

## **AGENDA ITEM 4B**

**Zoning Ordinance Amendment—Sections 7.01-7.04  
(Signs)**

# Memorandum



**To:** Planning Commission  
**From:** Christopher Solberg, City Planner  
**Date:** 6/17/2019  
**Re:** Public Hearing regarding text amendments to the Zoning Ordinance – Sections 7.01-7.04 (Signs)

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Upon staff review of Sections 7.01-7.04 (Signs) it was concluded an update to the regulations was warranted. The proposed changes to Sections 7.01-7.04 adds Directional Signs as a sign type, simplifies and clarifies the signage plan requirements, and incorporates wording and formatting changes for better clarification of the regulations.

A redline copy of the proposed amendments is attached.

**STAFF RECOMMENDATION:**

Staff recommends approval of the proposed amendments.

## ARTICLE 7: SUPPLEMENTAL REGULATIONS

### **Section 7.01 Sign Regulations**

#### **7.01.01 Purpose**

The purpose of these sign regulations are: to encourage the effective use of signs as a means of communication in the city; to maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign regulations. These sign regulations are adopted under the zoning authority of the city in furtherance of the more general purposes set forth in the zoning ordinance.

#### **7.01.02 Applicability**

A sign may be erected, placed, established, painted, created, or maintained within the city and the city's extraterritorial zoning jurisdiction only in conformance with the standards, procedures, exemptions and other requirements of these sign regulations.

#### **7.01.03 Definitions and Interpretation**

Words and phrases used in this ordinance shall have the meanings set forth in Section 2. Principles for computing sign area and sign height are contained in Section 7.01.04.

#### **7.01.04 Computations**

##### *1. Computation of Area of Individual Signs*

The area of a sign face (which 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, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing as a whole, representation, emblem, or other display as a whole, 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 zoning ordinance regulations and is clearly identical to the display itself.

##### *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 area of all sign faces visible from any one point. When two identical sign faces are placed back to back, 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 forty-two (42) inches apart, the sign area shall be computed by the measurement of one of the faces.

##### *3. Computation of Height*

The height of a sign shall be computed as the distance from the grade at the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be from finished grade. Any berms shall be construed to be a part of the sign base and added to the overall height of the sign.

## 7.01.05 Permitted Signs and Limitations

### 1. *Ground Monument*

- A. Monument signs shall be located along the frontage of the zoned lot. All signs shall be of permanent construction and are subject to the provisions of local codes and ordinances. On corner lots, the monument sign may be placed on either frontage.
- B. All ground monument signs shall be located on the same lot as the advertised use.
- C. Signs shall contain only the name or trademark of the business, building or complex which it identifies.
- D. With the exception of change panels permitted for gas stations to advertise gasoline prices, no change panels, advertising or names of individual tenants will be allowed.
- E. Setbacks for all ground monument signs are ten (10) feet, no setbacks are required in the MU-CC District.
- F. The following criteria apply to Ground Monument signs:

District	Design Limitations for Ground Monuments		
	Max. Size	Max. Height	Max. Number
<b>TA</b>	50-32 square feet	10 feet	One (1) per lot frontage
<b>R-1</b>	32 square feet	10 feet	One (1) per lot frontage
<b>R-2</b>	32 square feet	10 feet	One (1) per lot frontage
<b>R-3</b>	32 square feet	10 feet	One (1) per lot frontage
<b>R-4</b>	32 square feet	10 feet	One (1) per lot frontage
<b>C-1</b>	32 square feet	10 feet	One (1) per lot frontage
<b>C-2</b>	32 square feet	10 feet	One (1) per lot frontage
<b>C-3</b>	50 square feet	10 feet	Two (2) per lot frontage
<b>MU-CC</b>	32 square feet	10 feet	One (1) per lot frontage
<b>I-1</b>	32 square feet	10 feet	One (1) per lot frontage
<b>I-2</b>	32 square feet	10 feet	One (1) per lot frontage
<b>PUD</b>	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district

### 2. *Center Identification Signs*

- A. All Center Identification signs shall be a ground monument style sign.
- B. *A maximum of two Center Identification signs per development shall be allowed. No two signs shall be allowed closer than five-hundred (500) feet to each other on the same side of the street, measured along the edge of the street.*
- C. All Center Identification signs shall be constructed in a manner that is permanent.
- D. Acceptable materials include:
  - Exterior Insulation Finish System (EIFS)
  - Brick
  - Split face Concrete Masonry Units
  - Stone
  - Metal
  - Simulated Acrylic, or
  - Other materials provided said design is reflective of the character of the use.
- E. All Center Identification signs shall advertise only the name of the development *and/or major tenants*, unless in compliance with Subsection [GF](#) below.
- F. Setbacks for all Center Identification Signs shall be twenty (20) feet along a street designated as an arterial or collector and ten (10) feet along any street designated as a local, minor or private street.
- G. Change panels and/ or changeable copy may be allowed provided:
  - Signs shall only include business names *or logos*
  - Fonts shall be similar to that of the development name
  - Said panels and / or copy match in color and material to the overall sign.
- H. *Electronic Message Boards shall only be allowed as part of a Center Identification Sign, provided the following:*
  - *No more than one-half of the permitted sign area shall be used for changeable copy or electronic message board signs.*
  - *The board may be double-faced.*
  - *Each board shall be permanently installed or located.*

- *Electronic messages shall not be animated or flash continuously (blinking) in any manner.*
- *Electronic message boards must use automatic level controls to reduce light levels at night and under cloudy and other darkened conditions, in accordance with the standards set forth in this sub-section. All electronic message boards must have installed ambient light monitors, and must at all times allow such monitors to automatically adjust the brightness level of the electronic sign based on ambient light conditions. Maximum brightness levels for electronic message boards may not exceed 5000 nits when measured from the signs face at its maximum brightness, during daylight hours, and 500 nits when measured from the signs face at its maximum brightness between sunset and sunrise, as those times are determined by the National Weather Service.*
- *The message cannot change copy at intervals of less than one (1) minute. Changes of message image must be instantaneous as seen by the human eye and may not use fading, rolling, window shading, dissolving, or similar effects as part of the change.*

I. The following criteria apply to Center Identification signs:

District	Design Limitations for Center Identification Signs		
	Max. Size	Max. Height	Max. Number
TA			
R-1			
R-2			
R-3			
R-4			
C-1	100 square feet	20 feet	One (1) per main entrance but not more than two (2) per street frontage of the development
C-2	100 square feet	20 feet	One (1) per main entrance but not more than two (2) per street frontage of the development
C-3	150 square feet	24 feet	One (1) per main entrance but not more than three (3); plus, one (1) when abutting Interstate 80
MU-CC	150 square feet	24 feet	One (1) per main entrance but not more than two (2) per street frontage of the development
I-1	100 square feet	20 feet	One (1) per main entrance but not more than three (3); plus, one (1) when abutting Interstate 80
I-2	100 square feet	20 feet	One (1) per main entrance but not more than three (3); plus, one (1) when abutting Interstate 80
PUD	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district

*(Ordinance No. 883, 11-19-02) (Ordinance No. 896, 2-04-03) (Ordinance No. 1145, 5-17-11)*

3. **Wall Signs**

A. All wall signs shall be mounted to the primary face of the use, *unless otherwise substituted by the [Building Official Planning Department](#). (Ordinance No. 988, 4-18-06)*

A.B. For multi-tenant buildings sign size will be based on the width of the storefront of the bay.

B.C. The following criteria apply to Wall Signs:

District	Design Limitations for Wall Signs		
	Max. Size Permitted Sign Area	Max. Height	Max. Number
TA	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45 feet above grade	One (1) <a href="#">sign area</a> per <a href="#">storefront</a> <a href="#">main frontage</a> <a href="#">Dual Frontage</a> = one (1) additional Wall Sign may be used provided the combined total area does not exceed 150% of the initial allowable area. <a href="#">More than One Frontage</a> : <a href="#">Total maximum sign area shall not exceed 150% of the initial permitted sign area.</a>
R-1			
R-2			
R-3			
R-4			
C-1	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45 feet above grade	One (1) <a href="#">sign area</a> per <a href="#">storefront</a> <a href="#">main frontage</a> <a href="#">More than One Frontage</a> : <a href="#">Total maximum sign area shall not exceed 150% of the initial permitted sign area.</a> <a href="#">Dual Frontage</a> = one (1) additional Wall Sign may be used provided the combined total area does not exceed 150% of the initial allowable area.
C-2	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45 feet above grade	One (1) <a href="#">sign area</a> per <a href="#">storefront</a> <a href="#">main frontage</a> <a href="#">More than One Frontage</a> : <a href="#">Total maximum sign area shall not exceed 150% of the initial permitted sign area.</a> <a href="#">Dual Frontage</a> = one (1) additional Wall Sign may be used provided the combined total area does not exceed 150% of the initial allowable area.
C-3	2.5 square feet per lineal foot of building / storefront to a Max. of 600 sq. ft.	45 feet above grade	One (1) <a href="#">sign area</a> per <a href="#">main frontage</a> <a href="#">More than One Frontage</a> : <a href="#">Total maximum sign area shall not exceed 150% of the initial permitted sign area.</a> <a href="#">One (1) additional Wall Sign</a> may be used provided the combined total area does not exceed 150% of the initial allowable area.
MU-CC	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45-90 feet above grade	One (1) <a href="#">sign area</a> per <a href="#">storefront</a> <a href="#">main frontage</a> <a href="#">More than One Frontage</a> : <a href="#">Total maximum sign area shall not exceed 150% of the initial permitted sign area.</a> <a href="#">Dual Frontage</a> = one (1) additional Wall Sign may be used provided the combined total area does not exceed 150% of the initial allowable area.
I-1	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45 feet above grade	One (1) <a href="#">sign area</a> per <a href="#">main frontage</a> <a href="#">More than One Frontage</a> : <a href="#">Total maximum sign area shall not exceed 150% of the initial permitted sign area.</a> <a href="#">Dual Frontage</a> = one (1) additional Wall Sign may be used provided the combined total area does not exceed 150% of the initial allowable area.
I-2	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45 feet above grade	One (1) <a href="#">sign area</a> per <a href="#">main frontage</a> <a href="#">More than One Frontage</a> : <a href="#">Total maximum sign area shall not exceed 150% of the initial permitted sign area.</a> <a href="#">Dual Frontage</a> = one (1) additional Wall Sign may be used provided the combined total area does not exceed 150% of the initial allowable area.

<b>PUD</b>	The maximum allowed within the underlying zoning district, <i>or otherwise prescribed in the approved P.U.D Plan of said lot/development.</i>	The maximum <i>building height allowed in the approved P.U.D Plan of said lot/development.</i>	The maximum allowed within the underlying zoning district, <i>or otherwise prescribed in the approved P.U.D Plan of said lot/development.</i>
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*(Ordinance No. 988, 4-18-06)*

4. ***Incidental Signs***

- A. Incidental signs shall be placed in locations along the primary face of the building.
- B. Incidental signs may be placed on a second building face, when the building has dual frontage.
- C. The following criteria apply to Incidental Signs:

<b>District</b>	<b>Design Limitations for Incidental Signs</b>		
	<b>Max. Size</b>	<b>Max. Height</b>	<b>Max. Number</b>
<b>TA</b>	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
<b>R-1</b>			
<b>R-2</b>			
<b>R-3</b>			
<b>R-4</b>			
<b>C-1</b>	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
<b>C-2</b>	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
<b>C-3</b>	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
<b>MU-CC</b>	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
<b>I-1</b>	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
<b>I-2</b>	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
<b>PUD</b>	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district

5. ***Directional Signs***

- [A. Directional signs shall contain no advertising, though may contain the business's logo.](#)
- [B. Directional signs shall only be utilized in the manner explicitly stated in the definition.](#)
- [C. The following criteria apply to Directional Signs:](#)

<b>District</b>	<b>Design Limitations for Directional Signs</b>		
	<b>Max. Size</b>	<b>Max. Height</b>	<b>Max. Number</b>
<b>TA</b>	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
<b>R-1</b>			
<b>R-2</b>			
<b>R-3</b>			
<b>R-4</b>			
<b>C-1</b>	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
<b>C-2</b>	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
<b>C-3</b>	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
<b>MU-CC</b>	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
<b>I-1</b>	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
<b>I-2</b>	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
<b>PUD</b>	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district

6. ***Project Directory Signs (Ordinance No. 1145, 5-17-2011)***

*In order to maintain the flow of traffic on arterial and collector roads and to promote vehicular safety, emphasis is made to limit the number of ingress and egress points off of such roads. Project directory signs are intended to direct attention to planned multi-tenant developments which are not easily accessible off of such roads and where on-premise signage for that development (or any tenants within the development) would not otherwise be visible by the motorists traveling on nearby arterial or collector roads at the closest point of access. Provisions are provided to allow project directory signs which identify the name of the particular development and/or the names of their tenants. Such signs would be supplemental to signage otherwise provided for such developments.*

*Supplemental directional signs may be erected under the following conditions:*

- A. Access to the development is restricted. Full ingress and egress to the development off an arterial or collector road is limited by access constraints or non-existent.
- B. Such signs may be placed on or off-premises. All such signs shall be constructed and located, however, so as to be visible by the motorist traveling on the arterial or collector road which intersects with the local road providing access to the development.
- C. Setbacks for all Project Directory Signs shall be twenty (20) feet along a street designated as an arterial or collector and ten (10) feet along any street designated as a local, minor or private street.
- D. A maximum of two project directory signs per development shall be allowed. No two signs shall be allowed closer than five-hundred (500) feet to each other on the same side of the street, measured along the edge of the street.
- E. No such sign shall be allowed further than one-thousand (1,000) feet from any entity advertising on the sign using the closest straight line measurement.
- F. The minimum distance between a sign location and any residential zoning district shall be 50 feet.
- G. The sign may contain the name of the development, names of tenants within the development, directional arrows and distance information. If off-premises, sign shall identify multiple businesses or industries.
- H. The size of each sign shall be a function of the number of tenants within the development. Each eight (8) square feet per principal use within the development, whichever is greater, with a maximum area of eighty (80) square feet.
- I. All such signs shall be a ground-mounted, monument-style sign.
- J. Such signs shall be subject to the design standards of the PUD or Gateway Corridor Overlay District, if within such district.

District	Design Limitations for Project Directory Signs		
	Max. Size	Max. Height	Max. Number
TA			
R-1			
R-2			
R-3			
R-4			
C-1	80 square feet	10 feet	One (1) per main entrance but not more than two (2)
C-2	80 square feet	10 feet	One (1) per main entrance but not more than two (2)
C-3	80 square feet	10 feet	One (1) per main entrance but not more than two (2);
MU-CC	80 square feet	10 feet	One (1) per main entrance but not more than two (2);
I-1			
I-2			
PUD	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district

## 7.6. Other Permitted Signs

Canopy  
Identification  
Projecting  
Real Estate  
Nameplate  
Temporary (see Section 7.03.02)

Window  
*Subdivision (Ordinance No. 873, 10-15-02)*  
*Construction (Ordinance No. 873, 10-15-02)*

Signs shall be permitted in the various districts at the listed square footage and heights according to the following schedule:

<u>Sign Type</u>	<u>Zoning District</u>	<u>TA</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>MU-CC</u>	<u>I-1</u>	<u>I-2</u>
<u>Identification</u>												
Max. Size (Square Ft.)	2 <sup>1</sup>	2 <sup>1</sup>	2 <sup>1</sup>	2 <sup>1</sup>	2 <sup>1</sup>	2 <sup>1</sup>	2 <sup>1</sup>	2 <sup>1</sup>	2 <sup>1</sup>	2 <sup>1</sup>	2 <sup>1</sup>	2 <sup>1</sup>
Max. Height (Ft.)	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Number Allowed per building	1	1	1	1	1	1	1	1	1	1	1	1
<u>Real Estate</u>												
Max. Size (Square Ft.)	32	6	6	6	6	32	32	32	32	32	32	32
Max. Height (Ft.)	6	4 <sup>2</sup>	4 <sup>2</sup>	4 <sup>2</sup>	4 <sup>2</sup>	6	6	6	6	6	6	6
Number Allowed per lot	2	1	1	1	1	2 <sup>7</sup>						
<u>Subdivision</u>												
Max. Size (Square Ft.)	32	32	32	32	32	32	32	50	32	32	32	32
Max. Lot Coverage (Sq. Ft.)	2,500 <sup>4</sup>	2,500 <sup>4</sup>	2,500 <sup>4</sup>	2,500 <sup>4</sup>	2,500 <sup>4</sup>	2,500 <sup>4</sup>	2,500 <sup>4</sup>	2,500 <sup>4</sup>	2,500 <sup>4</sup>	2,500 <sup>4</sup>	2,500 <sup>4</sup>	2,500 <sup>4</sup>
Max. Height (Ft.)	10	10	10	10	10	10	10	15	10	10	10	10
Number Allowed per lot	2 <sup>5</sup>	2 <sup>5</sup>	2 <sup>5</sup>	2 <sup>5</sup>	2 <sup>5</sup>	2 <sup>5</sup>	2 <sup>5</sup>	2 <sup>5</sup>	2 <sup>5</sup>	2 <sup>5</sup>	2 <sup>5</sup>	2 <sup>5</sup>
<u>Construction</u>												
Max. Size (Square Ft.)	32	32	32	32	32	32	32	32	32	32	32	32
Max. Height (Ft.)	8	8	8	8	8	8	8	8	8	8	8	8
Number Allowed per lot	4 <sup>6</sup>	4 <sup>6</sup>	4 <sup>6</sup>	4 <sup>6</sup>	4 <sup>6</sup>	4 <sup>6</sup>	4 <sup>6</sup>	4 <sup>6</sup>	4 <sup>6</sup>	4 <sup>6</sup>	4 <sup>6</sup>	4 <sup>6</sup>
<u>Canopy</u>												
Max. Size	25% <sup>2</sup>	N-	N-	N-	N-	25% <sup>2</sup>						
Max. Height (Ft.)	NA	N-	N-	N-	N-	NA						
Number Allowed per building	1	N-	N-	N-	N-	1	1	1	1	1	1	1
<u>Window</u>												
Max. Size	25% <sup>3</sup>	N-	N-	N-	N-	25% <sup>3</sup>						
Max. Height (Ft.)	NA	N-	N-	N-	N-	NA						
Number Allowed per building/ storefront	2	N-	N-	N-	N-	2	2	2	2	2	2	2
<u>Projecting</u>												
Max. Size (Square Ft.)	12N-	12N-	12N-	12N-	12N-	12	12	12	12	12	12N-	12N-
Max. Height (Ft.)	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Number Allowed per building	1	1	1	1	1	1	1	1	1	1	1	1
<u>Nameplate</u>												
Max. Size (Square Ft.)	2	2	2	2	2	2	N-	N-	N-	N-	N-	N-
Max. Height (Ft.)	NA	NA	NA	NA	NA	NA	N-	N-	N-	N-	N-	N-
Number Allowed per building	1	1	1	1	1	1	N-	N-	N-	N-	N-	N-

N-: not permitted

NA: Not Applicable

**(Ordinance No. 873, 10-15-02) (Ordinance No. 897, 2-04-03) (Ordinance No. 951, 3-15-05)**

1: Maximum letter height is equal to 12 inches

2: percentage of total Canopy area

3: percentage of total window area

4: When constructed as a landscaping element on an outlet or plat lot

5: Per Entrance

6: Maximum number equal to four (4) when every sign equals the maximum size, no maximum number when using six (6) square foot signs

7: On corner lots or lots one (1) acre or greater, otherwise one (1) per lot **(Ordinance No. 897, 2-04-03)**

**Note:** All signs shall have a Vertical Clearance of nine (9) feet above any sidewalk, private drive, or parking.  
All signs shall have a Vertical Clearance of twelve (12) feet above any Public Street.

**87. Sign type, District Permitted**

A. Signs shall be permitted in the various districts according to the following schedule:

<u>Zoning District</u>	<u>TA</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>MU-CC</u>	<u>I-1</u>	<u>I-2</u>
<u>Sign Type</u>											
<b>Building Marker</b>	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+
<b>Identification</b>	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+
<b>Temporary</b>	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+
<b>Construction</b>	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+
Real Estate	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+
Incidental	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+
<b>Subdivision</b>	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+
<b>Wall</b>	P+	N-	N-	N-	N-	P+	P+	P+	P+	P+	P+
<b>Canopy</b>	P+	N-	N-	N-	N-	PC	PC	PC	P+	P+	P+
<b>Window</b>	P+	PC	CP	CP	CP	P+	P+	P+	P+	P+	P+
<b>Projecting</b>	P+	NC	EN	EN	EN	P+	P+	P+	P+	P+	P+
<b>Name Plate</b>	PC	P+	P+	P+							
<b>Monument</b>	PC	EN	CN	EN	EN	P+	P+	P+	P+	P+	P+
<b>Billboard</b>	N-	N-	N-	N-	N-	N-	N-	N-	N-	N-	N-
<b>Pole</b>	N-	N-	N-	N-	N-	N-	N-	N-	N-	N-	N-

P+: permitted N-: not permitted C: Conditional Use

*(Ordinance No. 873, 10-15-02)*

**98. Special Signage Conditions**

The following special conditions apply to stand-alone ATM's, Coffee Kiosks and other Kiosks.

A. Stand-alone ATM's may have the following:

- One (1) wall sign on each exterior wall provided each wall sign does not exceed ten (10) percent of the applicable exterior wall and the total shall not exceed forty (40) square feet in size.
- Where a canopy is integrated into the ATM, a canopy sign may be placed on each face of the ATM, provided the overall height of the canopy and sign do not exceed twenty-four (24) inches. In addition, the overall size of all canopy signs shall not exceed forty (40) square feet.
- Directional signage shall be contained on the ATM, painted within a drive lane or in any curbing defining a drive lane.
- All signs are subject to the required permitting process of this Ordinance.
- Said signage may be incorporated with lighting plan and backlit in order to provide for greater security on the premises.

B. Coffee Kiosks and other Kiosks may have the following:

- One (1) wall sign on each exterior wall not used for drive-up service, provided each wall sign does not exceed ten (10) percent of the applicable exterior wall and the total shall not exceed forty (40) square feet in size.
- Where a canopy is integrated into the Coffee Kiosks / Kiosks, a canopy sign may be placed on each face of the Coffee Kiosk / Kiosks, provided the overall height of the canopy and sign do not exceed twenty-four (24) inches. In addition, the overall size of all canopy signs shall not exceed forty (40) square feet.
- Directional signage shall be contained on the Coffee Kiosk /Kiosk, painted within a drive lane or in any curbing defining a drive lane
- Window signs limited to menu boards and daily specials shall not require a sign permit.
- All signs are subject to the required permitting process of this Ordinance, unless otherwise noted.

#### 7.01.06 Permits Required

1. If a sign requiring a permit under the provision of the ordinance is to be placed, constructed, erected, or modified on a zone lot, the owner of the lot shall secure a sign permit prior to the construction, placement, erection, or modification of such a sign in accordance with the requirements of Section 7.04.01.
2. Furthermore, the property owner shall maintain in force, at all times, a sign permit for such sign in accordance with Section 7.04.09.
3. No signs shall be erected in the public right-of-way except in accordance with Section 7.03.01.
4. No sign permit of any kind shall be issued for an existing or proposed sign unless such sign is consistent with the requirements of this ordinance (including those protecting existing signs) in every respect and with the [Common Signage Plan](#) in effect for the property.

#### 7.01.07 Design, Construction, Maintenance

All signs shall be designed, constructed and maintained in accordance with the following standards:

1. All signs shall comply with applicable provisions of the Uniform Building Code and the National Electrical Code.
2. Except for flags, temporary signs, and window signs conforming in all respects with the requirements of this ordinance, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame or structure.
3. All signs shall be maintained in good structural condition, in compliance with all building and electrical codes and in conformance with this code, at all times.

### **Section 7.02 Signage Plans**

#### 7.02.01 General Provisions

1. No permit shall be issued for an individual sign requiring a permit unless and until an Individual Signage Plan, Master Signage Plan or Common Signage Plan for the zoned lot on which the sign will be erected has been submitted to the City and approved by the [Building Inspector Planning Department](#) as conforming with this section.
2. All signage plans and permits shall include the following minimum information:
  - A. Color scheme;
  - B. Lettering or graphic style;
  - C. Lighting;
  - D. Location of each sign on the buildings;
  - E. Material;
  - F. Sign proportions; and
  - G. Any other criteria required by the appropriate signage plan.

#### 7.02.02 Master Signage Plan.

For any zoned lot on which the owner proposes to erect more than [one three \(34\)](#) signs requiring a permit, ~~unless such zone lot has been included in a Common Signage Plan~~, the owner shall submit to the [Building Inspector Planning Department](#) a Master Signage Plan containing the following:

1. An accurate plot plan of the zone lot, at such a scale as the [Planning Department Building Inspector](#) may require;
2. Location of buildings, parking lots, driveways, and landscaped areas on such zone lot;
3. Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of freestanding signs allowed on the zone lot(s) included in the plan under this ordinance and
4. An accurate indication on the plot plan of the proposed location of each present and future sign of any type, whether requiring a permit or not, except that incidental signs need not be shown.

#### 7.02.03 Individual Signage Plan

1. ~~For any zoned lot on which a Common Signage Plan or Master Signage Plan has been submitted and approved, an applicant shall submit a permit request to the City of La Vista for the installation of any individual sign.~~
2. ~~For any zoned lot and / or storefront where an individual tenant is moving into an established lease space, the new tenant or said agent for new tenant shall submit an Individual Signage Plan to the City of La Vista for review, comment and approval.~~

7.02.04 Common Signage Plan.

~~7.02.05 If the owners of two or more contiguous (disregarding intervening streets and alleys) zoned lots or the owner of a single lot with more than one (1) building (not including any accessory building) file with the Building Inspector for such zone lots a Common Signage Plan conforming with the provisions of this section.~~

7.02.067.02.03 Showing Window Signs on Common, Individual, or Master Signage Plan.

1. A Common Signage Plan, Individual Signage Plan, or Master Signage Plan including window signs may simply indicate the areas of the windows to be covered by window signs and the general type of the window (e.g., paper affixed to window, painted, etched on glass, or some other material hung inside window) and need not specify the exact dimension or nature of every window sign.

7.02.077.02.04 Limit Number of Free Standing Signs Under Common-Master Signage Plan.

1. The Common-Master Signage Plan, for all zone lots with multiple uses or multiple users, shall limit the number of freestanding signs to a total of one (1) for each street on which the zone lots shall provide for shared or common usage of such signs.

7.02.08 Other Provisions of Master or Common Signage Plans.

1. ~~The Master, Individual, or Common Signage Plan may contain such other restrictions as the owners of the zone lots may reasonably determine.~~

7.02.09 Consent.

1. ~~The Master, Individual, or Common Signage Plan shall be signed by all owners or their authorized agents in such form as required by the City.~~

7.02.10 Procedures.

1. ~~A Master, Individual, or Common Signage Plan shall be included in any development plan, site plan, or other official plan required by the city for the proposed development and shall be processed simultaneously with such other plan.~~

7.02.117.02.05 Amendment.

1. A Master, Individual, or Common Signage Plan may be amended by filing a new Master ~~or~~ Common Signage Plan that conforms to all requirements of the ordinance then in effect.

7.02.127.02.06 Existing Signs Not Conforming to Common-Master Signage Plan.

1. If any new or amended Common-Master Signage Plan is filed for a property on which existing signs are located, it shall include a schedule for bringing into conformance, within two (2) years, all signs not conforming to the proposed amended plan or to the requirements of this ordinance in effect on the date of submission.

7.02.137.02.07 Binding Effect.

1. After approval of a Master, Individual, or Common Signage Plan, no sign shall be erected, placed, painted, or maintained, except in conformance with such plan, and such plan may be enforced in the same way as any provision of this ordinance. In case of any conflict between the provisions of such a plan and any other provision of this ordinance, the ordinance shall control.

## Section 7.03 Other Signage Provisions

**7.03.01 Signs in the Public Right-of-Way**

No signs shall be allowed in the public right-of-way, except for the following:

1. **Permanent Signs.** Permanent signs, including:
  - A. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, advertise community events, and direct or regulate pedestrian or vehicular traffic;
  - B. Bus stop signs erected by a transit company
  - C. Informational signs of a public utility regarding its poles, lines, pipes, or facilities; and
  - D. Awning, projecting, and suspended signs projecting over a public right-of-way in conformity with the conditions of Section 1.16.

**7.03.02 Temporary Signs**

A permit for temporary signs shall be issued only in accordance to the Master Fee Schedule and for signs meeting the following criteria:

1. *Construction and real estate signs are exempt from a temporary sign permit provided they meet the requirements set forth hereafter and in Section 7.01.05(5) of this Ordinance.*
2. Such signs shall not be in place for more than fourteen (14) consecutive days, *except that Real Estate signs may be in place until the property sale is finalized and construction signs may be in place until that construction phase is completed;*
3. No more than four (4) temporary permits shall be issued to an individual use in a calendar year; *Construction Signs shall be located on the property being constructed. Advertisement on business trailers or vehicles are exempt from a temporary sign permit and size restriction, except that such trailers or vehicles must be removed when construction by that company on said property is completed.*
4. *Construction Signs shall be located on the property being constructed. Advertisement on business trailers or vehicles are exempt from a temporary sign permit and size restriction, except that such trailers or vehicles must be removed when construction by that company on said property is completed.*
5. Any violation of this Section may void any future requested permits; and
6. No temporary sign shall be of such size, message, or character so to harm the public, health, safety or general welfare. *Temporary signs shall not exceed thirty-two (32) square feet.*

*(Ordinance No. 874, 10-15-02) (Ordinance No. 898, 2-04-03)*

#### **7.03.03 Emergency Signs (Permitted)**

1. Emergency warning signs erected by a governmental agency, public utility company, or a contractor doing authorized or permitted work within the public right-of-way.

#### **7.03.04 Other Signs Forfeited**

1. Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to confiscation. In addition, to other remedies hereunder, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.

#### **7.03.05 Signs Exempt from Regulation Under this Ordinance**

The following signs shall be exempt from regulation under this ordinance:

Any public notice or warning required by a valid and applicable federal, state, or local law, regulation or ordinance;

Any religious symbol;

Any sign identifying a public facility or public / civic event;

Any sign inside a building, not attached to a window or door, that is not legible from a distance of more than three feet beyond the lot line of the zone lot or parcel on which such sign is located

Holiday lights and decorations with no commercial message;

Traffic control signs on private property, such as Stop, Yield, and similar signs, the face of which meets the Manual on Uniform Traffic Control Devices standards and which contain no commercial message of any sort; and

A political sign exhibited in conjunction with the election of political candidates. Such signs may not exceed thirty-two (32) square feet in any zone. Only four (4) political signs shall be allowed per zone lot at any one time. All such political signs shall be removed no later than (10) days after the election.

*(Ordinances No. 1184, 9-18-12)*

#### **7.03.06 Signs Prohibited Under These Regulations**

All signs not expressly permitted in these regulations or exempt from regulation hereunder in accordance with the previous section are prohibited in the city. Such signs include, but are not limited to:

1. Beacons and flashing signs;
2. Video signs;
3. Marquee signs;
4. Portable signs, except as allowed by a Temporary Sign Permit;
5. Roof signs;
6. Pole signs
- 6.7. Suspended signs;
- 7.8. Strings of lights not permanently mounted to a rigid background, except those exempt under the previous section;
- 8.9. Off-premises signs, except for signs located on outdoor public or quasi-public recreational areas/facilities, provided such signs are located in a manner approved by the City (such as not facing

adjacent street right-of-way or residential zoning districts) and are no larger than 32 square feet.”  
**(Ordinance No. 951, 3-15-05)**

- 9.10.** Animated signs; and
- 9.11.** Audible Signs.

## **Section 7.04 Permit Procedures**

### **7.04.01 General Permit Procedures**

- 1. The following procedures shall govern the application for, and issuance of, all sign permits under this ordinance, and the submission and review of Common Signage Plans and Master Signage Plans.

### **7.04.02 Applications**

- 1. All applications for sign permits of any kind and for approval of a Master or Common Signage Plan shall be submitted to the City on an application form or in accordance with application specifications published by the City.

### **7.04.03 Fees**

- 1. Each application for a sign permit or for approval of a Master or Common Signage Plan shall be accompanied by the applicable fees, which shall be established in the Master Fee Schedule.

### **7.04.04 Completeness**

- 1. Upon receiving an application for a sign permit or for a Common or Master Signage Plan, the Building InspectorPlanning Department shall review it for completeness. If the Planning DepartmentBuilding Inspector finds that it is complete, the application shall then be processed. If the Planning DepartmentBuilding Inspector finds that it is incomplete, the Planning DepartmentBuilding Inspector shall, send to the applicant a notice of the specific ways in which the application is deficient, with appropriate references to the applicable sections of this ordinance.

### **7.04.05 Action**

Within fourteen (14) working days of the submission of a complete application for a sign permit, the Planning DepartmentBuilding Inspector shall either:

- 1. Issue the sign permit, if the sign(s) that is the subject of the application conforms in every respect with the requirements of this ordinance and applicable Master or Common Signage Plan; or
- 2. Reject the sign permit if the sign(s) that is the subject of the application fails in any way to conform with the requirements of this ordinance and the applicable Master or Common Signage Plan. In case of a rejection, the Planning DepartmentBuilding Inspector shall specify in the rejection the section or sections of the ordinance or applicable plan with which the sign(s) is inconsistent.

### **7.04.06 Permits to Construct or Modify Signs**

- 1. All signs shall be erected, installed, or created only in accordance with a duly issued and valid sign construction permit from the Planning DepartmentBuilding Inspector. Such permits shall be issued only in accordance with the following requirements and procedures.

### **7.04.07 Permit for New Sign or for Sign Modification**

- 1. An application for construction, creation, or installation of a new sign or for modification of an existing sign shall be accompanied by detailed drawings to show the dimensions, design, structure, and location of each particular sign, to the extent that such details are not contained on a Master Signage Plan or Common Signage Plan then in effect for the zone lot.

### **7.04.08 Inspection**

- 1. The Planning DepartmentBuilding Inspector shall cause an inspection of the zone lot for which each permit for a new sign or for modification of an existing sign is issued during the sixth month after the issuance of such permit or at such earlier date as the owner may request. If the construction is not substantially complete at the time of inspection, the permit shall lapse and become void. If the construction is complete and in full compliance with this ordinance and the building and electrical codes, the Planning DepartmentBuilding Inspector shall affix to the premises a permanent symbol identifying the sign(s) and the applicable permit by number or other reference. If the construction is substantially complete but not in full compliance with this ordinance and applicable codes, the Planning DepartmentBuilding Inspector shall give the owner or applicant notice of the deficiencies and shall allow an additional thirty (30) days from the date of inspection for the deficiencies to be

corrected. If the deficiencies are not corrected by such date, the permit shall lapse. If the construction is then complete, the [Planning Department Building Inspector](#) shall affix to the premises the permanent symbol described above.

2. The permanent symbol shall remain affixed to approved sign. If removed the approved permit may become voided and said owner may be in violation and subject to any applicable fines.

**7.04.09 Sign Permits — Continuing**

1. The owner of a zone lot containing signs requiring a permit under this ordinance shall at all times maintain in force a sign permit for such property. Sign permits shall be issued for individual zone lots, notwithstanding the fact that a particular zone lot may be included with other zone lots in a Common Signage Plan.

**7.04.10 Initial Sign Permit**

1. An initial sign permit shall be automatically issued by the [Planning Department Building Inspector](#) covering the period from the date of inspection of the completed sign installation, construction, or modification through the last day of that calendar year.

**7.04.11 Lapse of Sign Permit**

1. A sign permit shall lapse automatically if the business license for the premises lapses, is revoked, or is not renewed. A sign permit shall also lapse if the business activity on the premises is discontinued for a period of one hundred eighty (180) days or more and is not renewed within thirty (30) days of a notice from the city to the last permittee, sent to the premises, that the sign permit will lapse if such activity is not renewed.

**7.04.12 Assignment of Sign Permits**

1. A current and valid sign permit shall be freely assignable to a successor as owner of the property or holder of a business license for the same premises, subject only to filing such application as the [Planning Department Building Inspector](#) may require and paying any applicable fee. The assignment shall be accomplished by filing and shall not require approval.

**7.04.13 Sign Removal Required**

1. A sign that was constructed, painted, installed, or maintained in conformance with a permit under this ordinance, but for which the permit has lapsed or not been renewed or for which the time allowed for the continuance of a nonconforming sign has expired, shall be forthwith removed, by the owner, without notice or action from the city.

#### 7.04.14 Violations

1. Any of the following shall be a violation of these regulations and shall be subject to the enforcement remedies and penalties provided by the La Vista Zoning Ordinance, and by state law:
  - A. To install, create, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zone lot on which the sign is located;
  - B. To install, create, erect, or maintain any sign requiring a permit without such permit;
  - C. To fail to remove any sign that is installed, created, erected, or maintained in violation of this ordinance, or for which the sign permit has lapsed.
  - D. To continue any such violation. Each day of a continued violation shall be considered a separate violation when applying the penalty portions of this ordinance.
  - E. Each sign installed, created, erected, or maintained in violation of this ordinance shall be considered a separate violation when applying the penalty portions of this ordinance.