

ARTICLE IX. - SIGN REGULATIONS

Sec. 744-901. - In General.

A. *Statement of purpose.*

1. This Chapter 744 Article IX creates the legal framework for sign regulations that are intended to facilitate an easy and agreeable communication between people. It is recognized that signs serve an important function and, therefore, reasonable and adequate display of signs is permitted under the provisions of this Chapter 744 Article IX. This Chapter 744 Article IX recognizes that aesthetics and design quality cannot be satisfactorily legislated, as individual opinions vary and generally public opinions vary from one to another. It is recognized, however, that a great percentage of that which is unattractive can be eliminated by sensible quality control, through adequate maintenance and inspection and by reasonable guidelines formulated to minimize clutter.
2. The purpose of the sign regulations set forth in this Chapter 744 Article IX shall be to eliminate potential hazards to motorists and pedestrians; to encourage signs that, by their good design, are integrated with and harmonious to the buildings and sites they occupy; to eliminate excessive and confusing sign displays; to retain current residents and attract new residents to the city; to preserve and improve the appearance of the city as a place in which to live and work and act as an attraction to nonresidents who come to visit or trade; to safeguard and enhance property values; to protect public and private investment in buildings and open spaces; to supplement and be a part of the regulations imposed and the plan set forth under the Comprehensive Plan for Marion County; and to promote the public health, safety, morals and general welfare.

B. *Application of regulations.*

1. The regulations of this Chapter 744 Article IX shall apply to the location, erection, and maintenance of signs in all Zoning Districts within Marion County, Indiana.
2. Noncommercial messages may be displayed on any sign authorized to display commercial messages.

(G.O. 64, 2015, § 2; G.O. 72, 2015, § 1(Exhibit))

Sec. 744-902. - General regulations.

A. *General regulations.* The requirements, conditions, prohibitions and exceptions specified in Chapter 740 of the Zoning Ordinance shall apply to all signs and sign structures in all Zoning Districts in Marion County, Indiana.

B. *Exemptions.*

1. **The following signs are permitted in any Zoning District unless specifically limited to certain Zoning Districts in this section and are exempt from other provisions of this chapter, except the provisions to not encroach into clear sight triangular area as described in Section 740-304.** The area of such signs shall not be included in the calculation of the area of signs permitted for any parcel or use. The requirements for Improvement Location Permits (ILPs) shall not apply to certain of the signs specifically referenced in this section:
 2. *Building marker signs.* An ILP shall not be required if all standards are satisfied.
 3. *Building outline lighting.* Outlining of structural/architectural elements of buildings such as roof lines, doors, windows or wall edges using neon, incandescent, similar type of lighting in any Commercial and Industrial District shall not be considered a sign, nor regulated by this Chapter 744 Article IX. Outlining of structural/architectural elements of buildings using neon, incandescent or similar type of lighting is prohibited in any Protected District, and in no case shall it be permitted within 600 feet of a Protected District. (See also Section 744-902 C. for restrictions on other types of outline lighting.) In no case, however, shall such building outlining flash or be animated.
 4. *Bus shelter signs.*
 - a. In all Zoning Districts, two signs shall be permitted on the walls of a municipal bus shelter that is located within a public right-of-way.
 1. One sign, being no larger than 20 square feet, may be located on the walls of the municipal bus shelter subject to the following:
 - i. Sign may be double-faced;
 - ii. Sign shall not be internally illuminated;
 - iii. Sign shall not move or rotate, shall not include an EVMS component, and shall not flash or otherwise turn any illumination on and off repeatedly;
 - iv. Sign shall not be an advertising sign;

- v. Sign shall not be less than 18 inches above grade level; and
 - vi. An ILP shall not be required if all standards are satisfied.
2. One sign, being no larger than four square feet, may be located on the walls or inside the municipal bus shelter subject to the following:
- i. Sign may be double-faced;
 - ii. Sign may be internally illuminated;
 - iii. Sign may be an EVMS;
 - iv. Sign shall not be an advertising sign; and
 - v. An ILP shall not be required if the provisions noted above are satisfied.
- b. One sign, with a maximum horizontal dimension of three and one-half feet and a maximum vertical dimension of five and one-half feet (Refer to Sign Diagram 41), shall be permitted in addition to the signs indicated above in Section 744-902 B.4.a., subject to the following:
1. Sign shall only be located in the following Zoning Districts:
 - i. Commercial Zoning Districts;
 - ii. Industrial Zoning Districts;
 - iii. Central Business District Zoning Districts;
 - iv. HD-1, UQ-1, SZ-1 and SZ-2 Zoning Districts;
 - v. D-6, D-6II, D-7, D-9, D-10 and D-11 Zoning Districts;
 - vi. Airport Special Use Zoning Districts; or
 - vii. Special Use Zoning District, except SU-1, SU-2, SU-3, SU-10, SU-37, and SU-38.
 2. Sign shall not be located:
 - i. Within 200 feet from a D-S, D-1, D-2, D-3, D-4, D-5, D-5II, or D-8 Dwelling District measured along the centerline of the adjoining public right-of-way, or
 - ii. Adjacent to a lot improved with a legally-established single-family residence.
 3. Sign shall only be located on the far-side wall of a municipal bus shelter that is located either:
 - i. At a far-side municipal bus stop, or
 - ii. At least 150 feet from a street intersection (measured from the centerline of the intersecting street) (Refer to Sign Diagrams 38 and 39).
 4. Sign shall only be located on a municipal bus shelter that enables an occupant of the shelter to see around the sign, such as a shelter provided with a convex mirror, or a shelter with a clear area along the side of the sign.
 5. Sign shall not be less than 18 inches above grade level.
 6. Sign shall not include an EVMS component; and the sign shall not consist of rotating panels, commonly known as Tri-vision.
 7. Sign may be an advertising sign.
 8. Sign may be internally illuminated and may be double-faced.
 9. If located within the Mile Square or in a Central Business District, sign size may be a maximum of 32 square feet with a maximum horizontal dimension of four feet and a maximum vertical dimension of eight feet.
 10. Sign is subject to all requirements of any Secondary Zoning District that may apply.
 11. Sign shall not be considered as or subject to the regulations for Off-premise (outdoor advertising) signs, as regulated in this Chapter 744 Article IX.
 12. An ILP shall be required and an encroachment license, as regulated in Chapter 645, Article V, shall be required for the sign.
5. *Bus bench signs.* One single-sided sign shall be permitted on a municipal bus bench that is located within a public right-of-way and located within 12 feet of a municipal bus stop without a municipal bus shelter (Refer to Sign Diagram 40) subject to the following:
- a. Sign shall only be located in the following Zoning Districts:
 1. Any Commercial Zoning District;
 2. Any Industrial Zoning District;
 3. Any Central Business District Zoning District;

4. HD-1, UQ-1, SZ-1 and SZ-2 Zoning District;
 5. D-6, D-6II, D-7, D-9, D-10 and D-11 Zoning District;
 6. Airport Special Use Zoning District; or
 7. Any Special Use Zoning District, except SU-1, SU-2, SU-3, SU-10, SU-37, and SU-38.
- b. Only one municipal bus bench with a sign shall be permitted at any one municipal bus stop.
 - c. Sign shall not be located adjacent to a lot improved with a legally-established single-family residence.
 - d. Sign shall only be located on a municipal bus bench located either:
 1. At a far-side municipal bus stop; or
 2. At least 150 feet from a street intersection (measured from the centerline of the intersecting street) (Refer to Sign Diagrams 38 and 39).
 - e. Maximum horizontal dimension of the sign shall not exceed 81 inches and the maximum vertical dimension of the sign shall not exceed 24 inches. Maximum height of the sign shall be 42 inches (Refer to Sign Diagram 41).
 - f. Sign shall not be internally illuminated.
 - g. Sign shall not move or rotate, shall not include an EVMS component, and shall not flash or otherwise turn any illumination on and off repeatedly.
 - h. Sign may be an advertising sign.
 - i. Sign shall not be considered as or subject to the regulations for Off-premise (outdoor advertising) signs, as regulated by this Chapter 744 Article IX.
 - j. An ILP shall be required, and an encroachment license, as regulated in Chapter 645, Article V, shall be required for the sign.
6. *Election-period exemption for yard signs.* During the 45-day period that precedes a national, state, or local government election, there shall be no limit on the number of yard signs permitted in any District, provided however, the maximum size of any yard sign shall be four square feet and no sign shall be in the right-of-way. An ILP shall not be required if all standards are satisfied.
 7. *Flags, emblems, or insignia of any nation, state or political subdivision* shall be permitted, provided the setback requirements for signs in the applicable District are met. An Improvement Location Permit (ILP) shall not be required if all standards are satisfied.
 8. *Governmental banners.* Temporary banners, located on permanent banner poles in the right-of-way or on street light standards structurally modified to accommodate banners, erected by the City of Indianapolis, shall be permitted in the CBD-1, CBD-2, CBD-3 and CBD-S Districts. Banners shall not exceed 30 inches wide and 85 inches long. An ILP shall not be required if all standards are satisfied.
 9. *Government signs and official signs authorized by a government or governmental subdivision* designed for control of, or to provide information to, traffic, directional, or warning information, and signs of public service companies indicating danger and aids to service or safety that are erected by, or on the order of, a public officer in the performance of their public duty. An ILP shall not be required.
 10. *Incidental signs.* An ILP shall not be required if all standards are satisfied.
 11. *Interior signs.* Signs located:
 - a. Within the interior of any building, or within an enclosed lobby or court of any building;
 - b. Located within the inner or outer lobby, court or entrance of any theater that are not viewable or intended to be viewable from the public right-of-way and do not qualify as "window signs" as herein defined, are permitted.
 An ILP shall not be required if all standards are satisfied.
 12. *Public notices.* Official notices posted by public officers, employees or their agents in the performance of their duties, or as directed by such officers, employees or agents. An ILP shall not be required.
 13. *Public signs.* Signs required or specifically authorized for a public purpose by any law, statute or ordinance, or Administrator's approval. The sign may be of any type, number, area, height above grade level, location or illumination required by the law, statute or ordinance under which the signs are erected.
 Signs authorized by Administrator's approval shall:
 - a. Not be applicable in any "Protected District;"
 - b. Be preceded by a petition for approval to the hearing examiner of the Metropolitan Development Commission with notice given to each neighborhood organization whose boundaries include all or some part of the subject request, and, including with respect to any petitions within the regional center, notice to all registered neighborhood organizations whose boundaries include all or part of the Regional Center.

Provided, the Administrator may approve public signs to be located temporarily, for a period not to exceed 60 days, within the Central Business District.

An ILP shall not be required.

14. *Tombstones.* An ILP shall not be required.
 15. *Works of art.* Three-dimensional works of art (statuary, sculptures) and two-dimensional works of art (i.e., murals) that are clearly artistic in nature and which do not promote commercial interests are exempt from regulation under this Chapter 744 Article IX. An ILP shall not be required if the provisions noted above are satisfied.
 16. *Yard sign.* An ILP shall not be required if all standards are satisfied.
- C. *Prohibited signs.* The following signs are prohibited in all Zoning Districts:
1. *Signs in the public right-of-way.* No sign or sign structure may be placed on or in the right-of-way of an alley or a street, with the exception of governmental and public signs and signs associated with an approved outdoor cafe within the Regional Center (as noted in Section 744-902.E.11.), or projecting signs permitted by this Chapter 744 Article IX and having obtained an encroachment license from the proper governmental agency.
 2. *Signs which interfere with official signs/traffic devices.*
 - a. No sign or sign structure shall be permitted which attempts or appears to attempt to direct the movement of traffic or which interferes with or obstructs the view of, or can be confused with, imitates, or resembles any official traffic sign, signal, or device. No rotating beam, beacon or flashing illumination resembling any emergency light shall be used in connection with any sign display.
 - b. No sign shall be permitted which prevents the driver of a vehicle from having a clear and unobstructed view, from an adequate and safe distance, of any official sign and approaching or merging traffic. (See clear sight triangular area)
 3. *Interference with street intersections.* No sign or sign structure shall be located in such a manner as to materially impede the view of any street or highway intersection or in such a manner as to materially impede the view of the intersection of a street or highway with a railroad crossing. (See clear sight triangular area)
 4. *Prohibition of signs affixed to utility poles, etc.* No sign or sign structure shall be affixed to, displayed, or located upon any utility pole, light standard, tree, public transportation or school bus passenger shelter or bench, traffic control device, or similar structure, equipment, or appurtenance located upon any public right-of-way, utility easement, or other public or private property unless authorized under Section 744-902.B.13. Public Signs.
 5. *Signs on natural features.* No signs shall be permitted to be painted on, attached to, or maintained upon trees, rocks or other natural features.
 6. *Pennants.* Pennants shall not be permitted.
Exception: Temporary exception to this stipulation is noted in Section 744-904.G. One-Time Event Signs.
 7. *Banners.* Banners shall not be permitted.
Exceptions:
 - a. Temporary exception to this stipulation is noted in Section 744-904.G. One-Time Event Signs.
 - b. Banners that are attached securely to the wall of a building on all four corners shall be considered and regulated as wall signs.
 8. *Wind signs.* Wind signs shall not be permitted. Temporary exception to this stipulation is noted in Section 744-904.G. One-Time Event Signs.
 9. *Portable signs.* Portable signs including but not limited to signs on trailer frames whether or not the trailer wheels have been removed, are prohibited. No person shall park any vehicle or trailer or truck trailer on a public right-of-way, public property or on private property which is visible from a public right-of-way, which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity. This section is not intended to apply to standard advertising or identification practices where such signs or advertising devices are painted on or permanently attached to business or commercial vehicles such as buses or cabs.
 10. *Outline lighting.* Outlining of property lines or open sales areas, whether flashing or constant, is prohibited.
 11. *Balloon signs.* Lighter-than-air or gas-filled balloons or other similar devices used to advertise or define a fixed location are prohibited.
- D. *Computations.*
1. *Computation of area of individual signs.* The area of a sign face (that is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, rectangle or combination thereof that will encompass the extreme limits

of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets Code regulations and is clearly incidental to the display itself. (Refer to Sign Diagram 1 for illustrative guides to computation methods.)

2. *Computation of area of multi-faced signs.* The sign area for a sign with more than one face shall be computed by adding together the sign area of all sign faces from any one point. When two identical sign faces are placed back to back, or at no greater than 15 degrees from one another, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than 42 inches apart, the sign area shall be computed by the measurement of one of the faces. (Refer to Sign Diagrams 1 and 2 for illustrative guides to computation methods.)
3. *Computation of height.* The height of a sign shall be computed as the distance from the base of the sign or sign structure at grade level to the top of the highest attached component of the sign. Grade level shall be construed to be the lower of either (1) existing grade prior to construction; or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the grade level cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the grade level at the base of the sign is equal to the elevation of the established street grade or the grade level of the land at the principal entrance to the principal structure on the lot, whichever is lower. (Refer to Sign Diagram 3 for illustrative guides to computation methods.)

E. *General provisions.*

1. *Applicability of regulations.* No sign or sign structure, or part thereof, shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations.
2. *Consent of property owner.* No sign or sign structure shall be placed on private or public property without the expressed written consent of the owner or the owner's representative.
3. *Maintenance of signs.* All signs and sign structures shall be kept in good repair and in proper state of maintenance.
4. *Maintenance and restoration of legally established nonconforming signs and sign structures.* Any legally established nonconforming sign shall be permitted without alteration in size or location. Maintenance of such signs shall not include any changes made to the size, height or bulk of the sign or the temporary or permanent removal of the sign. If such sign is damaged exceeding two-thirds of its replacement value, it shall not be rebuilt except in conformance with the provisions of this chapter; provided, however, that nothing herein shall prevent maintenance, repainting, or posting of legally established nonconforming signs.
5. *Number of faces permitted on a freestanding identification sign.* Unless specifically restricted by these sign regulations, a sign may contain more than one sign face, and may be two-sided, provided all other requirements of these regulations are met.
6. *Discontinuation of nonconformity.* Within 30 days after any lawful nonconforming sign or sign structure is no longer functional or is abandoned, the sign and sign structure shall be removed.
7. *Grade mounding.* Earth mounding, inconsistent with the ground level of the land surrounding the sign structure, which increases the elevation of the sign, shall be included in the measurement of the sign height. (Refer also to Section 744-902.D.3., Computation of Height and Sign Diagram 4.)
8. *Flashing or animated signs.* No flashing or animated sign shall be used in any Dwelling, Special Use, C-1 and C-3 Commercial, MU-1 Mixed-Use, or Central Business District and inside, or within 600 feet of, any Protected District. The method of measurement from a Protected District shall be from the leading edge of the sign to the zoning line of the Protected District. (Refer to Sign Diagram 7.)
Exceptions to this provision are the following:
 - a. This provision shall not apply if it can be determined that a commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon adjoining property or abutting frontage property, although zoned as a Dwelling District.
 - b. This provision shall not apply if it can be determined that the flashing or animated sign is visibly obstructed from the Protected District.
9. *Lighting of signs.* No lighting shall be permitted to be used in any way in connection with a sign unless:
 - a. It is effectively shielded so as to prevent beams or rays of light from being directed at vehicles travelling on a street; or
 - b. Is of such low intensity or brilliance so as not to cause glare or to impair the vision of the driver of any motor vehicle, or to otherwise interfere with any driver's operation of a motor vehicle. Sign light reflectors must be within 12 feet of a sign facing.
10. *Clear sight triangular area.* No sign or sign structure shall be located within a clear sight triangular area as described in Section 740-304.

F. *Sign height exception, tall signs.*

1. If a street elevation to which the sign is oriented is more than 10 feet greater than the grade level elevation at the base of the sign structure, the street elevation may be used as the grade level elevation in determining the permitted sign and sign structure height; however:
 - a. In no case shall the height of the sign or sign structure above the actual grade level elevation at its base exceed 80 feet; and
 - b. The height of the sign and sign structure at the street's elevation shall not exceed the maximum noted for the sign in the applicable District (See "maximum sign height" provision in the applicable District).
2. Tall signs are permitted only in relation to interchanges on I-465 and the freeways between I-465 and the Marion County boundary lines.
3. Tall signs shall be located only on the premises of the referred use or activity.
4. The use to which the tall sign refers shall be located within 1,320 feet of the intersection of the centerline of the freeway or expressway to which it is oriented and the intersecting street. In no event shall the tall sign be closer to the right-of-way of the main-travelled way of the freeway or expressway than the minimum setback specified in Section 744-904 D.3.b.2.iii. (refer to Sign Diagram 28).
5. The sign surface area for a tall sign shall not exceed the maximum sign area permitted for a freestanding sign in the applicable District.
6. Only one tall sign shall be permitted for any one use. Such sign shall constitute the only pole or pylon sign permitted on the premises of the referred use.
7. Tall signs shall not be permitted within 600 feet of any Protected District, measured from the leading edge of the sign to the zoning line of the Protected District.
8. Exception: This provision shall not apply if it can be determined that a commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon adjoining property or abutting frontage property, although zoned as a Protected District.

Refer to Sign Diagrams 6 and 7 for illustrative guides to these provisions.

- G. *Front sign setback exception.* Unless otherwise stated in this Chapter 744 Article IX, no part of any freestanding business sign shall be located closer to a street right-of-way line than 15 feet, except that if an established building setback line along such right-of-way within 200 feet of the base of such sign, and not beyond the limits of the nearest street intersection in each direction, is less than 15 feet from the right-of-way, the sign may be located so that no part of the sign is closer to the right-of-way than such building's setback line.
- H. *Required permits.* Any sign not exempted from the requirements of obtaining an Improvement Location Permit (ILP) as noted in Section 744-902.B. Exemptions, or identified as a prohibited sign type shall be required to obtain an ILP as stated in Chapter 740 Article VIII of the Zoning Ordinance. Furthermore, any sign not identified as a permitted sign type in the tables in Section 744-905.A. is prohibited.

This provision shall not be construed to require an ILP for the routine maintenance or changing of the parts or copy of a sign for which an ILP has previously been issued, including changing a sign face, provided that the maintenance or change of parts or copy of a sign does not alter the surface area, height, or otherwise render the sign nonconforming, or increase the existing degree of nonconformity, with the standards of this chapter.

(G.O. 64, 2015, § 2; G.O. 72, 2015, § 1(Exhibit))

Sec. 744-903. - Specific provisions.

A. *Basic design elements for all on-premises signs.*

1. *Pole sign.* At its lowest point, the sign face of a pole sign shall be located a minimum of nine feet above grade level (refer to Sign Diagram 8).
2. *Wall sign.* A wall sign shall not extend outward more than 18 inches from the building or structure wall. A wall sign may extend to a maximum of four feet upward above a roof or parapet line, provided that at least 50 percent of the area of the wall sign shall be located below the roof or parapet line (refer to Sign Diagram 9).
3. *Roof-integral sign.* A roof-integral sign shall not exceed six feet in height and shall not project more than 18 inches outward from the level of the roof measured horizontally from the sign's closest point to the roof. A roof-integral sign may extend up to the roof level line and not above the roof line or the top of the building or structure (as viewed in the elevation), provided the maximum height of the extended sign does not exceed 26 feet measured from grade level perpendicularly to the sign's highest point (refer to Sign Diagram 10).
4. *Pylon sign.* A sign face of a pylon sign may extend up from grade level provided the clear sight triangle provision of Section 744-