ORDINANCE 07-37

AN ORDINANCE OF THE TOWN OF WESTFIELD CONCERNING AMENDMENT TO TITLE 16 – SIGN ORDINANCE

WHEREAS, The Town of Westfield, Indiana and the Township of Washington, both of Hamilton County, Indiana are subject to the Westfield Washington Township Zoning Ordinance; and

WHEREAS, the Westfield-Washington Township Advisory Plan Commission ("Commission") considered a petition (docket 0710-ZOA-03) filed with the Commission to amend the sign ordinance; and

WHEREAS, the Commission did take action to forward the request to the Westfield Town Council with a positive recommendation under the provision of IC 36-7-4-605; and

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Town Council on November 27, 2007; and

WHEREAS, the Westfield Town Council is subject to the provision of IC 36-7-4-608(g) concerning any action on this request.

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD TOWN COUNCIL THAT TITLE 16 OF THE WESTFIELD CODE OF ORDINANCE BE AMENDED AS FOLLOWS:

SECTION 1. WC-16.08.010 Sign Standards – Second Floor Tenant Signage

The Sign Ordinance is modified as described in Attachment A.

SECTION 2. This Ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All ordinances or parts thereof that are in conflict herewith are hereby ordered.

ALL OF WHICH IS HEREBY ADOPTED BY THE TOWN COUNCIL OF WESTFIELD, HAMITON COUNTY, INDIANA THIS ____ DAY OF _____, 2007.

WESTFIELD TOWN COUNCIL

Voting For	Voting Against	Abstain
Andrew Cook	Andrew Cook	Andrew Cook
Jack Hart	Jack Hart	Jack Hart
John Dippel	John Dippel	John Dippel
Bob Smith	Bob Smith	Bob Smith
Ron Thomas	Ron Thomas	Ron Thomas
Robert Horkay	Robert Horkay	Robert Horkay
Joseph Plankis	Joseph Plankis	Joseph Plankis

ATTEST:

Clerk-Treasurer, Cindy Gossard

This ordinance prepared by
Gregory J Anderson, AICP, Director of Community Development

WESTFIELD TOWN COUNCIL

Petition Number	0710-ZOA-03
Petitioner	Thompson-Thrift Development
Zoning Ordinance Section	16.08.010
Title	Second-floor tenant signs
Request	Amend the Sign Standards to allow wall signage for second and other upper-floor tenants
Exhibits	1) APC Certification 2) Proposed text amendment

PETITION HISTORY

This proposed text amendment appeared before the Standards Committee on September 19, 2007, October 17, 2007 and November 13, 2007. The Standards Committee forwarded this amendment to the Advisory Plan Commission with a favorable recommendation.

This proposed text amendment first appeared before the Advisory Plan Commission at the November 26, 2007 hearing. A public hearing was conducted in accordance with State statute. The Advisory Plan Commission voted to send a favorable recommendation to the Town Council.

SUMMARY

Thompson-Thrift Development has proposed a text amendment to the Sign Standards that permits tenant signage for second-floor tenants and other upper-floor tenants on a multi-story, multi-tenant building. The proposed text amendment does not offer global changes to the Sign Standards, but rather modifies specific sections of the Sign Standards to address second-floor signage, upper floor signage, directory signage, and building identification signage.

The proposed changes to the ordinance are in blue underlined text.

PROCEDURAL

Notice of this proposed text amendment was published in newspapers of general circulation in accordance with applicable State statutes.

Copies of the proposed text amendment have been made available to the public in advance of the published hearing date.

RECOMMENDATION

Approve the proposed zoning ordinance amendment as presented.

WESTFIELD-WASHINGTON TOWNSHIP ADVISORY PLAN COMMISSION
CERTIFICATION

The Westfield-Washington Township Advisory Plan Commission met on Monday, November 26, 2007, to conduct a public hearing for 0710-ZOA-03 Section WC 16.08.010, (I), a revision to the language of the Westfield-Washington Township Zoning Ordinance to provide for signage for second-floor tenants in multi-tenant commercial structures. Notice of public hearing was advertised and noticed and presented to the Advisory Plan Commission. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana.

A Public Hearing was held at the Westfield Washington Advisory Plan Commission Meeting.

A motion was made and passed to send a positive recommendation to Town Council to approve 0710-ZOA-03 (7-1).

I, Gregory J. Anderson, AICP, being the Secretary of the Westfield-Washington Township Advisory Plan Commission, do hereby certify that the above is a true and accurate record of the minutes of the meeting of the Westfield-Washington Township Advisory Plan Commission held on November 26, 2007.

Gregory J. Anderson, AICP, Secretary

November 27, 2007
Date

0710-ZOA-03 Section WC 16.08.010, (I), A revision to the language of the Westfield-Washington Township Zoning Ordinance to provide for signage for second-floor tenants in multi-tenant commercial structures, proposed by Thompson-Thrift Development.

Todd presented the details of the Zoning Ordinance revision, which is to address a current void in the sign ordinance regarding tenant signage for tenants above the first floor of a multi tenant structure. He stated this revision was worked through with staff, the petitioner, and the Standards Committee. He stated that at the final meeting, the Committee agreed to send this petition to the full Plan Commission with a positive recommendation. He discussed a couple of new exhibits being presented, two specifically at the request of the Committee and one demonstrating the difference between a 35% ratio in trying to determine second floor signage area vs. 65% and stated it was agreed that the 35% was acceptable. He continued stating the second item was definitions of the new terminology generated by this text amendment; these will be added to the definition section of the ordinance as an amendment and not to the sign ordinance. Lastly, he reviewed the amendments which have been proposed to the sign ordinance as a whole.

Todd reviewed the changes to the Ordinance per Kelleher's request.

Horkay asked, regarding Section E, General Sign Recommendations, 14B, regarding individual mounted letters. He questioned that if we are going to start allowing additional signage, especially on the fronts of buildings, why are we not requiring individual mounting of the letters?

Todd agreed this is certainly something to consider, but this is a general provision; we were not necessarily requiring a certain type of lettering.

Kelleher asked if the definitions are to be included tonight.

Zaiger responded there would be no vote taken tonight.

Del Greco asked under non-residential districts, applications for temporary sign permits, what constituted the need for temporary sign permits….i.e. 4-H, church activities, etc.

Todd responded, that is not part of this amendment, but yes, permits are necessary for those types of signs.

Kingshill asked about the signs advertising out of business, etc.

Salzman stated they could make the argument that the sign ordinance does not allow them; there is no explicit prohibition in our ordinance.

A Public Hearing opened at 9:41 p.m.

No one spoke, and the Public Hearing closed at 9:42 p.m.

Spoljaric stated she was not on board with this project, but thanked the petitioner for their input.

Kelleher stated this would change the lighting ordinance as well due to the section on page 4, Signs Comprised of Individual Letters…, but it does not say which floor, whether this is only the second floor; it is not under a category identifying anything in particular.

Todd responded, this is correct, when the reverse channel letter provision was put into the requirements, it opened it up to anybody, if you are going to use it, these are the standards; same vein for the lighting, if you are going to use these letters, these are the standards you must follow.

Plankis moved to approve the Ordinance as presented.

Sanders seconded, and the motion passed 7-1.

WC 16.08.010 Sign Standards - General Provisions

A. Purpose and Intent.

Westfield-Washington Township wishes to establish sign regulations for the design, placement, and maintenance of signs in Washington Township which provide a reasonable and impartial means to permit communication, protect the public health, safety, and general welfare, minimize hazards to pedestrians and motorists along thoroughfares and at intersections, enhance the aesthetic environment of Westfield-Washington Township, safeguard property values, minimize possible adverse effects of signs on nearby property, protect public and private investment in buildings and open spaces and implement relevant provisions of the comprehensive plan as updated on an annual basis.

Westfield Washington Township wishes to balance the rights of businesses to identify themselves with the rights of the public to have uncluttered, safe and attractive public rights-of-way. The responsible regulation of signs will foster business opportunities and improve the quality of life in Westfield-Washington Township.

B. Applicability.

These regulations shall be applicable to all signs within Westfield-Washington Township, which:

1. Are newly constructed, erected, or placed into operation after the effective date of this chapter; and
2. Involve relocation or replacement of existing sign structures or supports commenced after the effective date of this chapter.

C. Exceptions.

All signs require a sign permit from the Community Development Department. Exceptions to the sign standards and permit requirements under this chapter shall include:

1. All regulatory, informational, identification, or directional signs required by law or government entity;
2. Temporary signs advertising annual events put on by Westfield or Washington Township public entities and school districts;
3. Scoreboards for public and private recreational facilities and institutions that do not provide for commercial or business advertising displays;
4. Permanent drive-thru menu boards where drive-thru uses are permitted;
5. Window signage placed upon the building interior, or flush with window surface, not covering more than 50 percent of the window upon which it is placed.
6. Postal signs, historic site makers or plaques, flags of government or noncommercial institutions, gravestones, and address numbers;
7. Structures and/or containers intended for separate use such as phone booths, waste management containers, and point-of-purchase advertising displays;

8. Lettering or symbols placed directly onto a licensed and operable motor vehicle or trailer operating in the normal course of business provided that a vehicle or trailer is not parked or positioned solely for advertising purposes;
9. Private informational signs such as "no trespass," "private," "sale," etc. which do not exceed four (4) square feet in surface area;
10. Signs offering residential property for sale, lease, or rent, provided that such signs shall not exceed eight (8) square feet per face, are placed wholly on the subject property and are limited to a maximum of one (1) sign per street frontage;
11. Signs offering commercial or industrial property for sale, lease, or rent, provided that such signs shall not exceed sixty-four (64) square feet per face, are placed wholly on the subject property, do not exceed ten (10) feet in height, and are limited to a maximum of one (1) sign per street frontage;
12. Signs advertising construction projects, provided that such signs shall not exceed sixty-four (64) square feet per face, are placed wholly on the subject property, do not exceed ten (10) feet in height, are limited to a maximum of one (1) sign per street frontage, and shall be removed at the end of construction;
13. Political signs which do not impair lines of sight for vehicles or pedestrians; and
14. Seasonal decorations within the appropriate holiday season or civic festival season.

D. Prohibitions.

Prohibitions to these sign standards shall include the following:

1. No signs or sign structure shall be similar in coloring, shape, function or location nor resemble, conflict with or be confused with any approved traffic-control sign or device;
2. No sign shall create a safety hazard for vehicles or pedestrians as determined by the Town Engineer;
3. No sign shall be placed in any public right-of-way except publicly owned traffic-control and transit signs, informational, identification, directional signs, and temporary and event signs per WC 16.08.010 M;
4. No pole signs shall be permitted within Westfield-Washington Township (See Pole Sign in definitions);
5. No off-premise sign shall be permitted within Westfield-Washington Township except temporary and event signs per WC 16.08.010 M;
6. No display of temporary signs such as banners, flags, posters, pennants, ribbons, streamers, spinners, strings of lights, balloons or inflatable signs shall be permitted except for banners permitted on a limited basis pursuant to Section WC 16.08.010 L;
7. No sign shall project into the public right-of-way; except that a business sign mounted on a building may be permitted to project eighteen (18) inches from the face of a building elevation. Relief from this standard may be granted by the Town Council or designee;
8. No sign shall be mounted on a roof or extend above an eave or parapet of a building wall;
9. No sign shall be permitted to revolve, flash, blink, swing or appear to move;
10. No sign shall be affixed to trees, fence posts, utility poles or other support structures; and
11. No sign shall be placed on a personal or commercial vehicle or trailer which is then parked or positioned for the primary purpose of displaying the said sign.

E. General Sign Regulations.

All signs shall conform to the following regulations:

1. Signs must be kept clean, painted, in working operation and free of hazards, such as but not limited to, faulty wiring and loose fastenings, and must be maintained at all times in a safe condition so as not to be detrimental to the public health, safety or general welfare;
2. Abandoned sign copy shall be removed by the owner or lessee of a site upon which the sign is located within three (3) months after the business or service advertised by the sign ceases operations;
3. Sign foundations and structures with copy removed may remain upon a site for twenty-four (24) months with the property owner's written consent provide that the foundations and structure are maintained pursuant to WC 16.08.010 E, 1.
4. All monument signs shall be designed and located to maintain clear lines of sight along public rights-of-way;
5. Maximum sign height shall be measured from the natural grade elevation upon which the sign is placed or crown height of the adjacent roadway, whichever is higher;
6. Illumination of signs shall be regulated per Section WC 16.07 of the Westfield-Washington Township Zoning Ordinance;
7. Illuminated signs shall be setback a minimum distance of twenty-five (25) feet from any residential district;
8. In no instance shall a permitted nonresidential use or tenant be restricted to less than twenty-five (25) square feet -of sign area, nor shall any permitted nonresidential use or tenant be permitted to display more than five (500) hundred square feet of sign area;
9. Sign area shall be computed as the smallest continuous rectangular figure that circumscribes a single sign display including writing, representations, emblems, logos or other displays, exclusive of the supporting framework, base, or structural bracing clearly incidental to the sign display;
10. In no instance shall wall sign square footage exceed the linear footage of the wall on which it is placed (See "Linear Footage, Wall" in Definitions);
11. Changeable copy signage shall be allowed only when incorporated into a permanent sign structure as allowed by this ordinance; and,
12. For signage with changeable copy area, the entire changeable copy area shall be counted toward sign display area square footage, regardless of the amount of information placed upon the changeable copy area.
13. Identification with the Town of Westfield. Title signs shall include, as an integral part of the sign design, the words "of Westfield" following any designation of an industrial park, office park, apartment development, subdivision development or shopping center name and alike. The size of the words "of Westfield" shall be a minimum of 50% of the size of the development's name on the sign, and shall not be counted toward square footage allowed or cost. If the word "Westfield" is already part of the development's name on the sign, there shall be no requirement for the location of the words "of Westfield" on the sign. Further, where "of Westfield" is required on a sign, the design and material used to include this wording shall be the same as the other lettering on the sign.

14. Reverse channel letters may be used for signage in accordance with the following:
    a. Reverse channel letters shall be illuminated in accordance with WC 16.07.010, G., 3.
    b. Individually mounted letters may be used; however, if the letters are mounted on a track, then the track shall be the same color as the background building material on which the track is mounted.

F. Residential District Signs.

No sign shall be erected in a residential district except for the following:

1. Residential complexes and subdivisions shall be permitted either of the following entrance signage options:
    a. One (1) monument sign per residential complex or subdivision entrance, which shall not exceed nine (9) feet in height, and shall not exceed thirty-two (32) square feet per sign face; or,
    b. Two (2) separate sign display areas per entrance, provided that the sign display areas are directly incorporated into an entrance landscape feature, wall, or other decorative feature. In no instance shall the sign display area exceed fifteen (15) feet in height or total more than one hundred (100) square feet of sign area.
2. Home occupations shall be permitted one (1) sign per residence which shall not exceed 4 square feet in total sign area; and
3. Home occupation signs shall only be affixed to a wall or door of the structure containing the business.
4. Permitted non-residential uses located in residential districts shall be allowed signage as per 16.08.010 (G) below.
5. Signs allowed per WC 16.08.010 K and WC 16.08.010 M.

G. Individual Nonresidential Signs.

All individual nonresidential uses shall be permitted signage as detailed below, unless otherwise permitted in this chapter. Outlots of nonresidential centers are NOT considered individual uses, and are permitted signage as detailed in 16.08.010 (I).

1. Sign Area Allocation:
    a. For all permitted individual nonresidential uses, total sign area allocation permitted shall be one (1) square foot of sign area for each one (1) linear foot of building fronting on a public right-of-way; and,
    b. The total permitted sign area allocation may be divided between monument, wall, awning, and projecting signs (projecting signs permitted in Downtown Center only).
2. Monument Signs:
    a. A maximum of one (1) monument sign shall be permitted for each public street frontage per lot in all zoning districts;
    b. Monument signs may have a maximum sign display area of sixty (60) square feet per sign face;
    c. Monument sign display area may have a maximum height dimension of six (6) feet and a maximum width dimension of twelve (12) feet;

d. Monument signs may have a maximum sign height of nine (9) feet only when incorporating a sign base and sign cap features;
e. Monument signs incorporating a cap or base shall have a minimum base height of six (6) inches, a maximum base height of twenty-four (24) inches and a minimum cap height of two (2) inches. Total aggregate sign cap and base height shall not exceed three (3) feet; and,
f. Sign caps and bases shall not be used for sign display or advertising purposes.

3. Setbacks:
   a. All signs shall conform to the side and rear yard setback requirements for structures as set forth in Chapter 20.07 of this zoning ordinance; and
   b. Signs shall have a minimum front yard or right-of-way setback requirement of five (5) feet from a property line or right-of-way.

H. Downtown Center.

The Local Business Historical District (LB-H) shall be regulated per Section WC 16.08.010, (G) of the Westfield-Washington Township Zoning Ordinance. In addition to these sign standards the following sign type is also permitted within the Downtown Center:

1. Projecting signs which do not exceed sixteen (16) square feet per sign face.
2. Signs allowed per WC 16.08.010 K and WC 16.08.010 M.

I. Nonresidential Center Signs.

All nonresidential centers shall be permitted signage as detailed below, unless otherwise permitted in this chapter.

1. A sign plan shall be submitted for a nonresidential center prior to receiving the first sign permit for the center or its tenants. Sign plan must include the following:
   a. Site plan, to scale, depicting the location of all nonresidential center signage;
   b. Building elevation, to scale, depicting the approximate location of all wall, awning and under-canopy signage;
   c. Description of uniform lighting method (for example: reverse channel, channel, panel, exterior above, or exterior below lighting);
   d. Description of landscaping for all monument signs.

2. *Monument Sign(s) (Center Only)*:
   a. Size:
      i. Nonresidential centers less than 25,000 building square feet in size shall be permitted one monument sign per nonresidential center, which shall be no greater than nine (9) feet in height and have no more than sixty (60) square feet of sign area per face;
      ii. Nonresidential centers which range in size from 25,000 building square feet to one hundred thousand (100,000) building square feet shall be permitted one monument sign per nonresidential center, which shall be no greater than fifteen

(15) feet in height and have no more than one hundred and twenty (120) square feet of sign area per face;

iii. Nonresidential centers greater than one hundred thousand (100,000) building square feet shall be permitted one monument sign per nonresidential center, which shall be no greater than twenty-five (25) feet in height and have no more than two hundred and fifty (250) square feet of sign area per face;

b. Nonresidential center monument signs shall have a minimum base height of six (6) inches and a minimum cap height of two (2) inches. Total aggregate sign cap and base height shall not exceed six (6) feet; and,

c. Sign caps and bases shall not be used for display or advertising purposes.

3. *Entrance Sign(s) (Center Only)*:

a. In addition to a nonresidential monument sign, a nonresidential center shall be permitted one (1) entrance sign per point of ingress; and,

b. Nonresidential center entrance signs shall be limited to a maximum of six (6) feet in height, a sign area of thirty (30) square feet per sign face, and shall not contain tenant information.

4. *Interior Circulation Sign(s) (Center Only)*:

a. Nonresidential centers are permitted interior circulation signage containing traffic directing information only (such as "Enter", "Exit", "Do Not Enter", etc.). Circulation signage shall be limited to a maximum of three (3) feet in height, and a sign area of two (2) square feet per sign face.

5. *Center In-Line Tenant Signage*:

a. All in-line tenants of nonresidential centers shall be permitted one (1) square foot of signage for each linear foot of tenant space front façade (See "Front Façade" in Definitions);

b. Corner in-line tenants shall have only one (1) front façade, that being the façade with the primary public entrance.

c. The total permitted sign area allocation may be divided between wall and awning signs;

d. Wall signs in nonresidential centers shall be located on the front façade except that those tenants with corner locations are permitted to place signage on a side wall; and,

e. Any side wall sign square footage shall be deducted from the total sign allocation for the tenant space;

f. Center in-line tenants shall not be permitted individual monument signs.

6. Two-Story, Multi-Tenant Signage:

a. Ground Floor In-Line Tenant Signage:

i. All ground floor in-line tenants of two-story, multi-tenant structures shall be regulated per Section WC 16.08.010 (I5) of the Westfield-Washington Township Zoning Ordinance;

ii. Ground floor in-line tenant signs shall be located on a building façade and shall not be located higher than twenty-six (26) feet, from grade;

iii. Ground floor in-line tenants shall not be permitted individual monument signs;

b. Second Floor Tenant Signage:
   i. The sign area allotment shall be calculated at the rate of 0.35 square foot of signage for each linear foot of the front building elevation;
   ii. Each two-story, multi-tenant structure shall be permitted second-floor tenant signage using the following chart:

Linear Feet of Front Building Elevation	***Number of Signs Allowed***
0-199 feet	1
200-399 feet	2
400 feet or greater	3

   iii. No tenant shall be permitted more than one (1) sign on the front building elevation
   iv. All second floor tenant signs shall be located no less than twenty-six (26) feet above grade on the front building elevation;
   v. The total permitted second floor sign area allocation may be divided between wall and awning signs;
   vi. Second floor tenant signs shall be located on the front building elevation;
   vii. Each patron entrance for second floor tenants is permitted one (1) wall directory sign OR one (1) ground directory sign AND one (1) building identification sign
      (a) Directory Signs:
         (i) General:
            1. Directory signs shall be located within fifteen (15) feet of the patron entrance for second floor tenants;
            2. Directory signs shall not be illuminated;
            3. Directory signage is not eligible for the sign area bonuses provisions found in WC 16.08.010 (J).
         (ii) Wall Directory Signs:
            1. Wall directory signs shall not exceed four (4) square feet in size;
            2. Wall directory signs shall not be located more than five (5) feet above grade;
         (iii)Ground Directory Signs:
            1. Ground directory signs shall not exceed six (6) square feet per face;
            2. Ground directory signs shall not exceed five (5) feet in height from grade;
      (b) Building Identification Signs
         (i) General:
            1. One (1) building identification sign is permitted per patron entrance.
            2. Building identification signs shall be located either on an exterior wall above a patron entrance OR on a canopy over a patron entrance;
            3. Building identification signs shall not include tenant information;
            4. Building identification signs shall not be illuminated;
            5. Building identification signage is not eligible for the sign area bonuses provisions found in WC 16.08.010 (J);
         (ii) Building Identification Signs on a Canopy:
            1. Shall not exceed twelve (12) inches in height;
            2. Shall not exceed twelve (12) feet in length;

3. Channel letters and sign panels are prohibited from use on building identification signs on a canopy;
4. Reverse channel letters are permitted;

(iii) Other Building Identification Signs:

1. Shall not exceed six (6) inches in height;
2. Shall not exceed six (6) feet in length or the width of the patron entrance doorway, whichever is less;
3. Building identification signs shall not protrude from the building façade;
   a. Channel letters, reverse channel letters, and sign panels are prohibited from use on building identification signs;
   b. Transom window signs are permitted and may exceed the provision found in WC 16.08.010 (C5).

viii. Second Floor Tenant signage is not eligible for the sign area bonuses provisions found in WC 16.08.010 (J);

ix. Second floor tenants shall not be permitted individual monument signs.

7. Multi-Story, Multi-Tenant Signage (Three Stories or More):
   a. Ground Floor In-Line Tenant Signage:
      i. All ground floor in-line tenants of two-story, multi-tenant structures shall be regulated per Section WC 16.08.010 (I5) of the Westfield-Washington Township Zoning Ordinance;
      ii. Ground floor in-line tenant signs shall be located on a building façade and shall not be located higher than twenty-six (26), from grade;
      iii. Ground floor in-line tenants shall not be permitted individual monument signs;
   b. Upper Floor Tenant Signage:
      i. Second Floor Tenant signage, as defined per WC 16.08.010 (I5b), is prohibited on structures three or more stories;
      ii. Each multi-story, multi-tenant structure shall be permitted one (1) wall sign per each building façade that is adjacent to a public right-of-way;
      iii. The sign-area allotment shall be calculated at the rate of one percent (1%) of the building façade square footage, including fenestration;
      iv. Upper Floor Tenants signs shall be located at the top edge of the building façade;
      v. Each patron entrance for second floor tenants is permitted one (1) wall directory sign OR one (1) ground directory sign AND one (1) building identification sign
         (a) Directory Signs:
            (i) General:
               1. Directory signs shall be located within fifteen (15) feet of the patron entrance for second floor tenants;
               2. Directory signs shall not be illuminated;
               3. Directory signage is not eligible for the sign area bonuses provisions found in WC 16.08.010 (J).
            (ii) Wall Directory Signs:
               1. Wall directory signs shall not exceed four (4) square feet in size;
               2. Wall directory signs shall not be located more than five (5) feet above grade;

(iii) Ground Directory Signs:
1. Ground directory signs shall not exceed six (6) square feet per face;
2. Ground directory signs shall not exceed five (5) feet in height from grade;

(b) Building Identification Signs
(i) General:
1. One (1) building identification sign is permitted per patron entrance.
2. Building identification signs shall be located either on an exterior wall above a patron entrance OR on a canopy over a patron entrance;
3. Building identification signs shall not include tenant information;
4. Building identification signs shall not be illuminated;
5. Building identification signage is not eligible for the sign area bonuses provisions found in WC 16.08.010 (J);

(ii) Building Identification Signs on a Canopy:
1. Shall not exceed twelve (12) inches in height;
2. Shall not exceed twelve (12) feet in length;
3. Channel letters and sign panels are prohibited from use on building identification signs on a canopy;
4. Reverse channel letters are permitted;

(iii) Other Building Identification Signs:
1. Shall not exceed six (6) inches in height;
2. Shall not exceed six (6) feet in length or the width of the patron entrance doorway, whichever is less;
3. Building identification signs shall not protrude from the building façade;
   a. Channel letters, reverse channel letters, and sign panels are prohibited from use on building identification signs;
   b. Transom window signs are permitted and may exceed the provision found in WC 16.08.010 (C5).

vi. Upper Floor Tenant signage is not eligible for the sign area bonuses provisions found in WC 16.08.010 (J);

vii. Upper floor tenants shall not be permitted individual monument signs.

8. Outlot Signage:
   a. All outlots of nonresidential centers shall be permitted one (1) square foot of sign area for each one (1) linear foot of building fronting on a public right-of-way;
   b. The total permitted sign area allocation may be divided between wall, awning, and under canopy signs;
   c. Signs may be located on any building elevation; and,
   d. All sign square footage shall be deducted from the total sign allocation for the outlot;
   e. Outlots within a nonresidential center shall not be permitted monument signs.

J. Sign Area Bonus.

The total sign allotment for an individual nonresidential use, tenant, or a nonresidential center may be increased by a specified percentage for compliance with design criteria as listed below. Percentage increases shall be based on the original sign allotment calculation. If more than one criterion is met, then sign area bonuses will be granted cumulatively.

The sign area allotment bonus provisions found in this section (WC 16.08.010 (J)) shall not apply to Second-Floor Tenant signage (WC 16.08.010 (I6b)), Upper-Floor signage (WC 16.08.010 (I7b)), or Building Identification signage (WC 16.08.010, (I6b,vii,b) and (WC 16.08.010, (I7b,v,b)).

1. Sign Area Allotment Bonuses:
   a. Sign Number: A five (5%) percent sign area allotment bonus shall be granted for limiting the total number of signs to three (3) or less;
   b. Where monument signs are permitted, a ten (10%) percent sign area allotment bonus shall be granted for not having a monument sign.
   c. Alternative Materials. A ten (10%) sign area allotment bonus shall be granted when all signage on site is primarily comprised of decorative wood, sculpted metal, or equivalent substitutes. This bonus is also available on a Tenant/Outlot basis in Nonresidential Centers.
   d. Nonresidential Center Sign Plan. A ten (10%) percent sign area allotment bonus shall be granted if a uniform and complimentary sign plan is mandated for all signage on site, including center, tenant, and outlot signage. A sign plan must address colors and materials and be approved by the Community Development Director prior to the issuance of individual permanent sign permits for tenants and outlots.
2. Wall Sign Bonuses:
   a. Individual Letters. A ten (10%) percent wall sign area bonus shall be granted for individual nonresidential uses, tenants, or outlots whose wall signs consist only of individual letters mounted directly on a building surface.
3. Monument Signs:
   a. Materials. A ten (10%) percent monument sign area bonus shall be granted for using brick, stone or equivalent substitute in the construction of a sign base, cap and supporting structure.
   b. Matching Materials. A ten (10%) percent monument sign area bonus shall be granted if over fifty (50%) percent of the sign base, cap, and supporting structure matches the building materials used on a front elevation of the building(s).
   c. Landscaping. A ten (10%) percent monument sign area bonus shall be granted for landscaping the area around a base of a monument sign. Refer to Section 16.06.010 of the Zoning Ordinance for landscaping details.

K. Sandwich Board Signs.

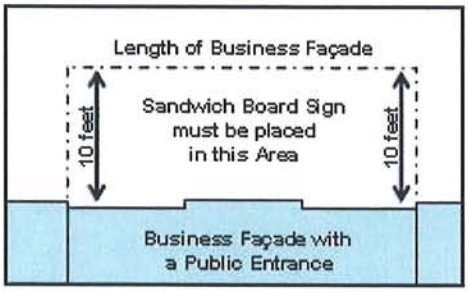
Sandwich board signs shall conform to the following regulations:

1. General:
   a. The placement of sandwich board signs shall not impede pedestrian or vehicular traffic;
   b. Sandwich board signs shall not exceed six (6) square feet per sign face;
   c. Sandwich board sign width shall not exceed three and one-half (3.5) feet when measured from the outside of a sign support and/or sign face;
   d. Sign height shall not exceed five (5) feet when measured from the ground to the top of a sign face or sign support structure;

e. Sandwich board signs shall have a base support and the base support shall be weighted with a minimum ten (10) pound ballast to ensure sign stability;
f. Sandwich board signs shall not be permanently affixed to any structure or sidewalk;
g. Placement of sandwich board signs in a public right-of-way shall require approval by the Westfield Town Council, or designee;
h. More than two (2) sign violations of this ordinance in one calendar year shall result in the termination of the sandwich board sign permit and require removal of the sandwich board for that calendar year;
i. A permit must be obtained from the Community Development Department.

2. Residential Districts:
   a. One (1) sandwich board sign shall be permitted per entrance from a public right-of-way per subdivision;
   b. Sandwich board signs advertising subdivision events may be placed in the common area adjacent to the subdivision entrance from a public right-of-way;
   c. Signs shall be posted for no more than seven (7) consecutive days.

3. Commercial Districts:
   a. One (1) sandwich board sign shall be permitted per individual commercial or business use;
   b. Sandwich board signs shall not count toward the total sign allotment for a commercial use or business;
   c. Sandwich board sign faces shall be constructed of a chalk board type material or equivalent substitute which permits the application of any identification, message or information with a non-permanent type of text, design or logo;
   d. Signs must be removed at the end of each business day;
   e. Signs shall only be placed within 10 feet of, and directly in front of, a business façade having a public entrance. See the graphic below:



L. Under Canopy Signs.

Under canopy signs shall only be permitted in commercial zoning districts and shall conform to the following regulations:

1. Under canopy signs shall be placed under canopies or roof overhangs.
2. Under canopy signs shall not count toward the total sign allotment for a commercial use or business;

3. Under canopy signs shall not exceed one (1) per building entrance;
4. Under canopy signs shall not exceed three (3) square feet in area;
5. Under canopy signs shall not be separately illuminated; and,
6. Under canopy signs shall contain only the address, logo, or name of the occupant or business served by the entrance.

M. Temporary and Special Event Signs.

Temporary and special event signs shall be permitted as detailed below:

1. General:
    a. Businesses located in commercial and industrial districts are not permitted to advertise in residential districts;
    b. Any sign placed on utility poles, traffic lights, traffic signals, street signs, fire hydrants, trash receptacles, benches, trees, or other publicly-owned items will be removed by the Town.
    c. Any permitted temporary and special event sign determined by the Town to be a detriment to the public health, safety, and general welfare of the community will be removed by the Town.
2. Nonresidential Districts:
    a. New businesses, seasonal businesses, grand openings, or special events may display a banner that does not exceed 32 square feet in size, and is securely attached to a structure or rigid support device(s), such as poles, rods, stakes or fences.
    b. Application must be made, and a temporary sign permit issued PRIOR to the display of temporary signage.
    c. All temporary signs shall be placed on the property on which the permitted use is being conducted;
    d. Temporary sign permits shall be limited to a maximum of fifteen (15) consecutive calendar days per quarter;
    e. The allotted fifteen (15) consecutive calendar days per quarter may be divided into smaller, nonconsecutive segments, as granted by the Town Council or designee; and,
    f. Temporary sign permits may be issued for a calendar year or renewed on a quarterly basis at the Community Development Department.
3. Residential Districts:
    a. Permitted uses within residential districts may display signs that do not exceed three (3) square feet in size, three (3) feet in height, and are secured to a rigid support device(s), such as poles, rods, stakes or fences.
    b. Application must be made, and a temporary sign permit issued PRIOR to the display of temporary signage.
    c. One (1) temporary sign may be placed in the public right of way at the subdivision entrance, at the base of the street identifier sign;
    d. Up to three (3) other signs may be used on private property with the permission of the property owners;

e. Temporary sign permits shall be limited to seven (7) consecutive calendar days per quarter. Permission to exceed the seven (7) consecutive calendar day period must be obtained from the Town Council, or designee, PRIOR to the display of signage, and;
f. Temporary sign permits may be issued or renewed on a quarterly basis at the Community Development Department.

N. Nonconforming Signs.

All existing signs which do not conform to this section are designated lawfully nonconforming and shall either be removed or brought into compliance with these regulations at such a time when new development or expansion is proposed, or when a change in signage is proposed for the property upon which the sign is located. Lawful nonconforming signs shall not be relocated, expanded, or altered except to permit routine maintenance and repairs. In no case shall the replacement of individual tenant name panels on a non-residential center sign constitute the need to bring the non-residential center sign into compliance with these sign regulations.

O. Permits.

After the effective date of the ordinance codified in this title, and except as otherwise provided, no person shall erect any sign as defined herein without first obtaining a sign permit from the Community Development Department. The Community Development Department Director and his/her designated staff shall have the authority to review and decide upon all sign permit applications. Signs which shall not require a permit include all signs or displays permitted in Section 16.08.010 C, Exceptions. Application for a permit shall be made in writing, upon forms prescribed and approved by the Director and shall contain the following information:

1. Name, address, and telephone number of applicant or business;
2. Site address;
3. Graphic scale;
4. A site plan indicating the location of any building upon which a sign is to be mounted, with the location of the signs indicated;
5. A site plan indicating the location of any existing or proposed monument signs;
6. A square footage calculation of any proposed sign(s), as well as the location and square footage of all existing on-site sign(s);
7. Elevation of proposed signs including size, materials, color and dimensions;
8. A true color rendering of the proposed signs;
9. Illumination details for proposed signs, including the timing of sign illumination and method of control of such illumination;
10. Indication of sign type(s) as defined in this chapter;
11. Written consent of the owner of the building, structure, or land on which the sign is to be erected if the applicant is not the owner; and
12. Temporary and special event sign displays shall provide a schedule for sign displays which indicate the dates and duration of the sign displays.

13. Any other information necessary to support a thorough review of the project and as requested in writing by the Director

All applications for permits shall be accompanied by payment of fees. The fee schedule shall be kept on file in the Community Development Department. If the proposed sign plan is in compliance with all the requirements of this zoning ordinance, a permit shall be issued.

P. Violations and Enforcement.

The Director is authorized to enforce all provisions of this chapter. Violations of this Ordinance shall be subject to the enforcement remedies and penalties provided by this Ordinance, by other Town ordinances, and by state law. Remedies of the Town shall include

1. The Director shall advise the owner of the sign, business, building, structure or premise in writing of a violation of this chapter and specify a date for compliance which shall not exceed thirty (30) days;
2. The written notice shall describe the violation, appeal process, and enforcement provisions including penalties that may be assessed;
3. Issuing a stop work order for any and all work on any signs on a site;
4. Seeking an injunction or other restraint that requires the removal of the sign or correction of the nonconformity;
5. Imposing civil penalties in accordance with the following schedule:
    a. $50 for the first day of the violation;
    b. $100 for the second day of the violation;
    c. $250 for the third day of the violation; and
    d. $500 a day each day thereafter that violation continues; and
6. And other remedies provided for or allowed by state law or Town Codes.

WC 16.08.100 Administration and Penalties.

Enforcement - The Community Development Director is hereby authorized and directed to enforce all of the provisions of this ordinance. Upon presentation of proper credentials, the Building Commissioner and Planner or his duly authorized representative may enter at reasonable times any building, structure or premises in the Town of Westfield and Washington Township to perform any duty imposed upon him by this ordinance.

Interpretation - Where there is any ambiguity or dispute concerning the interpretation of this ordinance, the decision of the Building Commissioner and Planner shall prevail subject to appeal as provided herein.

Right of Appeal - Any person aggrieved by any decision or order of the Building Commissioner and Planner may appeal to the Board of Zoning Appeals. The Building Commissioner and Planner shall take no further action on the matter pending the Board's decision, except for unsafe signs which present an immediate and serious danger to the public, as provided elsewhere in this ordinance.

WC 16.08.110 Amendments.

All amendments to this ordinance shall be in conformance with IC 18-7-5-39, IC 18-7-5-40, IC 18-7-5-41, IC 18-7-5-42 and IC 18-7-5-44, and all acts amendatory thereto.

WC 16.08.120 Validity.

If any title, article, section, clause, paragraph, provision or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other title, article, section, clause, paragraph, provision or portion of this ordinance.

WC 16.08.130 Adoption.

This ordinance shall be in full force and effect from and after this passage.

Passed by the Board of Trustees of the Town of Westfield, Indiana, on the 20th day of December, 19??.

Amended by the City Council of the City of Westfield, Indiana, on the 10th day of December, 2007.

Westfield City Council

_____
President

_____

_____

_____

_____

_____

_____

ATTEST:

_____
Clerk- Treasurer