices;
 - b. Signs with visible electrical conduit, raceways, transformers, or junction boxes on the exterior face, unless integrated into the design in a manner approved by the Code Official;
 - c. Mansard-style cabinet signs mounted to an artificial mansard roof; and,
 - d. Signs using reflective materials that create glare under direct sunlight or vehicle headlights.

6. Landscaping Standards

6.1. Purpose

Landscaping around freestanding signs softens the visual impact of the sign structure, integrates the sign with the site and streetscape, provides habitat value, and reinforces the rural coastal prairie character of Pine Island. The standards of this Article emphasize native and adapted plant species that conserve water, require limited maintenance, and support regional ecology.

6.2. Applicability

This Article applies to every new permanent freestanding sign and to every permanent freestanding sign that is substantially reconstructed (more than fifty percent (50%) of its structural value) after the effective

date of this Ordinance. It does not apply to temporary signs or to signs that are exempt from permit under Section 1.8, *Authorized Signs Without a Separate Permit*.

6.3. Landscape Area Required

- A. Minimum Area. Each freestanding sign shall be located within a defined landscaped area measuring no less than two (2) times the area of the largest sign face, with a minimum landscaped area of seventy-five (75) square feet.
- B. Configuration. The landscaped area shall fully surround the base of the sign, with a minimum planted dimension of three (3) feet on all sides measured from the sign structure, except on the side from which the sign is approached for maintenance.
- C. Definition of Landscape Area. A "landscape area" is a contiguous planted area consisting of living plant material and porous groundcover. Mulched areas alone, inert gravel fields alone, and lawn alone do not satisfy this requirement.

6.4. Native and Adapted Plant Standard

- A. Native Requirement. Not less than seventy-five percent (75%) of the plant material, measured by number of individual plants, within the landscaped area shall be native to the Texas Gulf Coast and Coastal Prairie ecoregion or an adapted, drought-tolerant species suitable to local conditions.
- B. Recommended Plant List. The following species are recommended and are deemed to satisfy the native/adapted standard of subsection (a). The City Manager or designee may maintain and update an expanded plant list, drawing on plants identified by the John Fairey Garden as appropriate for Pine Island, the Native Plant Society of Texas Plant List for the Gulf Coast Prairies and Marshes Ecoregion, and the Lady Bird Johnson Wildflower Center Native Plant Database.
 - a. Recommended Ornamental Grasses
 - i. Gulf muhly (*Muhlenbergia capillaris*)
 - ii. Little bluestem (*Schizachyrium scoparium*)
 - iii. Lindheimer muhly (*Muhlenbergia lindheimeri*)
 - iv. Inland sea oats (*Chasmanthium latifolium*)
 - v. Eastern gamagrass (*Tripsacum dactyloides*)
 - b. Recommended Perennials and Wildflowers
 - i. Black-eyed Susan (*Rudbeckia hirta*)
 - ii. Purple coneflower (*Echinacea purpurea*)
 - iii. Gulf Coast penstemon (*Penstemon tenuis*)
 - iv. Salvia (*Salvia greggii*, *Salvia farinacea*)
 - v. Lantana (*Lantana urticoides*)
 - vi. Turk's cap (*Malvaviscus arboreus* var. *drummondii*)
 - vii. Coreopsis (*Coreopsis tinctoria*, *Coreopsis lanceolata*)
 - viii. Gaura (*Oenothera lindheimeri*)
 - c. Recommended Shrubs
 - i. Dwarf yaupon holly (*Ilex vomitoria* 'Nana')
 - ii. American beautyberry (*Callicarpa americana*)
 - iii. Wax myrtle (*Morella cerifera*)
 - iv. Texas sage (*Leucophyllum frutescens*)
 - v. Coralbean (*Erythrina herbacea*)
 - d. Recommended Accent / Small Trees (space permitting)
 - i. Yaupon holly (*Ilex vomitoria*)

- ii. Possumhaw holly (*Ilex decidua*)
- iii. Mexican plum (*Prunus mexicana*)
- iv. Anacacho orchid tree (*Bauhinia lunarioides*)

6.5. Prohibited Species

- A. The following invasive and nonadapted species shall not be used to satisfy any landscape requirement of this Ordinance and are prohibited from planting in any sign landscape area:
 - a. Chinese tallow (*Triadica sebifera*)
 - b. Chinaberry (*Melia azedarach*)
 - c. Japanese climbing fern (*Lygodium japonicum*)
 - d. Nandina / heavenly bamboo (*Nandina domestica*)
 - e. Chinese privet (*Ligustrum sinense*)
 - f. Any species listed as invasive by Texas Invasives (texasinvasives.org) or the Texas Department of Agriculture.

6.6. Plant Density and Size at Installation

- A. Shrub Density. A minimum of one (1) shrub for each fifteen (15) square feet of landscape area, installed at a minimum five (5) gallon container size or equivalent.
- B. Groundcover and Perennials. Groundcovers and perennials shall be planted at a density sufficient to achieve fifty percent (50%) coverage within one (1) growing season.
- C. Ornamental Grasses. Ornamental grasses shall be installed at a minimum one (1) gallon container size at a maximum on-center spacing of thirty (30) inches.
- D. Mulch. All planted areas shall be mulched with shredded hardwood, pine bark, or similar organic mulch to a depth of two (2) to three (3) inches. Dyed mulch, rubber mulch, and inorganic sheeting are prohibited.

6.7. Water Conservation and Irrigation

- A. Water-Efficient Design. Landscape design shall follow water-efficient principles, grouping plants by water needs (hydrozoning), amending soils to promote infiltration, and using mulch to reduce evaporation.
- B. Irrigation. If provided, irrigation shall be by drip, subsurface, or low-flow bubbler systems. Overhead spray irrigation of sign landscape areas is prohibited.
- C. Establishment Period. Temporary supplemental irrigation is permitted for the first twelve (12) months following installation. Thereafter, plantings should be capable of surviving on natural rainfall in typical years.

6.8. Integration with Site and Street

- A. Visibility. Landscaping shall not obstruct the sign face or create a visibility hazard under Section 4.1(b), *General Regulations, Visibility Triangle*. Shrub material installed within the visibility triangle shall be selected and maintained to mature at less than thirty (30) inches in height.
- B. Streetscape Continuity. Where the sign is located within fifteen (15) feet of a public sidewalk or streetside right-of-way, the landscape design shall visually connect to any required streetscape or right-of-way plantings.

6.9. Landscape Maintenance

- A. Ongoing Obligation. The property owner shall maintain the landscape area in a living, healthy condition in perpetuity, including replacement of dead or diseased plants within sixty (60) days.

- B. Replacement Standard. Replacement plantings shall comply with the native/adapted standard of Section 6.4, *Native and Adapted Plant Standard*.
- C. Enforcement. Failure to maintain required landscaping shall constitute a violation of this Ordinance and may result in revocation of the sign permit.

7. Maintenance, Abandonment, and Nonconforming

7.1. Maintenance

- A. General. Every sign, together with its supports, braces, guys, anchors, and electrical equipment, shall be maintained in a safe condition and in good repair.
- B. Standards. A sign shall be deemed in disrepair if it exhibits any of the following:
 - a. More than twenty-five percent (25%) of the sign face is faded, peeling, chipped, or otherwise deteriorated;
 - b. Letters, symbols, or other copy are missing or broken;
 - c. The structural supports are corroded, bent, leaning, or otherwise unsound;
 - d. Electrical components are exposed, damaged, or operating in an unsafe manner; or,
 - e. The sign or its supports have sustained damage such that the sign no longer resembles its permitted design.

7.2. Unsafe or Dilapidated Signs

The City Manager or designee may order the repair or removal of any sign that is unsafe, insecure, or in a state of disrepair.

7.3. Abandoned Signs

- A. Definition. A sign shall be deemed abandoned when the business, lessee, owner, or other party to which the sign pertains has ceased operation at the premises for one hundred eighty (180) consecutive days.
- B. Removal. Abandoned signs, including sign faces and supporting structures that no longer display a message or identify an active business, shall be removed by the property owner within ninety (90) days of becoming abandoned. In lieu of removal, the sign face and copy may be replaced with a blank panel pending re-use of the sign for a new lawful occupant of the premises.

7.4. Nonconforming Signs

- A. Continuation. A sign that was lawful on the effective date of this Ordinance but does not conform to its requirements (a "nonconforming sign") may continue as provided in this Section.
- B. Routine Maintenance Permitted. Ordinary maintenance, including repainting, cleaning, replacement of faces of the same size and material, and repair of electrical components, is permitted.
- C. Structural Alteration Not Permitted. A nonconforming sign shall not be structurally altered, relocated, enlarged, or reconstructed except to bring the sign into conformance with this Ordinance.
- D. Damage or Destruction. If a nonconforming sign is damaged or destroyed to an extent of fifty percent (50%) or more of its replacement value, it shall not be rebuilt except in conformance with this Ordinance.
- E. Loss of Nonconforming Status. A nonconforming sign that is removed, abandoned for more than one hundred eighty (180) days, or converted to conforming status shall thereafter comply in all respects with this Ordinance.

8. Violations and Enforcement

8.1. Administration

The Code Official, or such other officer as designated by the City Administrator, is charged with administration and enforcement of this Ordinance, including the issuance of permits, the interpretation of requirements, and the investigation of alleged violations.

8.2. Appeals

Any person aggrieved by a decision of the Code Official in the administration of this Ordinance may appeal to the City Council, or to such board of adjustment or appeals as the City may establish, by filing a written notice of appeal within fifteen (15) days of the decision. The appeal shall be decided within sixty (60) days of filing.

8.3. Violations and Penalties

- A. Violation. It shall be unlawful to erect, construct, install, alter, relocate, maintain, or display any sign in violation of this Ordinance.
- B. Penalty. A person who violates any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars (\$500.00) per offense. Each day a violation continues shall constitute a separate offense.
- C. Civil Remedies. In addition to criminal penalties, the City may seek any civil remedy available at law or in equity, including injunctive relief, abatement, and collection of costs of removal.
- D. Removal of Illegal Signs. The City may remove any sign erected in the public right-of-way without a permit or authorization, and may assess costs of removal against the owner of the sign.

8.4. Severability

If any provision, section, subsection, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions, which shall remain in full force and effect. The City Council declares that it would have adopted this Ordinance, and each provision, section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more provisions be declared invalid or unconstitutional.

8.5. Effective Date. This Ordinance shall take effect and be in full force from and after its passage and publication as required by law.

9. Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Applicant. The person or entity requesting sign permit approval, a variance, or a master sign plan from the city.

Arterial street. Arterial streets are designed to carry high volumes of through traffic. A principal traffic artery, carrying higher volumes of traffic, more or less continuously, which is intended to connect remote parts of the area adjacent thereto and to act as a principal connecting street with state highways.

Awning. A cloth, plastic, or other nonstructural covering that either is permanently attached to a building or can be raised or retracted to a position against the building when not in use. This term does not include canopies.

Balloon signs. Any inflatable, three-dimensional sign, with or without letters, symbols, or numbers, that is either expanded to its full dimensions or supported by gases contained within the sign at a pressure greater than atmospheric pressure.

Billboard sign. A sign that is freestanding, attached to or part of a building, and is an off-premises sign that is designed for a change in copy, so that the characters, letters, display, or illustrations can be changed or rearranged within a fixed sign face. Billboard signs are prohibited.

Building. Any structure built for the support, shelter, and enclosure of persons, animals, goods, or movable property of any kind. When subdivided in a manner sufficient to prevent the spread of fire, each portion so subdivided may be deemed a separate building.

Changeable copy sign. A sign on which message copy is changed manually through the utilization of changeable letters, numbers, symbols, and other similar characters or pictorial panels.

Commercial districts. Commercial districts include areas zoned office, local retail, general retail, and commercial services, property in a planned development district that allow for a commercial use, or property in the ETJ that is appraised as commercial property.

Construction/development sign. A commercial sign placed on a piece of property advertising planned construction and providing related information, including but not limited to the name of the contractor, the name of the owner, the planned date of completion, and information indicating the future use or occupation of the site.

Daily display sign. An A-framed, hinged, folding sign that is freestanding and portable and that is not affixed to a base or pole structure. A daily display sign can be in the form of a board or an easel.

Dilapidation. Dilapidation includes any sign where elements of the sign area or background have portions of the finished material missing, broken, or illegible; where the structural support is visibly bent, broken, dented, rusted, corroded, or loose; or where the sign or its elements are not in compliance with the adopted electrical code and/or the building code.

Directional signs. Any sign with on a property zoned or used for a commercial purpose that includes directional information to the site of the sale, rent, or lease of goods, services, or property.

Electronic sign. Any sign for which the text, letters, numbers, pictures, or symbols forming the informational portion of the sign consists of flashing, intermittent, or moving lights, including any LED screen or any other type of video display. Illumination of a sign, by itself, does not create an electronic sign.

ETJ. Extraterritorial jurisdiction of the city as created and authorized under chapter 42 of the Texas Local Government Code or as been added by request or other manner.

Facade. The principal face of a building, including parapet walls and omitted wall lines, or any part of a building which encloses or covers usable space. Where separate faces are oriented in the same direction, or in directions within 45 degrees of one another, they are to be considered as part of a single facade.

Feather banner. A sign that is constructed of lightweight material (such as cloth, canvas, or vinyl) affixed to a pole or building which is similar to a flag, except that it is longer than it is wide. A feather banner resembles a feather, in that it is tall and narrow, having more surface area vertically than horizontally when fully extended.

Freestanding. A sign that is not attached to a wall or building. A sign that is supported by a structure primarily designed for display of the sign.

Government sign. A government sign is a sign that is constructed, placed, or maintained by the federal, state, or local government or a sign that is required to be constructed, placed, or maintained by the federal, state, or local government, including a water district, either directly by the governmental entity or to enforce a property owner's rights. Local government includes any political subdivision including the county, the city, the school district, the water district, or an emergency services district.

Hanging sign. A sign that is affixed to the underside of a roof, canopy, awning, or porch.

Height.

- (1) Except as applied to a monument sign, height refers to the vertical distance between the highest attached component of the sign or of its supporting structure (whichever is higher) and the lowest attached component of the sign or of its supporting structure (whichever is lower).

- (2) As applied to a monument sign, height refers to the vertical distance between the highest attached component of the sign or of its supporting structure (whichever is higher) and the natural grade of the ground at the point where the sign is located.
- (3) If any sign, temporary or permanent, sits on property that is adjacent to a public right-of-way, and the natural grade of the property is lower than the average grade of the public right-of-way, the responsible party may raise the grade of the property on which the sign is located up to four feet, in accordance with zoning and all other ordinances, and height will be measured from the highest attached component of the sign or of its supporting structure (whichever is higher) and the increased grade. The responsible party may only increase the grade an amount equal to the difference between the average grade of the right-of-way and the natural grade of the property on which the sign is located. A responsible party may also apply for a variance from the City Manager or designee to raise the height of the sign.

Rural Prairie style. Buildings of simple design, using native materials, incorporating wide overhangs, porches, and tall windows.

Indirect illumination or lighting. A light source not seen directly. The term includes a source of illumination which is not a part of the sign or the sign structure, which provides light for the sole purpose of making the sign visible when natural light is not sufficient. Indirect illumination can include internal illumination, if such illumination is also compliant with the outdoor lighting ordinance.

Inflatable sign. An inflatable device, with or without a message, figure, or design attached to its surface designed to attract attention.

Logo. Graphic symbols used to represent or identify a commercial, institutional, or nonprofit entity or organization.

Marquee sign. A canopy or covering structure bearing a signboard or copy projecting from and attached to a building.

Master sign plan. A comprehensive document containing specific regulations for an entire project or property's signs.

Monument sign. A sign permanently affixed to the ground at its base or by poles that are enclosed by natural stone, stucco, brick, or wood and not mounted to a part of a building. Pole(s) may be used to construct a monument sign so long as the poles are not visible below the sign.

Natural colors (earth tones). Colors that are muted and flat in an emulation of the natural colors found in dirt, moss, trees and rocks, including browns, tans, grays, greens, oranges, whites, blues and some reds.

Nonconforming sign. A sign lawfully in existence on the date the provisions of this chapter are adopted that do not conform to the provisions of this chapter, but which were in compliance with the applicable regulations at the time they were constructed, erected, affixed, or maintained.

Off-premises sign. Any commercial sign that advertises a business, person, activity, goods, products, real property, or services not located on the property where the sign is installed, or that directs persons to a location other than the property where the sign is located.

Outdoor lighting ordinance. The adopted Town of Pine Island Outdoor Lighting Ordinance that applies to all signs whether within the city limits or in the ETJ. It is the purpose and intent of the Outdoor Lighting Ordinance to ensure that outdoor lighting in Pine Island furthers the city's goal of being a Dark Sky community.

Pedestrian elements. Any furniture, fencing, gates, benches, trash cans, poles, or any other type of structure that benefits pedestrian use of an area.

Pole sign. A sign that is permanently supported in a fixed location by a structure of poles, posts, stakes, uprights, or braces from the ground and is not supported by a building, fence, vehicle, base structure, or other support.

Portable sign. Any sign without a permanent foundation, or otherwise permanently attached to a fixed location, that can be carried, towed, hauled, or driven and is primarily designed to be moved rather than be limited to a fixed location regardless of modifications that limit its movability. Daily display signs as defined below are excluded from this definition.

Property owner. The owner of the property on which a sign is located. A lessor may have the same rights and authority as the property owner if given such authority through written agreement with the property owner.

Residential development. A residential building project that includes multiple residences, also referred to as a neighborhood or subdivision.

Responsible party. The owner/operator of the business being identified on the sign; the owner of the property upon which the sign or sign structure is located; the owner of the sign or sign structure; the person who installs a sign or sign structure, contracts with or directs a person to accomplish the installation; and/or the person who retrieves a sign from the impound.

Restaurant menu. A sign on the outside of a restaurant or other food service establishment that advertises the sale of food items.

Right-of-way. The area on, below, or above a public road, highway, street, public sidewalk, alley, waterway, or utility easement in which a governmental entity has an interest.

Roof sign. A sign that is displayed about the eaves and under the peak of a building. This term includes a sign painted, erected, constructed, or maintained on the roof of a building.

Sign. A structure, sign, display, light device, figure, painting, drawing, message, plaque, poster, billboard, or other object that is designed, intended, or used that includes text or images designed to communicate. Signs located completely within an enclosed building and not exposed to view from a street shall not be considered a sign. Each display surface of a sign or sign face shall be a sign.

City Manager or designee. The officer appointed by the City Council with the authority to enforce this chapter. The term also includes any person designated to act on behalf of the City Manager or designee.

Sign face. The entire display surface area of a sign upon, against, or through which copy is placed.

Signable area. The total surface including frame and mounting. The actual area of the sign shall be calculated using trigonometric methods when the sign is not a simple rectangle. The allowed area of the sign as stated in the ordinance equals one side of a freestanding back-to-back sign, provided the freestanding sign's sides are back-to-back or angled with no greater separation between sides at its widest point than four feet and provided that both sides have the identical sign. Frame and mounting shall not exceed 30 percent of the total surface area of sign. When referring to area limitations of monument signs, area and signable area refers to an area within a continuous perimeter that includes the sign structure as well as the lettering, illustrations, ornamentations, or other figures, but does not include the sign base. Required landscaping does not count towards signable area.

Temporary sign. A banner, pennant, poster, or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, or other like materials and that appears to be intended or is determined by the City Manager or designee or the administrator's designee to be displayed for a limited period.

Vehicle sign. Any sign attached to or displayed on a vehicle.

Vending machine. Any sign integrated into or placed on a coin, cash, credit card, or debit card operated self-service machine that dispenses such goods or services as propane cages, ice, DVDs, or cash automated teller machines (ATMs).

Wall sign. A sign attached to, painted on, or erected against the wall of a building or structure, or on the fence or detached wall on the same property as the building, with the exposed face of the sign in a plane parallel to the face of the wall and not projecting more than nine inches from the face of the wall at any point.

Window signs. Signs that are painted on, etched in, attached, pasted, or visible through a window or transparent door of a building that are oriented in a manner establishing an intent to be viewed off-premises or from public or private roadways. This term excludes signs displayed inside of buildings primarily for patrons on the premises

APPENDIX A. CHART OF SIGN DESIGN STANDARDS

Type of Sign	Maximum Area	Maximum Height	Maximum Number	Permit Required
Government signs	6 sq. ft.	3 ft.	n/a	no
Small real estate	6 sq. ft.	6 ft.	1 or 2	no
Large real estate	32 sq. ft.	8 ft.	1	yes
Real estate - Lease individual units			For each unit for lease	no
Vehicle signs/mobile food vendors	Size of vehicle	Size of vehicle	None	no
Sports field signs	32 sq. ft.	6 ft.	1 for each unit	no
Memorial signs	6 sq. ft.	None	Limited by content	no
Window signs - limited ¹	5 sq. ft.	5 ft.	1	yes
Residential developments - noncommercial identification sign	24 sq. ft.	6 ft.	1	no
Residential - address (required)	Letters and numbers 6" to 8"		One (required)	no
Construction/development sign	48 sq. ft.	8 ft.	One	yes - project completion annual renewals
Traffic control signs (not MUTCD)	2 sq. ft.	6 ft. from grade	As required	no
Multifamily residential complex/monument sign	24 sq. ft.	6 ft.	One per entrance	yes
Multifamily identification wall sign	15 sq. ft.		One (if no hanging sign)	yes
Multifamily identification hanging sign	8 sq. ft.		One (if no wall sign)	yes
Manufactured home park identification monument sign	24 sq. ft.	6 ft.	One	yes
Commercial wall sign	64 sq. ft. - length limited to 75% of street front width	Maximum building height	One or two depending on location of entrances	yes

Commercial hanging signs	8 sq. ft. - limited to 75% of street front width	7 ft. clearance	One or two depending on location of entrances	yes
Commercial construction/development sign	64 sq. ft.	8 ft.	One per entrance	yes
Commercial monument sign - individual business	32 sq. ft.	6 ft.	One	yes
Commercial awning sign as part of wall sign	See conditions	One or two depending on location of business	yes	26.02.004
Restaurant menus	32 sq. ft.	Two per lane - vehicular and pedestrian	yes	26.02.004
Equipment signs	Size of equipment	None	no	26.02.004
Window signs	Cumulative of 24 sq. ft. of 25 sq. ft. depending on location of business	None	no	26.02.004
Noncommercial signs	36 sq. ft.	One	no	26.02.004; 26.02.005
Flags - noncommercial	40 sq. ft.	page on frontage, up to 4 maximum	no	26.02.004
Daily displays	3 ft.	One	no	26.02.004; 26.02.005
Wall signs - industrial	64 sq. ft. Cumulative		yes	26.02.005
Monument identification sign - industrial	48 sq. ft.	One	yes	26.02.005
Equipment signs	Size of equipment	None	no	26.02.005
Noncommercial signs	36 sq. ft.	One	no	26.02.005
Monument or wall identification sign - multi-unit complex	48 sq. ft.	6 ft.	Depends on location	yes
Banners - affixed to building, fence, wall	32 sq. ft.	15 ft.	One per commercial property. 6 months total in a 12 month timeframe	Yes
Banners - affixed to pipes, poles	32 sq. ft.	15 ft.	One per commercial property. 6 months	Yes

				total in a 12 month timeframe	
Banners - small commercial banners	24 sq. ft.	15 ft.		One per commercial property. 6 months total in a 12 month timeframe	yes
New business signs	32 sq. ft.	6 ft.		One between building permit and CO - 60 days; and 60 days prior to opening	No