

Sec. 32-85. - Sign regulations.

The erection and maintenance of signs on any parcel of land or structure within the city, or the use of any such parcel for said purpose, are hereby prohibited, except as follows:

- (1) In the office and commercial and industrial districts, or for special land uses, the regulations contained for each respective zoning district and the following shall apply:
 - a. A building permit shall be required for the erection, construction or alteration of any sign in these districts. The planning commission shall either approve or disapprove the application within a reasonable time. The planning commission may delegate its review authority to the building official to approve or deny applications based upon a recommendation of the city planner for signs that meet all chapter requirements or for certain types of signs as the commission may so delegate. Approval may be conditioned upon compliance with reasonable regulations or limitations having regard to the character of the sign, the surroundings in which it is to be displayed, and the purposes of this section. Once the application is approved under the above-described authority, it shall then be reviewed by the building department for conformity with the city building code standards and, if in compliance therewith, the building department shall issue a permit. A permit issued hereunder shall not be assigned or transferred in any manner whatsoever if the sign or signs covered by the permit are to be altered. Applicants shall follow the rules adopted by the planning commission for the processing of sign approvals. An annual permit, fee and bond shall be required for all outdoor advertising signs to be maintained or erected in the city. Such applications, fee and bond shall be submitted to the city in accordance with the rules governing outdoor advertising signs adopted by the city council.
 - b. Flashing, oscillating or intermittent type of illuminated signs or displays and electronic signs with any of these or the following characteristics are hereby prohibited. Also, there shall be no mechanical movement in the sign or changeable message other than provided in subsection (1)r. of this section.
 - c. Specialty lighting, such as neon accent lighting or an "open" sign, may be permitted by the planning commission on a finding that the proposal is in character with the use and not detrimental by reason of being distracting or calling undue attention to the location.
 - d. Portable advertising signs are permitted, subject to the sign regulations of this chapter. By way of example and not limitations, such regulations include sign location, area, number of signs and setbacks. A portable sign is defined as a freestanding sign, not permanently anchored or secured to either a building or the ground, such as, but not limited to, trailers, "A" frame, "T"-shaped, or inverted "T"-shaped sign structures. Vehicle signs are prohibited.
 - e. No sign, except those established and maintained by the city, county, state or federal government shall be located in, project into, or overhang a public right-of-way or dedicated public easement, except as provided in section [32-85\(2\)](#) 1.4.
 - f.

All directional signs required for the purpose of orientation, when established by the city, county, state or federal government, shall be permitted in all use districts.

- g. No sign above a height of three (3) feet shall be located within, project into or overhang the triangular area formed at the intersection of street right-of-way lines at a distance along each line of twenty-five (25) feet from their point of intersection, except where permitted elsewhere in this chapter.
- h. Outdoor advertising signs shall be prohibited, except as regulated in subsections (1)i. and j. of this section and section 32-85(2)e.3.
- i. One (1) off-site real estate sign directing the public to such real estate may be permitted by the building official during the construction of a building or buildings or the offering for sale of real estate, provided such sign is not larger than nine (9) square feet and observes the setback requirements of the district in which it is to be located.
- j. A limited number of project signs of temporary duration, not exceeding sixty-four (64) square feet in area, may also be permitted, subject to their approval by the zoning board of appeals, which approval shall be for a six (6) month period, subject to renewal, provided such signs conform to the conditions established by the zoning board of appeals to secure harmony with this chapter and, provided further, that there are buildings or home sales continuing in the subdivision being advertised. Each permit for such a sign shall require an issuance fee and any extension beyond the original time stated in the permit shall require an additional extension fee, as determined by resolution of the city council.
- k. Except for freestanding signs, all signs shall be displayed flat against the wall of the building or parallel to the wall of the building. Such wall signs shall not project beyond or overhang the wall or any permanent architectural feature by more than one (1) foot and shall not project above or beyond the highest point of the roof or parapet (except in the CBD community business district, see below).
- l. Illumination of signs shall be directed or shaded downward so as not to interfere with the vision of persons on adjacent streets or property.
- m. Signs used for advertising land or buildings for rent, lease and/or for sale shall be permitted when located on the land or building intended to be rented, leased and/or sold. Such sign(s) area shall be limited to thirty-two (32) square feet in total for any given lot or building, except as provided elsewhere within this section.
- n. Internally lighted canopies and canopies with signage shall be treated as a wall sign. The area of such canopies shall be calculated as the area of the wall sign, unless such canopy is unlighted and opaque. In such event, only the lighted and/or sign portion shall be calculated as a wall sign.
- o. Accessory, freestanding signs shall not be located closer than one hundred (100) feet to any property line of any adjacent residential district. All accessory freestanding signs shall not encroach on the front ten (10) feet of the front yard requirement or as provided in section 32-85(3)b., whichever is greater, and shall be at least ten (10) feet at their lowest point above the sidewalk level or less than four (4) feet in height at the highest point. In addition, no freestanding

sign shall be constructed in a manner as to impair observations of pedestrians and vehicles.

- p. Wall signs and behind-the-window signs with lettering or symbols of three (3) inches or less may be permitted, in addition to the permitted signs per establishment.
- q. Temporary window signs, not occupying more than twenty-five (25) percent of the window space, are exempt from the restrictions of this section. Permitted shall be one (1) gasoline price sign, no larger than twenty (20) square feet, for each establishment selling gasoline or diesel fuel as part of its principal permitted use.
- r. Time and temperature devices are permitted in all commercial districts. They may be on a pole or attached to the wall and are subject to the regulations applicable to pylon and wall signs.
- s. Each individual business or industry occupying its own individual site or lot is entitled to display not more than two (2) signs, except as modified elsewhere in this chapter. One (1) shall be a freestanding type sign, fronting the street or highway to which the establishment has its principal access. (Should a business or shopping center have exclusive access to a second or third major or secondary street as classified in the city's Master Plan, it may place a freestanding identification sign on that street or those streets also. Such sign shall be no larger than one-third (1/3) the size of the principal permitted freestanding sign.) The second permitted sign shall be a front wall sign. The wall sign may be used for advertising, while the freestanding sign shall only state the name of the business, a brief description of state licensed products, services or activities offered by the business (such as liquor, notary public, lottery, etc.), and a one- or two-word description of the principal permitted activity conducted on the site.

Shopping centers, office buildings, multi-tenant industrial buildings and other than those noted in parentheses above, shall have no more than one (1) freestanding sign and it shall display on its surface the name of the center or building complex, and it may also include address numbers, except that, at the option of the planning commission, shopping centers, office buildings and multi-tenant industrial buildings may be permitted to place a directory of tenants on their principal freestanding sign. If a directory of tenants sign is permitted by the planning commission, it shall be designed as an integral feature of the freestanding sign and the directory portion of the sign shall have a uniform facing material in terms of appearance and color; the letters shall, in the judgment of the planning commission, be clearly complementary to other tenant businesses in size and character; further, the nameplate for each tenant shall display only the tenant's or establishment's name and a one- or two-word description of the principal permitted activity.

Shopping centers, office buildings, and multi-tenant industrial buildings may also have one (1) identification or nameplate wall sign for each individual tenant business that is, in the judgment of the planning commission, clearly complementary to other tenant businesses in design, color of background, material, lettering, lighting and style. The planning commission may permit a copyrighted or registered style or logo; however, this shall be so executed as not to be detrimental to other businesses in the center or to the overall character of the sign development.

- t. In the event that a sign in the city becomes unsightly or in a state of disrepair, in the opinion of the building official, the sign may be ordered, repaired or removed and failure to comply with such an order shall result in a violation of this chapter.
 - u. Noncommercial signs which have substantially the following characteristics:
 - 1. Are constructed using a metal, wood, or plastic frame, or combination thereof, which is inserted into the ground without attachment or insertion into a concrete footing or other constructed footing to anchor the sign;
 - 2. Have a facing which is constructed primarily of cardboard, paper, plastic, wood, or a combination shall be subject to the following regulations:
 - i. The sign if placed by someone other than the owner of the property shall require the written permission of the property owner which shall be filed with the city clerk.
 - ii. The signs shall in all cases, be placed so that no portion of a sign is placed, or protrudes within two (2) feet of the interior side of any public sidewalk where such a sidewalk is provided, or otherwise is at least two (2) feet outside of the existing road right-of-way.
 - iii. In addition, signs shall be placed so as not to create any sight distance issue and in all cases at least fifteen (15) feet from the intersection of any driveway or street crossing any sidewalks.
 - iv. The signs shall be placed for a period not to exceed forty-five (45) days. Any person placing the sign and the property owner are each independently liable for the removal of signs after a period of forty-five (45) days.
 - v. The total face area for any sign will be limited to an aggregate total of thirty-two (32) square feet.
 - vi. All such temporarily placed signs shall be non-illuminated.
 - v. Directional signs for off-street parking areas, open or enclosed, are permitted, providing they do not exceed two (2) square feet in area, are not higher than three (3) feet above curb level, do not obstruct the view of vehicular or pedestrian traffic, and shall not contain advertising.
- (2) *District regulations.* No sign may be erected, displayed or substantially altered or reconstructed, except in conformance with the following regulations:
- a. *All residential districts.*
 - 1. Within all single family residential districts, temporary noncommercial signs shall be placed in accordance with the provisions of section [32-85](#) (1)u. with the exception that the total square feet face area of such signs shall not exceed six (6) square feet.
 - 2. An accessory freestanding ground sign to be used during a residential project development by a project builder may be permitted by the city manager as a temporary use (see [section 32-250](#)).
 - 3. For community facility uses, a bulletin board with an area not exceeding sixteen (16) square feet in area, not located closer than ten (10) feet to any other lot, is also permitted. In addition, a twenty (20) square foot identification sign may be placed in the rear half of the required front yard setback.

4. In all residential districts, including all forms of one-family and multiple-family, and in instances where an applicant wishes to construct an entrance identification, such identification shall be limited to the principal street entrance to the development and the following conditions shall apply:
 - (a) Entrance identification signs or structures above a height of two (2) feet from established street grades shall not be permitted within the triangular area formed at the intersection of any street right-of-way lines at a distance along each line of thirty (30) feet from the point of intersection.
 - (b) Entrance identification signs or structures shall be constructed so as to present symmetrical appearance and be in character with the area in terms of size, bulk and use of materials, as determined by the planning commission.
 - (c) No more than two (2) signs shall be permitted associated with entrance identification. Such signs or structures are restricted to identification of the project or subdivision name only, and the sign or lettering shall not exceed a dimension of twenty-four (24) square feet per sign. No more than one (1) sign may be placed on each side of an entranceway or in an entrance road median.
 - (d) A description of the property interest of the applicant and any other parties to the property where entrance structures or signs will be located shall be provided, together with verification information, attachments of documents evidencing rights to such property, such as deeds, easements and the like, and providing for the maintenance for the entrance structure signs to the satisfaction of the city.
 5. As an alternate to 4. above, in the multiple-family district, one (1) non-illuminated sign, shall be permitted, when located on the same lot pertaining to the use of the particular building or buildings, provided it does not occupy the front half of the required front yard space, does not exceed twelve (12) square feet in area, and does not project higher than one (1) story or twelve (12) feet above the level of the ground.
- b. *Office and neighborhood commercial districts.*
1. In all office and neighborhood commercial areas with uses located on individual lots, the wall sign not exceed thirty-two (32) square feet, and the permitted ground or pylon sign shall conform in height and area to the Schedule of Ground and Pylon Sign Regulations, Part I.
 2. For all office and neighborhood commercial areas with uses grouped in a shopping center or office building, the wall sign shall not exceed thirty-two (32) square feet for each occupant. Individual shopping center users occupying the equivalent of multiple units may, at the sole discretion of the planning commission, be permitted to increase their maximum sign size by up to fifty (50) percent of the permitted maximum for every equivalent unit or twenty (20) linear feet of storefront, whichever is greater. A listing of occupants of the center or office building may be permitted as part of the main identification sign by specific approval of the planning commission, within the height and area limits of the

- permitted sign as required in the Schedule of Ground and Pylon Sign Regulations, Part I.
3. Lighted signs shall be permitted in the office and neighborhood commercial areas, provided the illumination is direct or low intensity internal. The source of direct illumination shall be completely shielded from public view and no illumination shall be cast upon adjacent residential districts.
- c. *Community business district.* The community business district, because of its special character and the objective to enhance pedestrian identification, shall be regulated by the following requirements:
1. Only one (1) wall sign shall be permitted per establishment, and such sign shall not be larger than thirty-two (32) square feet in area.
 2. A projecting sign may be used in place of the permitted wall sign and may overhang the public right-of-way. Such sign shall not be greater in overall area than twenty (20) square feet on each side, with the name of the shop or proprietor and a very brief description of the proposed business activity. Projecting signs shall be hung at a uniform height and project no further than five (5) feet from the building wall.
 3. A combination of one (1) wall and one (1) projecting sign may be used, provided the combined sign area does not exceed a total display surface of thirty-two (32) square feet. Each side of a projecting sign shall be counted in calculating the total allowable area, even if not lettered upon. Corner locations may have two (2) such wall signs.
 4. The lighting of any community business district sign shall only be with uniform white light, and such illumination shall be indirect, not internal.
 5. Awnings or canopies may be permitted, subject to special land use review; and provided, further, no letter over three (3) inches in height may be displayed on an awning or canopy.
 6. Temporary window signs are permitted, provided they do not exceed more than fifteen (15) percent of the area of the window in which they are displayed. Temporary window signs may not be displayed for more than thirty (30) days, and shall exhibit subject matter of a truly temporary nature.
 7. Banners and other appropriate displays are permitted only for commercial and institutional activities approved by the city manager (section 32-250).
- d. *General commercial district.*
1. All general commercial areas shall be regulated by the same standards as the office and neighborhood commercial areas in subsection b. above, with the following exceptions:
 - (a) Individual businesses on individual lots or parcels may have wall signs covering up to fifty (50) percent of their front wall signable area, but in no case larger than forty-eight (48) square feet.
 - (b) Height and area shall be regulated by Part II of the Schedule of Ground and Pylon Sign Regulations.
 - (c) Signs may be either non-illuminated or externally or internally illuminated.

Further, in the general commercial areas, the maximum area of the ground or pylon sign shall be reduced by the following formula if the lot width is less than one hundred (100) feet:

$$\text{Lot Front Feet} / 100 \times \text{Area from Schedule} = \text{Maximum Allowable Sign Area}$$

On lot frontages greater than two hundred (200) feet, the maximum allowable pylon or ground sign area may be increased by one (1) percent for every ten (10) feet of lot width on the principal road frontage if over two hundred (200) feet.

Lots that exceed three hundred (300) feet of frontage, the area of the pylon or ground sign may be equally divided in area for two identical ground or pylon signs that if constructed shall be at each end of the lot or site.

e. *Industrial districts.*

1. A permitted principal retail use on a parcel in designated industrial districts shall be regulated by subsection b. above (office and neighborhood commercial).
2. A permitted principal wholesale or industrial site shall have not more than one (1) freestanding or wall sign, containing only the name of the establishments or firms and the name of the principal permitted activity. A directory of tenants for multiple buildings or tenants on a site may be permitted as provided in section 32-85. The wall sign may not be larger in area than twenty (20) percent of the building's front wall signable area, but in no case larger than one hundred (100) square feet. The freestanding sign shall be constructed to the standards of the Schedule of Ground and Pylon Sign Regulations, Part I. In addition to the freestanding or wall sign, the use may have one (1) bulletin board no greater than sixteen (16) square feet, with the company name in no larger than six (6) inch letters and with jobs available listed below in letters no greater in size than four (4) inches. This bulletin board may be placed no closer than ten (10) feet to any property line.
3. Wherever the industrial district abuts a state-numbered highway, outdoor advertising signs may be permitted, subject to the following restrictions:
 - (a) Sign illumination shall be employed in such manner so as to prevent intense or brilliant beams or rays of light from being directed at any portion of the main travelled way of the highway or adjacent properties.
 - (b) No sign shall have any movement in any of its parts and shall not contain changing illumination.
 - (c) No such sign shall exceed twenty-five (25) feet in height from the ground.
 - (d) No sign shall exceed three hundred (300) square feet in area. In the case of back-to-back signs or double-front panels, each side shall not exceed three hundred (300) square feet in area.
 - (e) No sign shall be within one thousand five hundred (1,500) feet of another such sign structure. Such sign structure shall not be adjacent or within five hundred (500) feet of an intersecting street,

road, highway or railroad crossing on the same side of the highway; nor shall such sign be located within five hundred (500) feet of a zoning district boundary.

- (f) Official and on-premise signs, as defined in Section 131(c) of Title 23 of the United States Code, shall not be counted, nor shall measurements be made from them for purposes of determining compliance with the spacing requirements provided in this section.
 - (g) No sign shall be located within forty (40) feet of the highway right-of-way line in the IR district, and fifty (50) feet of the highway right-of-way line in the IC district.
 - (h) The spacing requirements apply separately to each side of the highway.
 - (i) The spacing requirements shall be measured along the nearest edge of the pavement of the highway between points directly opposite each sign.
- (3) No freestanding accessory sign shall be erected, displayed or substantially altered or reconstructed, except in conformance with the particular district requirements and the following Schedule of Ground and Pylon Sign Regulations:
- a. Schedule of Ground and Pylon Sign Regulations

Part I Maximums (OS, CN, OR, IR, IC Districts) *

MOVING TRAFFIC LANES				
TWO			FOUR OR MORE	
Speed Limit (MPH)	Area (sq. ft.)	Height (feet)	Area (sq.ft.)	Height (feet)
25 - 30	20	14	30	16
35 - 40	30	16	54	18
45 - 50	45	18	76	20

Part II Maximums (CBD and CG Districts) *

MOVING TRAFFIC LANES				
TWO			FOUR OR MORE	
Speed Limit (MPH)	Area (sq. ft.)	Height (feet)	Area (sq.ft.)	Height (feet)
25 - 30	25	18	40	20
35 - 40	40	20	75	22
45 - 50	65	22	110	24

* Maximum area for permitted freestanding directory signs shall be equal to:

area / 2 + (number of tenants × 5.33) = square feet for shopping centers.

area / 2 + (number of tenants × 4.0) = square feet for general office buildings.

- b. Minimum distance of the lead edge of any freestanding or ground sign, measured from the road centerline in feet, shall be as follows:

1. All residential, office and/or research districts shall observe three-quarter ($\frac{3}{4}$) the front yard setback, except as provided elsewhere in this chapter.
 2. The commercial and industrial districts shall observe the following setbacks from the road centerline, as designated in the city's master plan: major and secondary — seventy (70) feet; collector — fifty-three (53) feet; local — forty (40) feet; cul-de-sac — seventy (70) feet; and on private roads, a setback of ten (10) feet shall be measured from the road's easement or common usage line abutting the subject parcel or site.
- (4) Changeable copy sign shall be permitted in districts other than residential zoning districts as follows:
- a. Changeable copy signs may only be permitted as part of a ground or pylon sign or located on a canopy for gas stations.
 - b. The area of the changeable copy sign shall not exceed fifty (50) percent of the entire sign area.
 - c. The information or advertising communicated by the changeable copy sign shall be limited to events, goods and/or services provided or sold on the site.
 - d. The image or message on the electronic bulletin board shall not change more frequently than once every thirty (30) seconds.
 - e. The sign shall not contain moving text.
 - f. The text of the sign shall not flash or scroll repeatedly or constantly (vertically or horizontally).
 - g. The electronic message board shall operate only between the hours of 6:00 a.m. and 12:00 a.m.
 - h. The LED of the electronic message board shall not be illuminated beyond the default settings of the sign manufacturer's brightness/dimming controls. All light emitted from such sign shall meet any city lighting ordinance provisions and/or codes.
 - i. The owner of an electronic message board shall allow the city to use the electronic message board to communicate emergency public service information approved by the city. The operational restrictions on electronic message boards set forth above shall not apply during any time that the electronic message board is used to communicate authorized emergency public service information for the city.
 - j. The owner agrees to update an approved emergency public service information communication, or discontinue the emergency public service message as soon as possible after receiving a request from the city manager. The owner shall file and keep current at all times with the city manager; the name, email address, phone number, cell phone number, pager and other available emergency contact information of the employee(s) or representative(s) of the owner who has been authorized and designated by the owner to communicate the approved emergency public service message using the electronic message board.

(Ord. No. 279, § 5.04, 12-12-96; Ord. No. 350, § 1, 5-13-10; Ord. No. 352, §§ 2, 3, 8-12-10)