

SIGN REGULATIONS ZONING CODE 153.162

Sign Permit Application Checklist

Permits to install or expand a sign require the following submittals (except for Temporary Banner Signs, which only require an application):

- Completed Sign Permit application
- Sign Permit application fee – per City Fee Schedule
- Proposed sign location on site plan or survey
- Building elevation image with proposed location of sign
- Graphic image of sign with sign copy, sign dimensions, square footage, color, sign height or amount of projection from wall (if applicable), lighting type (if applicable)

Any pylon, monument, or other such freestanding signs require a Building Permit only.
Please refer to the Building Inspections Division

SIGN REGULATIONS ZONING CODE 153.162

Standards for Commercial and Residential Signs

Signs provide direction, information, and advertising for businesses and residents. Signs must adhere to Zoning Ordinance standards and most signs require a permit from the City.

Commercial freestanding and monument signs require a building permit with signed engineering drawings.

Purpose:

Signs are regulated by the zoning code to balance the City's commitment to a well-maintained, safe, and attractive community with the need for effective communication for businesses along public thoroughfares.

Applicability

Some signs do not require a permit. These signs include:

1. Home security signs
2. No Trespassing or No Parking signs
3. Historical plaques
4. Interior signs
5. Information signs for public convenience
6. Temporary real estate, construction and garage sale signs
7. Civic and community events signs
8. Temporary political election signs
9. Commercial window signs covering less 25% of window area

Prohibited Signs

The Zoning Code prohibits signs that:

1. Are installed without a permit (if applicable)
2. Interfere with the use of any fire escape, exit, or standpipe.
3. Obstruct a window (unless it's a window sign)
4. Don't meet required clearances from overhead power and service lines.
5. Restrict traffic visibility or constitute a public nuisance
6. Are located in the public right-of-way (except for traffic signs)
7. Cover more than 50% of window area
8. Are attached to or painted on trees and rocks
9. Are painted on buildings and fences (except for approved murals)

In addition these types of signs are not allowed:

1. Balloon signs over 18 inches in size
2. Pennants, streamers, flying banners
3. Flashing signs
4. Portable signs
5. Roof signs
6. Search lights
7. Strobe lights
8. Off-premise signs (with exceptions)
9. Electronic signs that change more frequently than once every 15 seconds

Commercial Sign Standards: Wall Signs

Within the commercial, mixed use commercial, and industrial districts, wall signs and freestanding signs are permitted as follows:

1. *Address/building name sign.* One address/ building name wall sign for each commercial building, not exceeding 10 square feet in area, is allowed. This sign does not count toward total aggregate square footage allowed for wall signs.
2. *Wall sign commercial and industrial uses.* The total aggregate square footage of all wall signs shall not exceed the sum of 15% of leased or owned building wall area on an improved public road frontage. No more than 2 wall signs shall be allowed on an improved public road frontage for an individual business. The maximum sign surface area for an individual wall sign may not exceed 200 square feet.
3. *Individual letters/channel-raceway letters wall sign.*
4. *Outline cabinet wall sign.*
5. *Flatpanel wall sign.*
6. *Logo as part of a wall sign.*
7. *Projecting wall sign.* Projecting signs are permitted with the following requirements:
 - a. Projecting signs may encroach 5 feet into a required yard setback in the MU-1 Downtown Mixed Use Zoning District. In all other districts, a projecting sign must meet building setbacks;
 - b. Projecting signs must be at least 8 feet above a public/private sidewalk;
 - c. The maximum area of a projecting sign is 10 square feet;
 - d. Projecting signs are calculated as wall signs.
8. *Awning sign.* Awning signs are permitted and calculated as a wall sign.
9. *Master wall sign plan for multi-tenant buildings.* A master sign plan may be proposed for existing or new multi-tenant buildings, shopping centers, and commercial and residential Planned Unit Developments (PUDs). In the case of a commercial multi-story building, a master sign plan is required. The master sign plan shall be submitted to the City and shall be of sufficient scope and detail to permit a determination as to whether or not the plan is consistent with the regulations of this subchapter or adopted as part of PUD standards. The purpose of the master sign plan is to determine the specific individual tenant sign requirements for the facility. Existing approved master sign plans for single-story multi-tenant buildings not part of a PUD may either follow the existing approved plan, or may follow current regulations provided in this subchapter. Building

owner approval, in writing, will be required for all signs in a multi-tenant building, and shall be submitted with the required sign permit application.

10. *Location of wall signs on existing commercial buildings with residential architecture.* Roof signs are prohibited. Exception is made for existing commercial buildings that have residential architectural character to be placed above the lowest roof line. In the case of a hipped roof, mansard roof, gable-end roof, and dormers, wall signs may be placed above the lowest roof line of a building if no alternatives exist due to the architectural characteristics of the building. The final location of the wall sign above the lowest roof line shall be minimized and be approved by the City as part of the sign permit process.
11. *Illumination and lighting requirements.* Wall signs may be internally or externally illuminated and shall meet the lighting requirements of Lighting Regulations found in §153.185.

Commercial Signs: Freestanding Signs

PERMITTED BY BUILDING PERMIT ONLY.

Standards for commercial freestanding signs (monument, pylon, etc.) vary by zoning district.

1. *Freestanding sign in the B-1 Broadway Business and NC Neighborhood Commercial Zoning Districts.* One freestanding sign shall be allowed for a single- or multi-tenant commercial building, with the following regulations.
 - a. The surface area shall not exceed 40 square feet for a single-tenant building and 80 square feet for a multi-tenant building, and may include up to 50% of the total area as changeable electronic or non-electronic copy.
 - b. The maximum height for a freestanding sign shall be the lowest point of the roof or parapet of the principal building with which it is associated.
 - c. The base of a monument sign shall be designed with compatible materials and color that architecturally match the principal structure with which it is associated. The width of the base shall not exceed the width of the sign face.
 - d. The base of a pylon sign shall be designed with compatible materials and color that architecturally match the principal structure so that post or column supports are not exposed.
 - e. The sign may be internally or externally illuminated and shall meet the lighting requirements of the Lighting Regulations at §153.185.
 - f. The sign may not have more than 2 sides;
 - g. No freestanding sign, or any part thereof, shall be located closer than 10 feet from the public right-of-way and 5 feet from all other lot lines, and shall meet the traffic visibility requirements as defined in the Sign Regulations at §153.205(B).
2. *Freestanding sign in the MU-2 General Mixed Use, B-2 Highway Business, B-3 Light Industrial/Business, BP Business Park, and I-Industrial Zoning Districts.* One freestanding sign shall be allowed for a single- or multi-tenant commercial building, with the following regulations:

- a. The surface area shall not exceed 100 square feet and may include up to 50% of the total area as changeable electronic or non-electronic copy.
 - b. Parcels fronting on Interstate Highway 35 are allowed 1 additional freestanding sign, not to exceed 100 square feet in area and a height of 30 feet. The secondary sign shall be located between the principal building and I-35, and shall be setback 20 feet from the I-35 right-of-way.
 - c. Parcel(s) in the B-2 Zoning District fronting on West Broadway with a secondary road frontage on 1st Avenue NW west of 8th Street NW may have a second freestanding sign, with a surface area not to exceed 10 square feet and 4 feet in height.
 - d. The maximum height for a freestanding sign shall be the lowest point of the roof or parapet of the principal building with which it is associated.
 - e. The base of a monument sign shall be designed with compatible materials and color that architecturally match the principal structure with which it is associated. The width of the base shall not exceed the width of the sign face.
 - f. The base of a pylon sign shall be designed with compatible materials and color that architecturally match the principal structure so that post or column supports are not exposed.
 - g. The sign may be internally or externally illuminated and shall meet the lighting requirements of the Lighting Regulations (§153.185).
 - h. The sign must not have more than 2 sides,
 - i. No freestanding sign, or any part thereof, shall be located closer than 10 feet from the public right-of-way and 5 feet from all other lot lines, and shall meet traffic visibility requirements as defined in the Sign Regulations (§ 153.205(B)).
3. *Freestanding sign in the MU-1 Zoning District.* No freestanding signs are permitted in the MU-1 Downtown Mixed Use District.

Commercial Signs: Changeable Electronic Signs

Within all zoning districts except where prohibited by this subchapter, changeable electronic copy signs shall be permitted based on the following regulations:

1. *Changeable electronic signs are allowed only on a freestanding sign.* Changeable electronic signs may occupy no more than the percentage allowed as determined in the appropriate zoning district for which the sign is located. Time, date, or temperature information shall be counted towards the total permitted area of the changeable electronic sign. Price information for gas stations shall not be counted towards the total permitted area of the changeable electronic sign. The remainder of the sign must not have the capability to have changeable electronic copy even if not used. Only 1 contiguous changeable electronic copy area is allowed on a sign face.
2. *Standards for electronic sign copy and images*
 - a. A changeable electronic sign may not change or move more often than once every 15 seconds.

- b. The images and messages displayed must be static, and the transition from one static display to another must be instantaneous without any special effects;
- c. The images and messages displayed must be complete in themselves, without continuation in content to the next image or message or to any other sign;
- d. Changeable electronic signs must be designed and equipped to freeze the device in 1 position if a malfunction occurs. The displays must also be equipped with a means to immediately discontinue the display if it malfunctions. The sign owner must immediately stop the dynamic displays when notified by the City that it is not complying with the standards of this chapter;
- e. Changeable electronic copy signs shall be restricted in their illumination and brightness. All signs with electronic copy must be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness to assure at any time the sign's intensity does not exceed the Lighting Regulations performance standards (contained in §153.185). If there is a violation of the brightness standards, the adjustment must be made within one 1 business day upon written and or verbal notification from the City.
- f. Operation of any changeable electronic copy sign not in compliance with changeable electronic sign standards will require the changeable electronic sign owner or operator to turn off the display within 1 hour of written and or verbal notification from the City, and make adjustments to meet all requirements of this section. The sign may not be turned back on until all operating adjustments have approval by the City.

Commercial Signs: Billboards

Billboards are defined as off-premise signs that direct attention to a business, commodity, service, or entertainment not exclusively related to the premises where the sign is located, or to which it is affixed. Billboards are permitted only on those properties in the B-2 Highway Business and B-3 Light Industrial/Business Districts with direct frontage on I-35.

1. *Billboard permits.* No sign as permitted by the Zoning Ordinance shall be erected, altered, or relocated without first securing a permit from the City
2. *Applications for permits.*
 - a. The billboard permit application shall be signed by the Applicant. When the Applicant is any person other than the owner of the property, the owner of the property shall also sign it. The application shall contain the following information:
 - i. Name, address, and telephone number of the property owner, sign owner, and erector;
 - ii. Location of the sign structure;
 - iii. Scaled drawing showing position of the sign or advertising structure in relation to the nearest buildings, structures, public streets, right-of-way, and property lines;
 - iv. Plans and specifications and method of construction or attachment to the building or the ground, including all dimensions, all construction materials, a description of all light sources, wattage, types and color of lights, and details of any light shields or shades;

- v. If required by the City, a copy of stress sheets and calculations, showing the structures as designed for dead load and wind velocity, in the amount required by City Code, will be furnished;
 - vi. Any electrical permit required for any sign; and
 - vii. Other information as may be required by the City.
- b. In addition to the above application, an agreement must be entered into with the City which will authorize and direct the City to:
- i. Remove and dispose of, at the owner's expense, any sign and sign structure on which a permit has been issued but not renewed by the owner, and not removed by the owner within a 30-day period following the expiration of the permit; and/or
 - ii. Remove, at the expense of the owner, the sign and sign structure, where maintenance is required but not furnished after a hearing and a 10-day notice to the owner specifying the maintenance required by the City.
3. *No permit needed.* The following operations are not considered as creating a sign and shall not require a billboard permit:
- a. The changing of the advertising copy or message;
 - b. Painting, repainting, cleaning, and other normal maintenance and repair of a sign or sign structure unless a structural change is made.
4. *Size and distance limitations.*
- a. The maximum sign per facing of a freestanding advertising sign permitted under this section shall be 600 square feet. Two facings per structure shall be the maximum permitted, and double-faced signs shall be attached back-to-back or V-shape.
 - b. A maximum height of 40 feet above lot grade measured by the vertical distance from the elevation at the centerline of I-35, measured to the top of the sign structure or from the elevation of the ground surface at the base of the sign to the top of the sign.
 - c. The minimum lineal distance between advertising signs permitted under this section on the same side of the highway shall be 500 feet.
 - d. The minimum setbacks for signs shall be twice the height from all property lines.
5. The issuance of a permit may also be subject to conditions imposed by the City in order to promote a more reasonable combination of signs and to promote conformity with the character and uses of adjoining property.

Signs in Residential & Agricultural Zoning Districts

ANY FREESTANDING SIGN IS PERMITTED BY BUILDING PERMIT ONLY.

Within the residential and agricultural districts, the following signs are permitted:

1. *Address/building name sign.* One address/building name wall sign, not exceeding 10 square feet in area, for multi-family and non-residential uses.
2. *Wall sign for existing nonconforming commercial uses.* The total aggregate square footage

of all wall signs shall not exceed the sum of 15% of leased or owned building wall area on an improved public road frontage. No more than 2 wall signs shall be allowed on an improved public road frontage for an individual business. The maximum sign surface area for an individual wall sign may not exceed 200 square feet. Please see the Sign Regulations at § 153.208(C) through (J) for additional commercial wall sign requirements.

3. *Home occupation sign.* One non-illuminated home occupation sign, not to exceed 6 square feet, for single-family residential properties only.
 - a. The sign must be located in the required front yard only.
 - b. The sign shall be setback a minimum of 10 feet from the public right-of-way and a minimum of 5 feet from a side property line, and shall meet traffic visibility requirements as defined in the Sign Regulations at §153.205(B).
 - c. The sign must be made of wood or metal. The sign shall be non-illuminated and supported by a wood or metal post and frame.
 - d. The maximum height of the sign, from grade to the highest point of the sign, shall not exceed 6 feet.
 - e. The sign must not have more than 2 sides.
 - f. A sign permit is required. A certificate of compliance for a home occupation may be required to be obtained before a sign permit will be allowed by the City.
4. *Agricultural business sign.* An agricultural business sign is permitted with the following regulations:
 - a. The maximum sign area cannot exceed 32 square feet;
 - b. The maximum height of the sign, from grade to the highest point of the sign, shall not exceed 6 feet;
 - c. The sign shall be non-illuminated;
 - d. The sign shall be made of wood, metal, or a combination thereof;
 - e. The sign shall be located a minimum of 20 feet from the side or front property line, and shall meet traffic visibility requirements as defined in the Sign Regulations at §153.205(B);
 - f. The sign shall be located within the required front yard;
 - g. No more than 1 sign is permitted on any 1 property;
 - h. The sign must not have more than 2 sides; and
 - i. Agricultural business signs shall be allowed in all districts where an agricultural business is permitted.
5. *Freestanding neighborhood identification sign.* One freestanding neighborhood identification monument sign is permitted for residential developments, unless otherwise approved as part of a PUD, with the following regulations:
 - a. The identification sign shall not exceed 32 square feet in area per surface;
 - b. The maximum height shall be 6 feet;
 - c. The sign must be located a minimum of 10 feet from the public right-of-way and a minimum of 5 feet from all other property lines, and shall meet traffic visibility requirements as defined in the Sign Regulations at §153.205(B);

- d. The sign may be externally illuminated and shall meet the lighting requirements of the Lighting Regulations (§153.185);
 - e. The sign must be maintained by landlord/property owner or homeowners' association; and
 - f. The sign must not have more than 2 sides.
6. *Freestanding sign for non-residential uses or existing nonconforming commercial uses.* One freestanding sign is permitted for each permitted non-residential use and existing non-conforming commercial use, with the following regulations:
- a. *Single- or multi-tenant building or development.* One freestanding sign shall be allowed for a single- or multi-tenant building or development.
 - b. *Non-residential uses and existing nonconforming commercial uses.* The surface area shall not exceed 80 square feet, and may include up to 50% of the total area as changeable electronic or non-electronic copy for signs fronting on a minor connector roadway as shown in the adopted Comprehensive Plan.
 - c. *Non-residential use.* The surface area shall not exceed 40 square feet, and may include up to 50% of the total area as changeable electronic or non-electronic copy for signs fronting on a local street.
 - d. *Maximum height.* The maximum height for a freestanding sign shall be the lowest point of the roof or parapet of the principal building with which it is associated.
 - e. *Base of a monument sign.* The base of a monument sign shall be designed with compatible materials and color that architecturally match the principal structure with which it is associated. The width of the base shall not exceed the width of the sign face.
 - f. *Base of a pylon sign.* The base of a pylon sign shall be designed with compatible materials and color that architecturally match the principal structure so that posts or column supports are not exposed.
 - g. *No more than 2 sides.* A sign may not have more than 2 sides.
 - h. *Setbacks.* The sign shall be located a minimum of 10 feet from the public right-of-way and a minimum of 5 feet from all other lot lines, and shall meet traffic visibility requirements as defined in the Sign Regulations at §153.205(B):
 - i. *Illumination and lighting requirements.* The sign may be internally or externally illuminated and shall meet the lighting requirements of the Lighting Regulations (§153.185).

Sign Construction and Maintenance

1. *Conformance with the Building Code.* Signs must conform to Building Code standards, if applicable.
2. *Safety.* Signs must not interfere in any way with the free use of any fire escape, exit, or standpipe. No sign shall obstruct any window. Signs shall be so located as to maintain all required clearances from overhead power and service lines.
3. *Posts and columns.* Sign support structures for all freestanding signs, except monument signs, shall be limited to posts or columns not in excess of that commonly required to support the size and weight of the sign.

4. *Sign maintenance.* All signs and sign structures shall be properly maintained and kept in a safe and presentable condition. Vegetation around, in front of, behind, and underneath the base of any freestanding sign shall be neatly kept and free of weeds. No accumulation of rubbish or debris shall be permitted.

Nonconforming Signs

Nonconforming signs must adhere to the following rules:

1. Legal, nonconforming, permanent signs, such as pylon and flashing signs, lawfully existing at the time of adoption of the Sign Regulations, shall be allowed to continue as determined by state law.
2. A nonconforming sign may be repaired, replaced, and maintained, but cannot be enlarged or altered in a way which increases its nonconformity.
3. Should such sign or sign structure be destroyed by any means to an extent greater than 50% of its replacement cost, and no building permit has been applied for within 180 days of when the property was damaged, it shall not be reconstructed except in conformity with the provisions of this subchapter.
4. Should such sign or sign structure be moved for any reason, it shall thereafter conform to the regulations for the zoning district in which it is located.

Variances

Requests for variances from sign size of a sign, number of signs, and setback requirements of this section may be made pursuant to Variance process found in §153.036.

Violations

1. *Written notice to alleged violator.* When, in the opinion of the City, a violation of this subchapter exists, the City shall issue a written notice to the alleged violator, which may include an order directing the removal of any sign erected or maintained in violation of this subchapter. The notice shall describe the violation and shall state that the owner or user of a permitted sign has 15 days from the date of the notice in which to correct the alleged violation or to appeal to the City Council. In the case of a temporary sign violation, the owner or user of the temporary sign has 24 hours (or less as determined by the City) from the date of notice to correct the alleged violation. Upon failure to remove or to comply with the notice, the City shall remove the sign. Any costs of removal incurred by the City shall be assessed to the owners of the property on which the sign was located, and may be collected in the manner of ordinary debt or in the manner of taxes with all costs assessed against the property.
2. *Defective or unsafe signs.* If upon inspection the City finds that a sign is abandoned or structurally, materially, or electrically defective, or in any way endangers the public, the City shall issue a written order to the owner of the sign and occupant of the premises, stating the nature of the violation and requiring the repair or removal of the sign within 30 days of the order.

3. *Emergency.* In cases of emergency, the City may cause the immediate removal of a dangerous or defective sign without notice. Signs removed in this manner must present a hazard to the public safety or welfare. The City may cause the removal of any temporary sign that has not been promptly removed as specified in the Sign Regulations or by the specific sign permit, or for failure to comply with written orders of removal or repair, or which has been placed in a prohibited location.
4. *Mailed notice of removal.* After removal or demolition of the sign, a notice shall be mailed to the sign owner, stating the nature of the work and the date on which it was performed, and demanding payment of the costs as certified by the City. The removal of temporary signs placed in the public right-of-way or on City property shall require no notice and such signs shall be discarded by the City.