

CHAPTER 11

SIGNS

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12-11-1: PURPOSE AND INTENT:

Signage is a significant design element, affecting the visual quality and therefore the viability of activity and quality of life of residents and visitors within city limits. Signs not only enhance and define architecture, but support the intended function of the business being advertised and/or convey other important information. Because they are publicly viewed, signs can either add or detract from the community character. Therefore, the purpose of this chapter is to:

- A. Provide reasonable guidelines and restriction on signage types to enhance and protect the physical appearance of the community;
- B. Ensure standards are in place that will reduce hazards caused by placement or erecting of signs;
- C. Reduce sign or advertising distractions and obstructions that may contribute to traffic accidents or distracted driving;
- D. Curb the deterioration of the natural environment and to enhance community development.
(Ord. 146, 9-22-2016)

12-11-2: DEFINITIONS:

The following definitions are subject to administration within this chapter and within this title:

ANIMATED SIGN: A sign depicting action, motion, light or color changes through electrical or mechanical means. Although technologically similar to flashing signs, the animated sign emphasizes graphics and artistic display.

AWNINGS: Fabric shelters supported by a rigid framework attached to a building.

CONSTRUCTION SIGN: A nonpermanent sign identifying the planned use of the building and/or persons, firms or businesses directly connected with a construction project.

DEVELOPMENT SIGN: A temporary construction sign denoting the architect, engineer, contractor, subcontractor, financier or sponsor of a residential or commercial development that may also be designated the future occupant or use of the development.

DIRECTIONAL/INSTITUTIONAL SIGN: A. A permanent instructional sign located on private property at or near the public right of way, directing or guiding vehicular traffic onto the property and/or toward parking or other identified locations on the property.

B. On site directional signs identify points of access, the direction of travel, and handicapped parking spaces, and to perform similar functions in off street parking and loading areas. They include no advertising or promotional copy, but may include a logo.

ELECTRONIC MESSAGE BOARD: Includes those displaying time and temperature and also refers to digital or video displays or any sign that contains dynamically generated digital content.

FREESTANDING SIGN: Any sign which is permanently affixed in or upon the ground, supported by one or more structural members, with air space between the ground and the sign face.

GOVERNMENT SIGNS: A sign erected and maintained pursuant to and in discharge of any governmental functions, or required by law, ordinance or other governmental regulation.

ILLUMINATED SIGN: Any sign for which an artificial source of light is used in order to make readable the sign's message, including internally and externally lighted signs and reflectorized, glowing or radiating signs.

LOGO: A graphic symbol used to identify a use or product.

NONCONFORMING SIGN: A sign which was validly installed under laws or ordinances in effect at the time of its installation, but which is in conflict with the current provisions of this title.

PERMANENT SIGN: A sign attached to a building or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign.

PROJECTING SIGN: A sign which projects from and is supported by a wall or parapet of a building with the display surface of the sign in a plane perpendicular to or approximately perpendicular to the wall. Including, but not limited to, blade signs, canopy signs, marquee signs, or any other sign that projects away from the building, but are not freestanding.

SANDWICH BOARD SIGN: A portable, A-frame sign that complies with the requirements of this title for size and shape.

SIGN: Any object or structure used to identify, advertise or in any way attract or direct attention to any use, building or person by any means, including, but not limited to, the use of lettering, words, pictures, and other graphic depictions or symbols.

SMALL SIGN: A freestanding sign not exceeding six (6) square feet in gross sign area and five feet (5') in height, which is not illuminated.

TEMPORARY SIGN: Any sign intended to remain in use for a period of time (not exceeding 90 days) which is not permanently installed.

WALL SIGN: Any sign attached to or painted on the wall of a building or structure in a plane parallel or approximately parallel to the plane of said wall. Attached wall signs extend no more than one foot (1') from the building to which they are attached. Wall signs shall not extend above the roofline or parapet of the building to which they are attached.

WAYFINDING SIGN: Advertises publicly accessible facilities remote from the sign location and provides general descriptions of facilities or commercial areas, but shall not advertise specific

business names. These signs may be located on public or private property.

WINDOW SIGN: Appear within the frame of a window and are affixed directly to that window. Window displays of merchandise are not signs; provided, that no part of the display is affixed to the window. (Ord. 146, 9-22-2016)

12-11-3: PERMIT REQUIRED:

A building and/or zoning site permit, pursuant to section 12-3-9 of this title and title 9 of this code shall be required for the placement or installation of any sign, including replacements of existing signs, except as provided in section 12-11-4 of this chapter. The location, type and size of proposed signs shall be included in the materials required for special use permit applications. A zoning permit shall be processed in accordance with the provisions of section 12-3-9 of this title. (Ord. 146, 9-22-2016)

12-11-4: EXCEPTIONS TO PERMIT REQUIREMENTS:

The signs listed here are not exempt from any requirement of this title, except the requirement for a permit. No permit shall be required for:

- A. Addressing numbers/mailboxes;
- B. Directional or institutional signs that do not in any way advertise a business. Signage includes, but is not limited to: signs identifying publicly accessible facilities; signs providing direction, such as parking lot entrance and exit signs; and those of similar nature;
- C. Governmental signs for the control of traffic or other regulatory purposes, or signs of public service companies indicating danger, which are erected by or on the order of a public officer in the performance of public duty;
- D. Flagpoles that do not exceed a height of thirty five feet (35');
- E. Sandwich board signs not exceeding six (6) square feet for each side;
- F. Small signs, as defined in section 12-11-2 of this chapter, which shall not be illuminated, animated or contain reader boards;
- G. Temporary signs, as defined in section 12-11-2 of this chapter, not in excess of six (6) square feet and not permanently installed;
- H. Wall signs not exceeding four (4) square feet;
- I. Wayfinding signs;
- J. Window signs. (Ord. 146, 9-22-2016)

12-11-5: PROHIBITED SIGNS:

All signs not expressly permitted by section 12-11-8, table A of this chapter, shall be prohibited. Signs prohibited within the city shall include:

- A. Signs that mimic or simulate traffic control signs or public notices placed by the city or other public agencies;
- B. Signs that obstruct or interfere with vehicle and pedestrian traffic. Signs located in such a manner as to obstruct or otherwise interfere with an official traffic sign, signal or device, or obstruct or interfere with a driver's view of approaching, merging or intersecting traffic;
- C. Oscillating, flashing, rotating, flickering or blinking lights unless otherwise specifically permitted by this title;
- D. Signs on public property or attached to trees, utility poles, public benches or streetlights, unless authorized by the city or specifically permitted within this title. (Ord. 146, 9-22-2016)

12-11-6: PLACEMENT OF SIGNS PROHIBITED:

No sign shall be placed:

- A. In a public right of way, except traffic control or regulatory signs placed by public agencies;
- B. On a tree, utility pole or fence;
- C. On a vehicle or trailer parked in a visible location for the primary purpose of displaying the sign;
- D. Where it creates a traffic safety hazard by obstructing vision at an intersection or driveway or obscures traffic control signs. (Ord. 146, 9-22-2016)

12-11-7: DESIGN AND PERFORMANCE STANDARDS:

A. Conformance To City Codes: Any sign hereafter erected shall conform to provisions of this title, and all other applicable provisions of other titles of this code, unless where otherwise exempted at section 12-11-4 of this chapter.

B. Construction Standards:

1. Plans: All applicable signs, subject to a building permit, shall accompany construction quality stamped plans by an engineer certified in the state to do such work. The plan shall illustrate how the proposed sign is engineered to be compliant with the minimum design criteria as adopted and shall demonstrate to the satisfaction of the city engineer or designee, that the sign will not constitute a public hazard.

2. Electrical, Building Codes: All applicable signs shall comply with the applicable provisions of the national electrical code and applicable building codes.

3. Materials; Installation: Signs shall be constructed of permanent materials and permanently affixed to the ground or building, except for those signs that are intended to be temporary.

4. Maintenance: Signs and sign support structures, together with their supports, braces, guys and anchors, shall be kept in repair and in proper state of preservation. The display surfaces of signs shall be kept neatly painted or posted at all times.

C. Lighting: Only nonilluminated and indirectly lit signs shall be permitted inside the city limits. Spotlights or other fixtures used for the indirect illumination of a sign shall be placed so as not to result in violations of section 12-11-5 of this chapter.

D. Measurement Standards:

1. Determining Sign Height:

a. The height of a freestanding sign shall be measured from the base of the sign or supportive structure at its point of attachment to the ground, to the highest point of the sign. A freestanding sign on a manmade base, including a graded earth mound, shall be measured from the grade of the nearest pavement or top of any pavement curb.

b. Clearance for freestanding and projecting signs shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other embellishments.

2. Determining Sign Area:

a. The surface area of a sign shall be computed as including the entire area within a regular, geometric form or combinations of regular, geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not being advertising matter shall not be included in computation of surface area.

b. When two (2) identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and are part of the same sign structure, the sign area shall be

computed as the measurement of one of the two (2) faces. (Ord. 146, 9-22-2016)

12-11-8: SIGNS PERMITTED BY ZONE:

Unless otherwise permitted, those signs not specifically provided for shall be prohibited.

TABLE A

P = Authorized or permitted; S = Specially permitted; [vacant] = Prohibited.

Sign Type	Zone District			
	Agriculture/ Rural	Suburban	Residential	Commercial
	Zone District			
	Agriculture/ Rural	Suburban	Residential	Commercial
Awning				P ³
Development signs	P	P	P	P
Electronic message boards				
Freestanding	P ⁶	P ^{6,8}	P ^{6,8}	P ^{1,2}
Neighborhood identification sign	P	P	P	P
Projecting/ suspended				P ⁵
Sandwich board signs				P ⁹
Small signs	P ⁶	P ⁶	P ⁶	
Temporary	P ⁷	P ⁷	P ⁷	P ⁷
Window, wall, affixed				P ^{2,4}

Notes:

All signs shall comply with the standards listed within this title, and specifically with those standards listed in section 12-11-7 of this chapter. All signs requiring a permit are subject to the permitting requirements of section 12-11-3 of this chapter.

1. All freestanding signs shall not be greater than 6 feet in height and no sign shall be greater than 24 square feet as determined by subsection 12-11-7D of this chapter.
2. Total combined sign area shall not exceed 120 square feet, where no single sign shall be larger than 24 square feet.
3. Awnings may be used to display the name or logo of the owner or operator.
4. Window signs shall not occupy any more than 29 percent of any window area.
5. Buildings with canopies or arcades may use 1 projecting sign of no more than 4 square feet for each use or occupancy with access from the canopied area or arcade. Signs shall not project into a public right of way. A minimum clearance of 8 feet from adjacent grade shall be maintained for the sign at all times the sign is in operation.
6. Only allowed where authorized by an approved use.

7. Where the sign will not exceed 90 days in use and is not permanently installed. Total number of temporary signs shall not exceed 3 per lot/parcel.
8. Residential freestanding signs shall not exceed 4 feet in height and shall not exceed 6 square feet in area.
9. Shall not be placed in a public right of way and shall not impede the flow of pedestrian traffic.

(Ord. 146, 9-22-2016)

12-11-9: NONCONFORMING SIGNS:

- A. Defined: A "nonconforming sign" is a sign that meets the definition in this chapter.
- B. Alterations: No such nonconforming sign may be enlarged or altered in a way which increases its nonconformity, but any sign may be altered to bring it into conformity.
- C. Bringing Into Compliance; Exceptions: Except for ordinary maintenance, copy changes or repairs not involving structural, material or electrical changes, no sign, or part thereof, shall be changed, converted, additionally illuminated, enlarged or moved, unless the entire sign and structure are brought into conformity with this title, unless such sign was damaged or partially destroyed by man caused or natural act, such as fire, accident, explosion, flood, lightning, wind or other calamity. In such cases, the sign or structure may stay at its current location, provided the sign shall not be improved upon, constructed, altered, changed or reerected without review and approval by the city. Nonconforming signs shall be required to come into compliance with any building standards relating to such uses, as determined by the building inspector and/or engineer. (Ord. 146, 9-22-2016)

12-11-10: ADMINISTRATION:

The city shall have the authority to ensure that all measures of this chapter are enforced. As such, the following standards shall be adhered to:

- A. Permit Required: A permit shall be required for all signs, except for those expressly exempt in section 12-11-4 of this chapter. Exemption from permit shall not, however, exempt the owner of the sign from responsibility for its installation and maintenance in a safe manner, and in a manner in accordance with all other provisions of this chapter or title. Applications for sign permits shall be pursuant to section 12-3-10 of this title. The application, at a minimum, shall include the following:
 1. Name of organization and location;
 2. Contact person;
 3. Address and phone number for contact person;
 4. Description of the activities occurring on the site where the sign will be installed;
 5. Description of any existing signage that will remain on the site;
 6. Identification of the type of sign/signs to be erected by the applicant;
 7. Site plan depicting the locations of proposed signage, including setbacks from property lines, proposed landscaped areas and existing remaining signage;
 8. Construction quality plans of the sign and supporting structures stamped by an engineer certified in the state to do such work. The administrator may allow an exemption for stamped plans where the sign clearly does not require engineering, such as signs painted on an existing wall, sandwich board signs, or similar situations;
 9. Written description explaining the drawing of the proposed signage, including a detailed description of materials, colors, and letter height, type, and style;
 10. Any applicable fee as established by the city.

B. Removal Of Unsafe Signs: Whenever a sign becomes structurally unsafe or endangers the safety of the public or a building, the city administrator, engineer or designee, shall order that such sign be made safe or be removed. Following receipt of said order, the person, firm or corporation owning or leasing the sign shall remove it immediately.

C. Appeals: Any person aggrieved by a decision in this chapter shall have recourse as set forth in section 12-3-5 of this title.

D. Enforcement: All matters pertaining to the enforcement of this chapter shall be in accord with the standards listed in section 12-2-2 of this title.

E. Abandoned Signs: Abandoned signs shall be removed within sixty (60) days of the adoption of this section or within sixty (60) days of the abandonment of the use to which the sign is appurtenant. Abandonment shall not be a matter of the owner's intent, but shall be considered to occur whenever a use ceases operation for more than one year. Any sign that due to lack of maintenance or is not structurally sound shall be considered abandoned. (Ord. 146, 9-22-2016)