

ARTICLE VIII. - SIGN REGULATIONS

1. *Definitions.*

1. *Sign:* Any identification, description, illustration, or device illuminated or nonilluminated which is affixed to or represented directly or indirectly upon a building, structure, or land, and which directs attention to a product, service, place, activity, person, institution, or business. Signs erected by an authorized public agency for the purpose of directing traffic or providing information are not affected by these regulations. National and state flags, when properly displayed, are not considered a sign under these regulations.
 2. *Sign area:* The total area of the space to be used for advertising purposes, including the spaces between open type letters and figures, including the background structure, or other decoration or addition which is an integral part of the sign. Sign supports shall be excluded in determining the area of a sign. A double-faced sign shall be allowed the total area of a single-faced sign on each face.
 3. *Advertising device:* Banners affixed on poles, wires or ropes, and streamers, wind operated devices, flashing lights, and other similar devices.
 4. *Bench sign:* A sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.
 5. *Directory sign:* Any sign on which the names and locations of occupants or the use of the building is given. This shall include office buildings and church directories.
 6. *Ground sign:* Any sign erected, constructed, or maintained for the purpose of displaying outdoor advertising by means of posters, pictures, pictorial and reading matter when such sign is supported by two or more uprights, posts, or braces affixed in the ground and not attached to any part of a building.
 7. *Marquee sign:* Any sign affixed to a marquee over the entrance to a building and supported from the building.
 8. *Portable sign:* A sign, usually of a temporary nature, but not permanently affixed to the ground or to a building or structure.
 9. *Post sign:* Any letter, word, model sign, device or representation used in the nature of an advertisement or announcement not attached to a building and which is supported by a single stationary pole or post.
 10. *Projecting sign:* A sign which is attached to and projects more than 12 inches from the face of a wall of a building.
 11. *Roof sign:* Any sign erected, constructed, or maintained upon the roof of any building or any wall sign which extends more than 36 inches above the roof line or parapet wall of a building.
 12. *Temporary sign:* Ground signs advertising future use or development of property with a sign area per face not exceeding 100 square feet, not remaining more than six months on the property on which it is located and not more than one sign per parcel of land and located not closer than one foot from the right-of-way.
 13. *Traffic directional sign:* Any sign which aids the flow of traffic.
 14. *Wall sign:* Any sign or poster on any surface or plane that may be affixed to the front, side or rear wall of any building. Any sign on a window which exceeds more than 20 percent of the window area is considered a wall sign.
2. *Sign requirements for permanent signs by zone district.* The following sign regulations by districts are intended to include every district in Olive Branch. The districts are as defined by the zoning ordinance and official zoning map. Only permanently located signs described herein will be permitted in each particular district, except for public signs and city, state, and federal historic markers.

- a. *A Agricultural district.* This section shall apply to the district in the zoning ordinance known as the agricultural district.
 - (1) Allowable signs. Signs advertising activities conducted on the property, except for home occupations as provided for under article V, section 1, paragraph A, number 10(c).
 - (2) The individual letters, numerals, symbols, and characters utilized on changeable copy signs, both electronic and manual, shall not exceed twenty-four (24) inches in height. (Amended 5/19/09)
 - (3) Location.
 - (a) Signs shall not be erected within 100 feet of road intersections.
 - (b) There shall not be more than one sign within each 100 lineal feet of highway frontage.
 - (c) Signs shall be located at least 40 feet from the centerline of any road and shall not exceed 35 feet in height.
- b. *R Residential districts.* This section shall apply to all districts designated by the zoning ordinance as AR, R-1, R-2, R-3, R-4, PUD.
 - (1) Allowable signs:
 - (a) Ground mounted subdivision identification signs.
 - (b) Signs for schools, churches, hospitals, nursing homes and day care centers.
 - (2) Size:
 - (a) Ground mounted subdivision identification sign. The sign area of one face shall not exceed 25 square feet. In no case shall the total sign area exceed 50 square feet.
 - (b) Signs for schools, churches, hospitals, nursing homes and day care centers. The sign area for one face shall not exceed a total of 35 square feet. In no case shall the total sign area exceed 75 square feet.
 - (c) The individual letters, numerals, symbols, and characters utilized on changeable copy signs, both electronic and manual, shall not exceed twenty-four (24) inches in height. (Amended 5/19/09)
 - (3) Location:
 - (a) Ground mounted subdivision identification signs shall be set back a minimum [of] ten feet from the right-of-way. The setback requirement may be reduced by the planning commission providing the height of the sign does not exceed three feet.
 - (b) Signs for schools, churches, hospitals, nursing homes and day care centers shall be located on the property and set back a minimum of one foot from the right-of-way.
 - (4) Height:
 - (a) Ground mounted subdivision identification signs shall be a maximum of six feet as measured from surrounding grade.
 - (b) All other signs shall not exceed 15 feet as measured from surrounding grade.
- c. *O Office district and C-1 neighborhood commercial district.* This section shall apply to the districts in the zoning ordinance known as the O and C-1.
 - (1) Allowable signs:
 - (a) Wall signs.
 - (b) Ground mounted signs.
 - (c) Post signs.

- (d) Directories.
- (e) Temporary signs.
- (2) Size:
 - (a) The maximum total sign area of a wall sign shall be 50 square feet, or one square foot for each lineal foot of building wall or lease space on which the sign is erected, whichever results in the smaller sign area.
 - (b) Ground mounted signs, post signs and directories shall not exceed 50 square feet per face per street frontage and total sign area shall not exceed 100 square feet total for all faces.
 - (c) The total sign area allowed will not exceed 1½ square feet per foot of lineal frontage. The frontage being determined by the principal entrance to the premises and on only one side of the lot.
 - (d) The individual letters, numerals, symbols, and characters utilized on changeable copy signs, both electronic and manual, shall not exceed twenty-four (24) inches in height. (Amended 5/19/09)
- (3) Location:
 - (a) Wall signs shall not project more than 12 inches from the face of the building.
 - (b) Ground mounted, post and directory signs shall be set back a minimum of one foot from the right-of-way.
 - (c) There shall not be more than one ground mounted, directory or post sign per 100 feet. The separation of ground mounted, directory or post signs on adjoining lots shall include a minimum distance of 100 feet between signs. In instances where an individual property owner does not own sufficient land to meet the minimum separation distance between signs, one sign will be allowed on this property at a location as remote from existing signs as possible.
- (4) Height: The height of all signs shall not exceed 20 feet.
- d. *C Commercial district.* This section shall apply to all districts designated by the zoning ordinance as C-2, C-3, and C-4.
 - (1) Allowable signs:
 - (a) Roof signs.
 - (b) Wall signs.
 - (c) Ground mounted signs.
 - (d) Post signs.
 - (e) Marquee signs.
 - (f) Awning signs.
 - (g) Directories.
 - (h) Bench signs.
 - (i) Projecting signs.
 - (j) Temporary signs.
 - (2) Size:
 - (a) The total square footage of all signs shall not exceed two square feet per foot of lineal frontage. The frontage being determined by the principal entrance to the premises and on only one side of the lot. Double faced signs shall not be counted twice.

- (b) Wall, roof, marquee and awning signs shall not exceed 125 square feet. The maximum sign area for wall and roof signs may be increased one square foot for each additional two feet of building setback.
 - (c) Ground mounted signs, post signs, and directories shall not exceed 100 square feet.
 - (d) Bench signs shall not exceed 12 square feet in area.
 - (e) Projecting signs shall not exceed 15 square feet in area.
 - (f) The individual letters, numerals, symbols, and characters utilized on changeable copy signs, both electronic and manual, shall not exceed twenty-four (24) inches in height. (Amended 5/19/09)
- (3) Location:
- (a) Wall signs shall not extend beyond the surface of the building more than 12 inches.
 - (b) Projecting signs shall not extend more than five feet from the building into the front yard.
 - (c) Ground mounted, bench signs, directories and post signs shall be at least one foot from the right-of-way.
 - (d) There shall be not more than one ground mounted, bench sign, directory or post sign per 100 feet. The separation of ground mounted, post or directory signs on adjoining lots shall include a minimum distance of 100 feet between signs. In instances where an individual property owner does not own sufficient land to meet the minimum separation distance between signs, one sign will be allowed on this property at a location as remote from existing signs as possible.
 - (e) Marquee signs may extend eight feet into a front yard. A marquee shall not be less than 11 feet above the ground at its lowest level. A sign may be placed upon a marquee provided such sign does not extend more than three feet above nor one foot below such marquee.
- (4) Height:
- (a) Projecting signs shall not be less than eight feet in height from the pavement line.
 - (b) Maximum height not to exceed 35 feet.
- e. *M Industrial districts.* This section shall apply to all districts designated by the zoning ordinance as M-1 and M-2.
- (1) Allowable signs: All signs permitted under the C commercial districts.
- (2) Size:
- (a) No sign shall exceed 400 square feet in area.
 - (b) The individual letters, numerals, symbols, and characters utilized on changeable copy signs, both electronic and manual, shall not exceed twenty-four (24) inches in height. (Amended 5/19/09)
- (3) Location:
- (a) Not more than one ground or post sign shall be erected for each 500 feet of highway frontage.
 - (b) No ground mounted or post sign exceeding 100 square feet may be erected within 660 feet of the intersection of two state or federal highways.
 - (c) In instances where an individual property owner does not own sufficient land to meet the minimum separation distance between signs, one sign will be allowed on this property.

- (4) Height: Signs shall not exceed 35 feet in height.
3. *Exempt signs.* The following types of signs are exempted from all the provisions of this article and shall be allowed in addition to all other signs allowed by this article. Any signs which exceed the provisions of this section shall comply to [with] the other sections of this article.
- a. Public signs. Signs erected by, or on the order of, a public officer in the performance of his public duty, such as safety signs, danger signs, and traffic signs.
 - b. Historical markers. Historical markers as recognized by local, state, or federal authorities.
 - c. Nameplates mounted on buildings or mailboxes not exceeding one square foot in size.
 - d. Traffic directional signs not exceeding four square feet in size and located at least one foot from the right-of-way.
 - e. Signs in or on windows not exceeding 20 percent of the window area.
 - f. Advertising sale or lease of real estate. The sign area of one face shall not exceed 12 square feet in the A agricultural district. In no case shall the total sign area of all signs on the project exceed 25 square feet. In all other districts the sign area of one face shall not exceed eight square feet. In no case shall the total sign area of all signs on the property exceed 16 square feet. Signs shall be located at least one foot from the right-of-way.
 - g. Political signs not exceeding four square feet in size.
 - h. One portable sign per commercial establishment not exceeding eight square feet and located at least one foot from the right-of-way.
 - i. Signs for home occupations as allowed in article V, section 1(a)(10)(c).
4. *Illumination.* Illuminated signs shall adhere to the following provisions and restrictions in addition to those requirements stated in this article:
- a. Signs shall not have blinking, flashing or other illuminating devices which change light intensity, brightness or color. Beacon lights are not permitted. Automatic changing signs displaying time, temperature, date or electronically controlled message centers are permitted.
 - b. The light for or from any illuminated sign shall be so shaded, shielded or directed that the light intensity will not be objectionable to surrounding areas.
 - c. No colored lights shall be used on any sign at any location in any manner so as to be confused with or construed as traffic control devices.
 - d. Neither direct nor reflected light from primary light sources shall create a traffic hazard to operators of motor vehicles on public thoroughfares.
5. *Prohibited signs.* The following types of signs are prohibited under this article:
1. Portable signs are prohibited except as provided for in paragraph 3.
 2. Signs or devices which by color, location, or design resemble or conflict with traffic control signs or devices are prohibited.
 3. Signs attached to, suspended from or painted on any vehicle which is regularly parked on any street or private property to display demonstrate, advertise or attract the attention of the public.
 4. Signs which contain pulsating lights or strobe lights.
 5. The use of LED "rope lights," Christmas string lights, or any other similar type of stringed lights or illuminating device, whether pulsating, blinking, flashing, or otherwise changing in light intensity, brightness, or color or in a steady, constant, non-fluctuating or non-undulating manner, whether attached to or suspended from any commercial or industrial building or structure, or portion thereof, whether outside the building or structure or inside the building or structure and visible from the outside, or attached to any sign as an element of that sign or attached to the sign structure. EXCEPTION: Non-LED "rope lights," Christmas string lights, or any other similar type

of non-LED stringed lights may be used on commercial and industrial buildings for decorative purposes only during the period from November 15, through January 2nd of each year and shall be removed by the owner, agent, or person having beneficial use of the premises or lot within ten days following written notice by the administrative official or his designee.

6. *Inspection, removal and safety.*
 1. All signs may be inspected periodically by the building official for compliance with this article.
 2. All signs and components thereof shall be kept in good repair and in safe, neat, clean, and attractive condition.
 3. The building official shall give written notice for the removal of any permanent sign erected or maintained in violation of this article. Upon failure to comply with this notice, the building official shall take legal action to enforce compliance with this ordinance. The building official may remove a sign immediately and without notice if the sign presents an immediate threat to the safety of the public. Any sign removal shall be at the expense of the property owner.
7. *Permits.* All permanent signs permitted under this article except those signs exempt in section 3 of this article shall require a permit which shall be obtained prior to erection of the sign.
8. *Nonconforming signs.* In instances where a sign is nonconforming to any of the requirements of this ordinance, such sign and any supporting structure other than a building may be allowed although such sign does not conform to the provisions hereof. No such nonconforming sign may be enlarged or altered in any way which increases its nonconformity. No sign which has been damaged 50 percent or more of its fair market value shall be restored except in conformity with the regulations of this ordinance. However, any sign which is prohibited by this ordinance and was also prohibited by the previous Olive Branch zoning ordinance adopted April 7, 1970, shall be discontinued and removed.
9. *Enforcement.*
 1. The Olive Branch building official is directed to enforce all of the provisions of this article.
 2. Any person aggrieved by any interpretation or order of the building official may appeal to the board of adjustment. The building official shall take no further action on the matter pending the board of adjustment's decision, except for unsafe signs which present an immediate and serious danger to the public as provided in this article.
10. *Subdivision development signs.* The following subdivision development signs are permitted in all zoning districts subject to compliance with the applicable regulations and the issuance of sign permit.
 - (1) *Generally:* The following provisions shall apply to all signs regulated by this section.
 - a. Except as otherwise provided by this section, no free-standing sign shall be located closer than ten feet to any side property line.
 - b. No such sign shall be located in such a manner as to obstruct or otherwise interfere with the effectiveness of an official traffic sign, signal, or device, or obstruct or physically interfere with a motor vehicle operator's view of approaching, merging, or intersecting traffic, at a vehicular entry or exit, whether at a public street or private driveway. Upon notification by the planning and building department, such sign shall be immediately removed.
 - c. Except as may be otherwise provided by this section, no such sign shall contain extensions or embellishments beyond the border or face of the sign; flashing signs, including electronic message centers; moving, swinging, or fluttering signs, pinwheels, streamers, or banners; beacon or strobe lights; signs that flash, blink, revolve, move, vary in intensity, or appear to be in motion; signs containing any material or device which has the effect of intensifying reflected light, including but not limited to scotch light, day glow, glass beads, and luminous paint; airborne signs; or signs which contain characters, cartoons, or other representation, or statements, words, or pictures of an obscene, prurient, or immoral character.
 - d. Except as may be otherwise provided by this section, any sign permit issued on an annual basis shall be addressed in the following manner. The permit fee for the initial permit

application shall be pro-rated for the initial year on a monthly basis to January 1, of the next calendar year. The permit shall thereafter be renewed on an annual basis on January 1, of each succeeding year.

- e. The use and location of subdivision development signs within the city limits of the City of Olive Branch, shall be limited to subdivision developments located within the municipality and within one mile of the municipal limits.

(2) *Subdivision promotional sign.*

- a. *Number:* One sign per development, except that where the development fronts on two or more streets, one sign shall be permitted per frontage, provided that the project has a major traffic entrance on the street where the sign is erected.
- b. *Size:* 48 square feet per face.
- c. *Height:* 12 feet above average grade.
- d. *Location:* On private property, with the written permission of the property-owner, no closer than one foot to the public right-of-way.
- e. *Time period:* Such sign permits shall be issued for 12 months, and shall be renewable annually upon submission of a renewal application form and the applicable fees. The renewal applications shall contain a certification by the applicant that no change in signage under the permit has been made. Otherwise, the renewal application shall include scale drawings with dimensions and photographs of any changes. A continuing sign permit shall lapse automatically if not renewed or if the sign is removed.

(3) *Off-premise subdivision directional signs:*

- a. *Number:* Any number of off-premise subdivision directional signs may be permitted within the city's jurisdiction, provided, however, that no more than one such sign, per subdivision, shall be permitted upon each individual property. Each individual property may have more than one such sign where each sign provides directional information to a different subdivision and subject to the other provisions of this section.
- b. *Size:* 48 square feet per face.
- c. *Height:* 12 feet above average grade.
- d. *Location:*
 - (i) On private property, with the written permission of the property-owner, no closer than one foot to the public right-of-way.
 - (ii) Signs providing directional information to the same subdivision shall be located no closer than 500 feet apart.
 - (iii) Signs providing directional information to different subdivisions and located upon the same individual property shall be located a minimum of 100 feet apart, except that two signs providing directional information to different subdivisions may, through joint agreement, be located upon the same sign structure.
 - (iv) Such signs shall be limited to vacant properties within the "R-1" through "R-4" and "PUD" zoning districts. Within the "A," "AR," "C-1" through "C-4," "M-1," and "M-2" zoning districts such signs may be located on either developed or undeveloped properties.
- e. *Time period:* Such sign permits shall be issued for 12 months, and shall be renewable annually upon submission of a renewal application form and the applicable fees. The renewal applications shall contain a certification by the applicant that no change in signage under the permit has been made. Otherwise, the renewal application shall include scale drawings with dimensions and photographs of any changes. A continuing sign permit shall lapse automatically if not renewed or if the sign is removed.

(4) *Model center signage:*

a. *Number:*

- (i) *Ground-mounted sign:* One per model center.
- (ii) *Awning sign:* One per model center.
- (iii) *Flags:* Four flags, mounted on individual poles, per model center, per street frontage.

b. *Size:*

- (i) *Ground-mounted sign:* 20 square feet per face.
- (ii) *Awning sign:* 18-inch letters mounted along the rim or trim face or across the body of the awning and one company logo mounted on the body of the awning, total signage limited to 20 square feet.
- (iii) *Flags:* 15 square feet per flag.

c. *Location:*

- (i) *Ground-mounted sign:* On the model center property, no closer than ten feet to the public right-of-way.
- (ii) *Awning sign:* Face mounted on the building wall, over a window or entrance to the primary facade of the building. Such awning signs shall not project above the parapet wall, mansard, or other roof line, and shall maintain a clearance of at least eight feet above the ground or pavement, and shall be enclosed on both ends.
- (iii) *Flags:* On the model center property, no closer than ten feet to the public right-of-way.

d. *Height:*

- (i) *Ground-mounted sign:* Seven feet above average grade.
- (ii) *Awning sign:* Such signs shall not extend above the parapet, mansard, or other roof line.
- (iii) *Flags:* 20 feet.

e. *Time period:* Such sign permits shall be issued for 12 months, and shall be renewable annually upon submission of a renewal application form and the applicable fees. The renewal applications shall contain a certification by the applicant that no change in signage under the permit has been made. Otherwise, the renewal application shall include scale drawings with dimensions and photographs of any changes. A continuing sign permit shall lapse automatically if:

- (i) The annual sign permit is not renewed.
- (ii) The sign to which the permit relates is removed.
- (iii) The model center ceases to be actively and continuously used for that purpose for a period of 30 days or more.

(5) *Temporary construction sign:*

a. *Number:* One sign per development.

b. *Size :* 48 square feet per face.

c. *Height:* 12 feet above average grade.

d. *Location:* On the site of the development, on private property, with the written permission of the property-owner, no closer than one foot to the public right-of-way.

e. *Time period:* Two years from the date of the issuance of the first building permit.

- (6) *Traffic directional signs*: Amend Article VIII, Section 3, Item "d" to increase the size of traffic directional signs from four square feet to six square feet.

11. *Banners*.

(1) *Definition*.

- a. For the purposes of this section, "banner" shall be defined as any sign displayed for a limited period of time, intended to inform the public of a unique happening, action, purpose or occasion, printed or displayed on cloth or any other flexible material, with or without frames. Banners may be used to supplement permanent signage but are not to substitute for an investment in permanent signage.
- b. Regulation of items such as balloons, flags, pennants, streamers, inflatable statuary, wind-activated devices, sandwich signs, portable reader boards and searchlights is not included in this section.

(2) *Applicability*.

- a. The regulations of this section shall apply to the following zoning districts: O, C-1, C-2, C-3, C-4, M-1, M-2, M-3 and PUD.
- b. The regulations of this section shall also apply to the following uses: church or other place of worship, public or private school, municipal, county or state government, nonprofit or civic organizations.

(3) *Number*.

- a. No more than three banners may be placed on a site at one time.
- b. The three banners may be installed as wall-mounted or ground-mounted, provided that the size and location requirements contained in this section are met.
- c. No more than ten banners per year may be installed at the same location.

- (4) *Size*. The total square footage of all banners at a location at one time shall not exceed 50 square feet or one square foot for each linear foot of building wall or lease space where the banner(s) will be installed, whichever results in the lesser sign area.

(5) *Location*.

- a. Banners shall be placed on the building or site of the business or organization requesting the banner(s). No off-premise banners shall be allowed.
- b. Wall-mounted banners shall be securely attached to the building, shall not extend above the roof line of the building and shall lie flat against the building surface at all times.
- c. Ground-mounted banners shall be located at least five feet from the property line, shall be a maximum of six feet in height from the surrounding grade and shall not be attached to trees or utility poles.

(6) *Time period*.

- a. Each banner may remain in place for a maximum of 45 consecutive days.
- b. A 15 day separation period will be required between the end of one permit period and the start of another permit period.

(7) *Special provisions*.

- a. Ground-mounted banners shall be securely attached at the top and bottom corners to a metal frame.
- b. Landlord approval in writing shall be required for banners to be installed at leased spaces.
- c. New businesses or businesses relocating to an entirely new location shall be allowed one banner for a 30 day period that shall not count against the annual total, for the purpose of

announcing the opening of the business or a specific grand opening event. Eligibility of a new or relocated business shall be confirmed by the business license records held in the building department of the City of Olive Branch.

(8) *Permits and fees* .

- a. A permit to install a banner shall be required. Multiple banners, to the extent allowed by this section, may be processed under the same application.
- b. Uses subsection(2)b. of this section shall complete the permit application form but shall be exempt from the payment of fees.
- c. Fees shall be charged per banner at an amount established annually by the board of aldermen.
- d. A lump sum fee for all banners to be installed at a location during one calendar year may be paid if the application and fee payment are accompanied by a schedule for the banner installations and such schedule complies with the other provisions of this section.

(9) *Violations* .

- a. The following actions shall be considered violations of this section:
 - i. Installing a banner without obtaining a permit and paying the applicable fee.
 - ii. Failure to remove a banner within the prescribed time frame.
 - iii. Failure to maintain banners in good repair, with no frayed edges, faded lettering, holes or similar signs of deterioration.
- b. No new banner permits shall be issued during the calendar year in which a violation occurs.

(Ord. of 5-19-98, § 1; Ord. of 5-19-09(2), § 1(Exh. A) ; Ord. of 6-21-05, § 1(Exh. A); Ord. of 4-15-14(2), § 1; Ord. of 2-17-15(2), § 1; Ord. of 11-17-2015(1))