

## 8.5. - Nonconforming Signs

### 8.5.1. - Applicability

Signs made nonconforming by reason of annexation, expansion of the ETJ, or by amendment of the Development Ordinance or Official Zoning Map ~~Nonconforming signs~~ shall be subject to the standards in this section.

### 8.5.2. - Prohibited Actions

The following actions associated with a nonconforming sign shall be prohibited:

- A. **Enlargement or Alteration** Enlargement or structural alteration of a nonconforming sign or sign structure;
- B. ~~Type of Lighting Illumination~~ Changes to ~~the type of sign lighting illumination; and~~
- C. **Relocation** Relocation of a nonconforming sign upon the premises; and
- D. **Conversion** Conversion to a different sign type, including but not limited to the addition of electronic changeable copy sign or video sign features (see Section 5.7.16., Sign Images by Sign Type, for visual illustrations of sign types).

### ~~8.5.3. - Signs Rendered Nonconforming~~

~~Signs made nonconforming by reason of annexation, expansion of the ETJ, or by amendment of the Official Zoning Map shall be removed within 365 days of the date they were rendered nonconforming.~~

### 8.5.34. - Maintenance of Nonconforming ~~Signage~~ Signs Allowed

A nonconforming sign may remain in place and be maintained indefinitely as a ~~legal~~ nonconforming sign, subject to the following standards:

- A. **Maintenance Actions** Normal maintenance of a nonconforming sign shall be allowed, and shall include the following:
  - 1. Nonstructural repairs, such as repainting or electrical repairs;
  - 2. Incidental alterations which do not increase the degree or extent of the nonconformity; and
  - 3. Changing of copy, as provided in this section.
- B. **Change of Signs Copy** Nonconforming signs may change copy in the form of replacement panels or replacement lettering, provided:
  - 1. The copy size remains the same; or
  - 2. The replacement copy is less nonconforming.

### 8.5.54. - Replacement of Nonconforming ~~Signage~~ Signs

- A. **Removal** Any nonconforming sign that is removed for any reason shall be replaced only with a sign that complies with the provisions of this Ordinance.
- B. **Damage**
  - 1. If damage to a nonconforming sign from any cause is less than 50 percent of either the original or replacement value, whichever is less, the sign may be rebuilt or repaired to its original condition in its original location and may continue to be displayed.

2. If damage from any cause to a nonconforming sign equals or exceeds 50 percent of either the original or replacement value, the nonconforming sign may only be replaced with a sign that complies with the provisions of this ordinance.

C. **Renovation** Nonconforming signs shall be removed or replaced with conforming signage-signs if any of the following occur:

1. Expansions of principal buildings that exceed 1,000 square feet of gross floor area (GFA) or the total expansions of principal buildings, open uses of land or off-street parking that individually or collectively exceed 3,000 square feet; or
2. Structural or nonstructural alterations (excluding routine maintenance and repair of the façade of the principal building) that exceed 50 percent of the façade's area, ~~which is calculated from the area of the façade or wall used in calculating the maximum allowable sign area.~~

#### 8.5.5 ~~6.~~ ~~— Cessation Discontinuance~~ of Business Activity

- A. ~~Cessation Discontinued~~ **for Less than 90 Days** If the business activity on the premises where a nonconforming sign is located ~~is has ceased discontinued~~ for a continuous period of less than 90 days, then the nonconforming sign shall be allowed to remain.
- B. ~~Cessation Discontinued~~ **for 90 Days or More** If the business activity on the premises where a nonconforming sign is located ~~is has ceased discontinued~~ for a continuous period of 90 days or more, then the nonconforming sign must be removed or replaced by a sign conforming to the standards of this Ordinance.

#### 8.5.6 ~~7.~~ - Change in Use

Nonconforming signage-signs shall be removed or replaced with conforming signage-signs if there is a change in use type.

#### 8.5.8. - Additional Sign Permit Application

Nonconforming signage-signs shall be removed or replaced with conforming signage-signs if an application for a sign permit to add new or additional signage-signs to the premises is approved.