

CHAPTER 4. SIGNS

ARTICLE 1. TITLE AND PURPOSES

Sec. 9-4.101. Title.

This chapter shall be known as the “Sign Regulations of the City.”

Sec. 9-4.102. Purposes.

This chapter constitutes the requirements applicable to the erection and maintenance of signs within the City. This Chapter supersedes other provisions in this Code regulating signs except Chapter 2 relating to nonconforming uses, conditional use permits, and variances.

ARTICLE 2. DEFINITIONS

Sec. 9-4.201. Scope.

Unless otherwise apparent from the context, the following words and phrases are defined for the purposes of this Chapter.

Sec. 9-4.202. Monument Sign.

“Monument Sign” means a sign having the ground as the primary support or a sign having a ground foundation running the length of the sign.

Sec. 9-4.203. Pole or Ground Sign.

“Pole” or “Ground Sign” means a sign, other than a monument sign, erected on one or more uprights supported from the ground and that is not part of or attached to a building or structure other than a structure erected solely for the purpose of supporting a sign.

Sec. 9-4.208. Political Sign.

“Political sign” shall mean a sign designed to influence voters.

Sec. 9-4.210. Sign.

“Sign” means a name, figure, character, outline, spectacle, display, delineation, announcement, advertising, billboard, signboard, device, appliance, or other thing of similar nature to attract attention outdoors, including parts comprising the same, and the background and support or anchorage.

Sec. 9-4.211. Temporary Sign.

“Temporary Sign” means a sign intended for use during a limited period of time.

Sec. 9-4.212. Billboard.

“Billboard” means a flat surface sign with an area between 64 square feet and 300 square feet.

ARTICLE 3. GENERAL PROVISIONS

Sec. 9-4.301. Permits Required.

No permanent and temporary sign shall be erected or maintained without a sign permit.

Sec. 9-4.302. Applications.

Applications for a sign permit shall be made to the Planning Director and shall include the following:

- (a) In the case of permanent signs, two (2) copies of a plan showing:
 - (1) Position of sign and its relation to adjacent buildings or structures; and
 - (2) The design and size, colors proposed, and proposed location on the premises of such signs or sign structures;
- (b) In the case of temporary signs, a statement detailing the size and dimensions of all temporary signs to be placed;
- (c) A statement showing the sizes and dimension of all signs existing on the premises at the time of making such application;
- (d) A fee, as established by resolution of the City Council; and
- (e) Such other information as the Director may require to show full compliance with this chapter and other ordinances of the City.

Sec. 9-4.303. Exemptions.

The following signs are exempt from this chapter:

- (a) Signs prohibiting trespassing and hunting or fishing not exceeding two square feet in area;
- (b) Warning signs required by law or erected by public agencies, including railroad signal signs;
- (c) Utility company signs identifying public telephones, cables, conduits, or hazards;
- (d) Public notices and announcements authorized by courts or public officials, including highway directional signs.
- (e) Street location signs and other public directional signs and signs of an instructive nature of which information required by city, county, state or federal enforcement agencies including, but not limited to, the following: gas pump instructions, recreational vehicle dump station, restroom identification, smog station, air, water, cashier, hours of operation, etc. Each sign shall not exceed four square feet in area and thirty inches in height.
- (f) Advertising signs on buses and taxis and signs attached to bus stops and shelters;
- (g) Signs painted on or are attached flat against vehicles which identify or advertise the associated business. The vehicle must be primarily used for business and parked on private property as a normal function;
- (h) Window display signs limited to painting signs on glazing, post paper signs and

placards attached to the inside of glazing of store fronts; however, the store front glazing shall not be covered in excess of fifty percent;

- (i) Signs not visible outside the limits of the lot upon which the sign is located;
- (j) Residential name and address signs not exceeding two square feet in area;
- (k) Portable, temporary, off-site directional real estate signs located on private property used in conjunction with open house real estate sales activities provided that each portable directional sign does not exceed a height of two and one-half feet and an area of four square feet, and is not located within a road or street right-of-way. Signs shall be on display only when real estate is open for inspection.
- (l) The official flag of a government, government agency, public institution, religion, corporation or other similar entity. Only one flat pole, with no more than three flags, with a maximum height of thirty feet and with a maximum dimension on the flag(s) of eight feet in its largest dimension and which is not attached to the building shall be exempt;
- (m) Flags flown on a temporary basis for the purpose of honoring declared national or civic holidays that do not exceed eight feet in the largest dimension;
- (n) Signs placed on public property pursuant to a signed lease or agreement;
- (o) Electronic time and temperature signs as part of an on-site advertising sign, as regulated by development standards;
- (p) Exit, entrance, or other on-site traffic control signs are permitted. The signs should not exceed six feet in height and shall contain no advertising;
- (q) Sign regulations may be waived if the signs are included as part of a project for which a Planned Unit Development (PUD) plan is required.

Sec. 9-4.304. Prohibitions.

The wind activated signs and signs not specifically permitted by this chapter are prohibited in all zoning districts.

Sec. 9-4.305. Temporary Signs. 93

Sec. 9-4.306. Special Permits.

- (a) The following signs are permitted upon the issuance of a special permit by the Planning Director: moving or rotating signs; signs with flashing, moving or animated illumination; roof signs and signs extending above roofs; signs projecting from buildings; and signs attached to a fence or wall.
- (b) Whenever a special permit is required or requested, property owner shall file an application with the Planning Director setting forth information concerning the proposal as required by the Director. The Planning Director shall review the application and present a written report with recommendations to the Planning Commission and to the applicant.
- (c) The Commission shall hold a public hearing on the proposed special permit. Notice of the hearing shall be given at least ten days prior to the hearing by publication, once in a newspaper of general circulation within the City. Such notice may also be posted in three public places in the City, including one public place in the area directly affected by the proceeding. The Commission shall consider the report of the Planning Director. Interested persons, including the applicant and the Planning Director, shall be allowed to testify and present evidence. At the conclusion of the hearing, the Commission shall render its decision by approving, conditionally approving, or disapproving the permit application. The Commission shall approve findings supporting the decision unless waived by all affected parties.
- (d) Any interested party may appeal the decision of the Commission to the Council by filing a written notice of appeal with the City Clerk within fifteen days after the Commission approves its findings, or if findings are waived, within fifteen days after the Commission renders its decision. The City Clerk shall cause a notice of the appeal and of a hearing to consider the appeal to be given in the same manner as the Secretary's notice for the Commission's hearing. In the event of appeal, the Council shall consider all evidence presented to the Commission and such added evidence the Council deems appropriate. At the conclusion of the hearing, the Council shall render its decision by affirming, conditionally affirming, or reversing the Commission's decision. The Council shall approve findings supporting the decision unless waived by all affected parties.

Sec. 9-4.307. Political Signs on Property.

- (a) Political signs are permitted with the owner's permission on private property in any

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93 Repealed by Ord 06-637 on 2/7/06.

zone.

- (b) Political signs may be installed within rights of way adjacent to City streets, but not within medians of City streets, if the following requirements are met:
 - (1) A refundable cleaning deposit in the amount of \$50.00 for the first ten signs, and \$100.00 for signs in excess of ten if posted within the City. The deposit will be waived for a candidate who shows indigence.
 - (2) Signs are removed within fifteen days after the election to which they relate or if the signs are not removed, the City shall remove the signs and deduct the actual costs of removal from the deposit set forth above.
 - (3) A sign larger than thirty-two square feet in area shall not be erected until a building permit is secured from the City.
 - (4) Political signs shall not be erected more than sixty days prior to an election.
- (c) A political sign not posted in conformance with this Section shall be deemed a public nuisance and the City may order its removal upon five days' notice to the candidate, property owner or person responsible for the sign.

Sec. 9-4.308. Review of Applications.

Signs which meet the limitations of this chapter shall be reviewed by the Planning Director. The Planning Director may approve, approve with modification, or deny any application subject to the criteria of this section. Any staff decision may be appealed to the Planning Commission. Sign applications which do not meet the limitations of this chapter may be submitted to the Planning Commission. Any decision by the Planning Commission may be appealed to the City Council. Any appeal must be filed in writing, together with a fee as established by resolution of the City Council, within fifteen days after the decision is made. The Planning Director and/or Commission shall apply all the following criteria as the basis for action:

- (a) The sign is necessary for the applicant's substantial trade and property rights, does not infringe upon the rights of others, and the sign does not constitute needless repetition, redundancy, or proliferation of signing.
- (b) The sign is consistent with the intent and purpose of this chapter.
- (c) The sign does not constitute a detriment to public health, safety or welfare.
- (d) Size, shape, color and placement of the sign shall be considered in order to determine if the sign is compatible with and bears a harmonious relationship to the building and/or site which it identifies.
- (e) Both the location of the proposed sign and the design of its visual elements: lettering, colors, decorative motifs, spacing, and proportions shall be considered in order to determine the sign is legible under normal viewing conditions prevailing where the sign is to be installed.
- (f) The location and design of the proposed sign shall be considered in order to determine the sign will not obscure from view or unduly detract from existing adjacent signs.
- (g) The location and design of the proposed sign, its size, shape and color shall be considered in light of the visual characteristics of the surrounding area in order to

determine the sign will not detract from or cause depreciation of the value of adjacent developed properties.

- (h) The location and design of a proposed sign in commercial districts in close proximity to any residential district shall be considered in order to determine the sign shall not have any adverse effect on the value and character of the adjacent residential district.

Sec. 9-4.309. Maintenance.

Every sign shall be maintained in a safe, presentable and sound structural condition. The replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance shall be done in a timely manner but not to exceed thirty days from date of notice. The Planning Director shall require compliance with this section.

Sec. 9-4.310. Hazardous signs.

- (a) No sign shall be erected in such a manner as to constitute a traffic or pedestrian hazard. Illuminating lights shall be shielded from the direct view of traffic. The

words “stop,” “look,” “danger,” or any other word of similar import, shall not be used if they would confuse or mislead traffic.

- (b) No sign shall be erected at the intersection of public streets within the triangular area formed by connecting two points twenty-five feet from the intersecting lines formed by projecting street property lines toward the intersection unless the faces of the sign are less than two and one half feet or more than eight feet above the curb grade, and its means of support has a maximum horizontal dimension of not more than one foot.

Sec. 9-4.311. Minor Variance – Procedure.

The Planning Director may authorize minor variances from the requirements of this Chapter when the variance does not significantly affect adjacent property.

- (a) The Planning Director shall notify the property owner and the adjacent property owners of his intended decision and shall post a copy of his intended decision at least fifteen days prior to its effective date. An interested person may appeal the decision of the Planning Director concerning a minor variance. The decision of the Planning Director is null and void if an appeal is filed and the Commission shall act upon the application. Appeals must be filed before the effective date.
- (b) An interested party may appeal the decision of the Commission to the Council by filing a written notice of appeal with the City Clerk within fifteen days after the Commission renders its decision.

Sec. 9-4.312. Abandoned Signs.

Onsite signs shall be removed within three months after a business is discontinued at a location at the expense of the property owner.

Sec. 9-4.313. Area Calculations.

The following methods shall be used to compute the area of a sign:

- (a) The area of a monument or pole sign is to be computed by multiplying the total height by the total length of the sign or signs for one-sided signs, excluding framework. The base of the sign is not part of the sign when constructed on masonry.
- (b) Where a two-sided monument or pole sign contains identical copy on each side, the area of the sign shall be computed by multiplying the total height by the length of one side only.
- (c) The area of a freestanding sign which has three or more faces shall be computed by adding the areas of each face of the sign.
- (d) The area of a freestanding sign that is an object or statuary shall be computed by the appropriate mathematical equation for determining total surface area of an object.
- (e) Where the copy differs on each side of a sign, the total area shall be computed by adding together the areas of each side.

- (f) A sign not in compliance with this Chapter, but existing is in violation of this section in 1998. Time extensions may be considered on the basis of amortization of initial cost of sign. Extensions may also be allowed for signs which possess features that make them a significant part of the historical heritage of the community.

ARTICLE 4. SIGNS PERMITTED

Sec. 9-4.401. R-1 and Interim Zones.

The following signs may be erected and maintained in the R-1 and interim zones provided they are located at least fifteen feet from any street or property line:

- (a) One unlighted sign of not more than two square feet in area attached parallel with the front wall of the building and containing only the name and title or occupation of the occupant;
- (b) For up to one year, one unlighted sign of not more than four square feet in area advertising the premises for sale, lease, or rent located at the bottom of the sign and not more than two feet above grade;
- (c) One non-illuminating sign of not more than four square feet in area and not more than two feet above grade giving the names of the contractors, engineers, architects, or other persons furnishing services during a construction period, provided such sign is not illuminated and further provided the bottom of such sign is located not more than two feet above grade; and
- (d) One unlighted sign of not more than four square feet in area pertaining to the sale, lease, or hire of any building, property, or premises; and
- (e) Two unlighted signs of not more than thirty-two square feet each on property advertising the sale of developments or lot subdivisions containing an area of not less than two and one-half acres.

Sec. 9-4.402. Other Zones.

Signs may be erected in other than R-1 Zones without limitation as to size or number as long as such signs are constructed in accordance with the City's building regulations, do not constitute a safety hazard and otherwise comply with this Code.

Sec. 9-4.403. Monument Signs.

Freestanding monument signs shall meet the following standards:

- (a) No sign shall be located within existing or future right-of-way without approval of the City Council.
- (b) The maximum height of the sign shall be twelve feet and eighteen feet for commercial centers.
- (c) Signs shall be a minimum of ten feet from property lines and shall be a minimum of twenty feet apart.
- (d) Lighting of signs shall be arranged so as not to produce a glare on other properties in the vicinity.
- (e) The maximum width of the sign shall be twelve feet.
- (f) The maximum area of the message area of a sign shall be eighty square feet.

Sec. 9-4.404. Pole Signs.

Freestanding pole signs shall meet the following standards:

- (a) The maximum area of the sign shall not exceed three hundred square feet.
- (b) No part of the sign shall extend into existing or proposed street or right-of-way line or across property lines.
- (c) The maximum height shall be thirty feet.
- (d) Signs shall be a minimum of ten feet from common property lines and shall be a minimum of twenty-five feet apart.

Sec. 9-4.405. Building Signs.

Signs attached to a building or a wall shall meet the following standards:

- (a) The signs shall be attached flat against the building and parallel thereto. Signs

shall not extend more than eighteen inches from the wall of a building. (For the purpose of this section, a wall is a surface not less than sixty degrees from the horizontal.)

- (b) The signs shall not exceed fifty square feet and the length shall not be greater than three times the width.
- (c) The signs may be located below the soffit of a canopy, overhang or porch and may be perpendicular to the building, but are not closer than twelve inches to the soffit or beam and maintain a minimum of eight feet vertical clearance along corridors, sidewalks or exit courts which are below the sign.
- (d) Lighting of the signs shall be arranged so as not to produce a glare on other properties in the vicinity, and the source of light shall not be visible from adjacent properties or a public street (neon excluded).

Sec. 9-4.406. Subdivision Signs.

Permanent identification signs, including signs which identify subdivisions, mobile home parks, apartments, townhouses, condominiums or any other residential project, shall meet the following standards:

- (a) The signs shall be attached to an entrance gateway structure or monument sign.
- (b) The sign shall be located and maintained in a landscaped area on a parcel within the subdivision at a primary entrance.
- (c) The sign shall not be illuminated except for low silhouette spot lighting which shall not create glare on other properties in the vicinity.
- (d) The design and materials of the sign shall be approved by the Planning Director.

Sec. 9-4.407. Agricultural Signs.

Signs advertising agricultural products raised or produced on the same property may be erected in agricultural zones and shall meet the following standards:

- (a) There shall be no more than one sign per legal lot.
- (b) The sign shall be a minimum of ten feet from the ultimate street right-of-way.
- (c) The sign shall not exceed sixteen square feet in area and shall not exceed six feet in height.
- (d) The sign shall not be illuminated.
- (e) The sign shall be stationary.
- (f) The sign shall be an on-site sign.

Sec. 9-4.408. Institutional Signs.

Signs which identify churches, schools, hospitals, colleges, universities, and social

service organizations, including fraternal and benevolent, must be located on the same property and shall meet the following standards:

- (a) There shall be no more than two signs per each street frontage, not to exceed a total of six such signs per lot.
- (b) Each sign shall be a monument sign not exceeding six feet in height, or a wall sign which does not extend beyond the roof line or parapet wall of the building.
- (c) Lighting of such signs shall be indirect, non-flashing and shall not produce a glare on other adjacent properties.
- (d) The signs shall not extend into any existing or proposed road or street right-of-way.
- (e) Generally recognized and acceptable religious or institutional symbols that are freestanding, are attached to or part of a church or monument sign may be exempted by the Planning Director from limitations on height and area of signs.

Sec. 9-4.409. Temporary Real Estate Sales Signs.⁹⁴

Sec. 9-4.410. Temporary Subdivision Signs.⁹⁵

Sec. 9-4.411. Temporary Construction Signs.⁹⁶

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94 Repealed by Ord 06-637 on 2/7/06.

95 Repealed by Ord 06-637 on 2/7/06.

96 Repealed by Ord 06-637 on 2/7/06.