CHAPTER 23

SIGNS

SECTION:

10-23- 1: Purpose
10-23- 2: Definitions
10-23- 3: General Rules
10-23- 4: Measurements
10-23- 5: Copy Regulations
10-23- 6: Blanketing Of Signs
10-23- 7: Exempt Signs
10-23- 8: Prohibited Signs
10-23- 9: Sign Permits
10-23-10: Sign Variances
10-23-11: Inspection; Reinspection
10-23-12: Materials
10-23-13: Sign Supports
10-23-14: General Illumination Standards
10-23-15: Signs Installed Over Or Within The Right Of Way
10-23-16: Signs In Vision Clearance Areas
10-23-17: Sign Maintenance
10-23-18: Specific Sign Type Requirements
10-23-19: District Temporary Sign Allowances
10-23-20: District Permanent Sign Allowances
10-23-21: Nonconforming Signs
10-23-22: Enforcement
10-23-23: Design And Construction

10-23-1: **PURPOSE:** The purpose of this chapter is to create the legal framework for a comprehensive and balanced system of signage in the city. These regulations are intended to provide an easy and pleasant communication between people and their environment and avoid visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance. The intent is not to regulate content, only the number, type, location, height and size of signs. This chapter has the following objectives:

A. To ensure that signs are designed, constructed, installed and maintained to assure public and traffic safety;

B. To reflect and support the desired character and development patterns of the community;

C. To allow adequate and effective signs without dominating the visual landscape;

D. To protect and enhance economic viability of the city's commercial corridors by assuring aesthetic appeal to businesses and residents alike;

E. To balance the needs of business with the desire to preserve and enhance the visual character of the city. (Ord. 4051, 2-19-2013)

10-23-2: DEFINITIONS:

A. Words Defined: Unless the context specifically requires otherwise, as used in this chapter:

ABANDONED SIGN:	Any sign(s) located on a property that has become vacant and unoccupied, for a period of ninety (90) days or more.
ADDRESS NUMBERS:	Premises identification numbers placed on residential structures, commercial and industrial structures, and multi-family residential structures. All premises identification shall be in accordance with section 9-1-2 of this code.
APARTMENT COMPLEX:	A group of four (4) buildings or more, each consisting of three (3) units or more therein arranged in and as a common development and wherewith (a) common access drive(s), landscaping and parking area(s) are utilized in order to access all buildings and provide shared amenities. Such developments may be associated with a subdivision and under one or multiple ownership, though usually under one management.

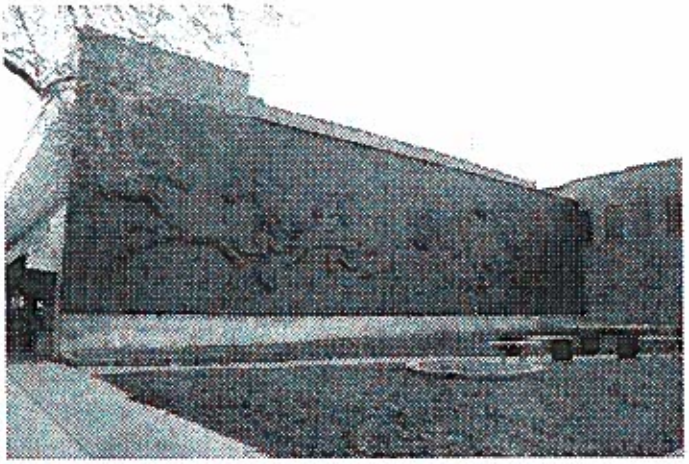
APARTMENT GROUP: Two (2) or three (3) buildings each consisting of three (3) units or more arranged in and as a common development and wherewith (a) common access drive(s), landscaping and parking area(s) are utilized in order to access all buildings and provides shared amenities. Such developments may be associated with a subdivision and under one or multiple ownership, though usually under one management.

APPROVED PLASTIC MATERIALS: Plastic that meets the standards of an approved testing agency for use in construction of illuminated signs.

APPROVED TESTING AGENCY: A nationally recognized organization primarily established for the purpose of testing methods and materials to approved standards, and accepted as an approved testing agency by the building or planning director.

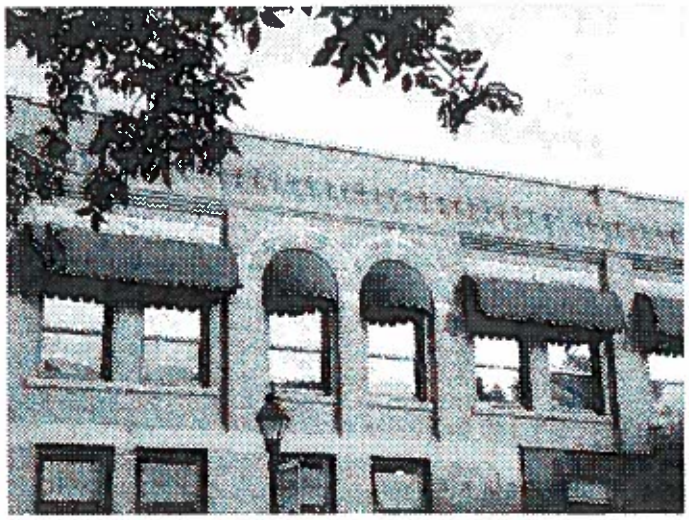
ART (MURAL): A pictorial or graphical representation applied to and made an integral part of an exterior wall that does not contain words, logos, trademarks or graphic representations of any person, product or service that identifies or advertises a business.

10-23-2



ATTACH: To stick, tack, nail or otherwise affix a sign to any object.

AWNING: A covering structure projecting horizontally and attached to a building that is collapsible, retractable or capable of being folded against the face of the supporting walk, or if on a rigid frame, is constructed of canvas, cloth or other flexible material.



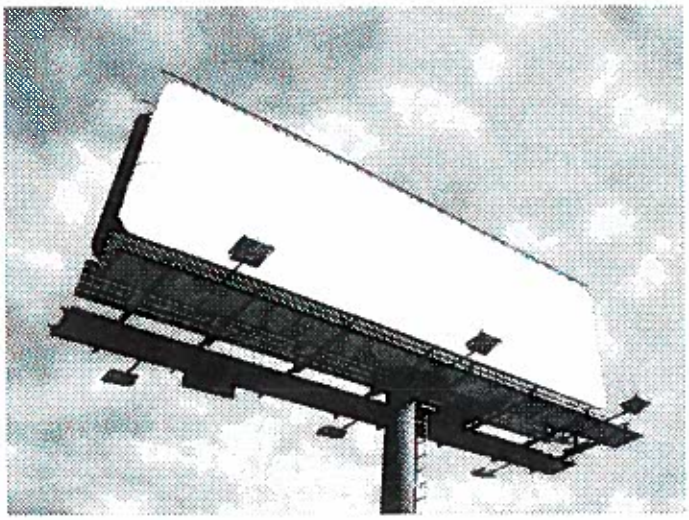
BALLOON: An inflatable object, including, by way of illustration, but not limitation, helium balloons

10-23-2

and forced air filled balloons, generally made from rubber, silk, or other similar material.

BILLBOARD SIGN: A type of sign typically three hundred (300) square feet or larger, and of mono or dual pole devices that may or may not have electronic displays or lighting, displayed outdoors or visible from a public right of way, which is typically, usually and customarily not used to advertise goods, products, businesses, services, or facilities which are not sold, manufactured, or distributed on or from the property or facilities on which the sign is located. A "billboard" is a type of outdoor advertising sign; however, this type is separately defined because of its aesthetics (size, look, and construction).

10-23-2



BLANKETING: The partial or complete obscuring of the face of one sign by another.

BUILDING FACE: The wall of a building on one elevation.

BUILDING OR STRUCTURE: A combination of materials to form a construction used for occupancy, use, or ornamentation, whether installed on, above, or below the surface of land. As used in this chapter, building or structure does not include signs.

BUSINESS COMPLEXES:

Commercial Complex: A group of commercial buildings planned, designed and constructed on the same site or contiguous sites and wherewith (a) common access drive(s), landscaping and parking area(s) may be utilized in order to access all buildings and provide shared amenities.

Industrial Complex: A group of industrial businesses, that may include retail businesses, that forms a centralized unit with a joint parking area available for use by patrons of any single

10-23-2

business on the same site or contiguous sites and wherewith (a) common access drive(s), landscaping and parking area(s) may be utilized in order to access all buildings and provide shared amenities.

Mixed Use Complex: A mixed group of two (2) or more buildings that are principally used for some combination of commercial, industrial or office purposes and wherewith (a) common access drive(s), landscaping and parking area(s) may be utilized in order to access all buildings and provide shared amenities.

Office Complex: A group of businesses, other than retail or industrial businesses that form a centralized unit with a joint parking area available for use by patrons of any single business on the same site or contiguous sites and wherewith (a) common access drive(s), landscaping and parking area(s) may be utilized in order to access all buildings and provide shared amenities.

CANOPY: A permanent roofed structure that is erected for the purpose of providing shelter to patrons of automobiles, which is not completely enclosed, and which may be freestanding or partially attached to a building.

CAR WINDOW FLAGS: A flag made of fabric, located on a pole or holding device that is specifically designed to attach to the window of a vehicle.

CERTIFICATE OF COMPLIANCE: An official document issued to a new tenant in an existing building that is not performing any type of work in which a building permit is required, and is not a change of occupancy classification. This certificate is required prior to a building or tenant space being occupied.

CERTIFICATE OF OCCUPANCY: An official document showing that a business and/or residence have obtained the appropriate permits and have completed all of the necessary inspections to ensure the building is in compliance to occupy. A certificate of occu-

10-23-2

pancy is required prior to occupying any building or tenant space that required a building permit.

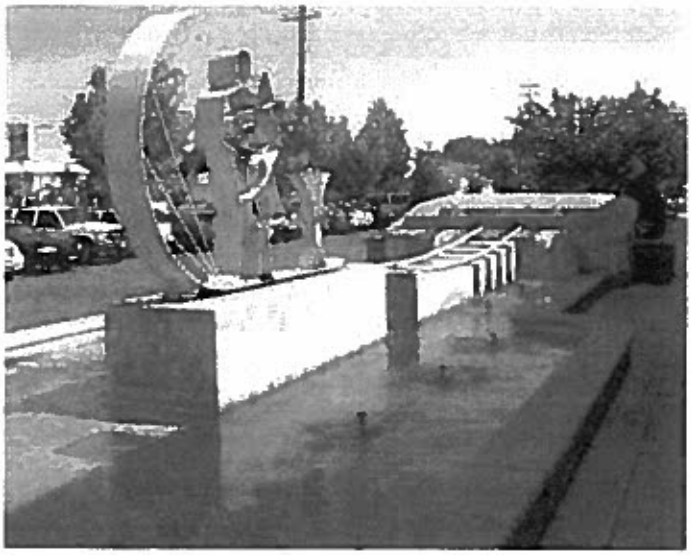
COMBINATION SIGN: Incorporating any combination of the features of a freestanding pole, monument, projecting and/or roof signs.

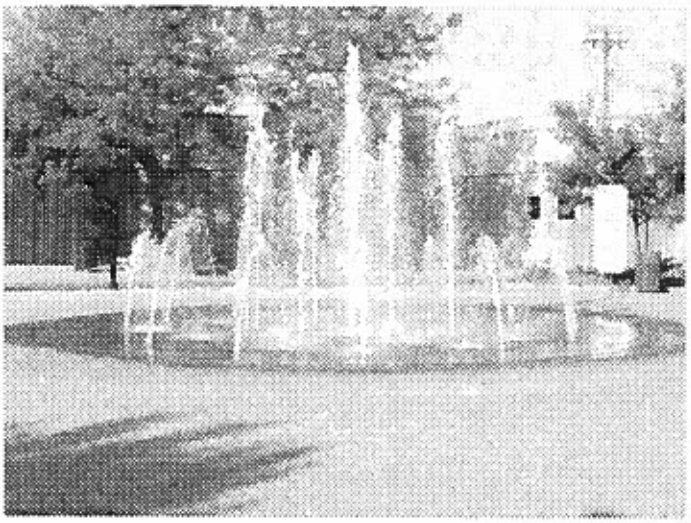
COMMERCIAL (STRIP/CONVENIENCE) SHOPPING CENTER(S): Characterized as/by an attached row of stores or service outlets managed as a coherent retail entity (often under 1 ownership and/or management), with on site parking and landscaping. Open canopies may connect the storefronts, but a strip center does not have enclosed walkways linking the stores. A strip center may be configured in a straight line, or have an "L" or "U" shape. A convenience center is among the smallest of the centers, whose tenants provide a narrow mix of goods and personal services to a very limited trade area. They will feature shared parking, common service drive(s) and landscaping as regular amenities. They may be wholly sited on, or partially spread across, two (2) or more lots or parcels. Generally, there are subcategories of such developments including, but not limited to: neighborhood, large neighborhood, community, etc. The community center tends to provide a wider range of facilities for the sale of shopping goods such as apparel and furniture than the neighborhood centers including having a junior department store, variety store or discount department store as the principal anchor tenant. Malls are different in their nature and size and are, correspondingly, separately defined in this section.

COMMUNITY (PUBLIC) WORKS OF ART: Original works of art in any artistic medium (bronze, stone, paint, etc.) for temporary or permanent placement in outdoor or indoor settings. Public art is accessible to all members of the public and it aims to enrich the community by evoking meaning in the public realm. Art can take a variety of forms, including as an aesthetic element to a functional public work, to include, but not be limited to: architectural

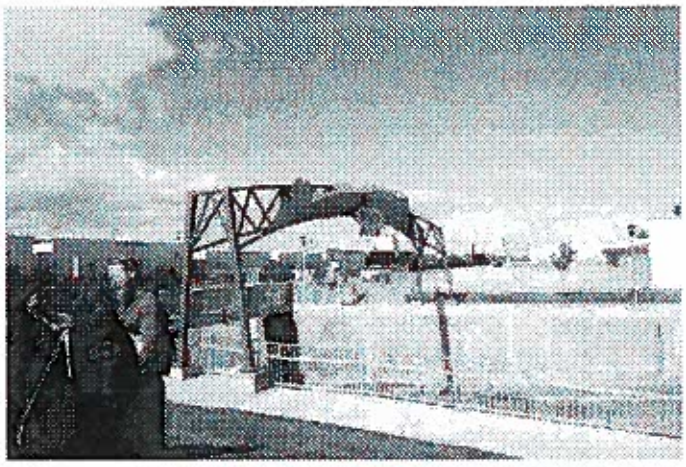
10-23-2

design features (embedded relief sculptures), landscape features, streetscape design features (benches, artist gardens), site specific monumental works (sculptures), community enhancement projects (artistic designed/painted sewer covers, embedded logos within the streets). Such artworks can include water elements and walkways.





10-23-2



CONSTRUCTION SIGN: An informational sign which is erected in conjunction with a building being proposed for construction or during the building construction period.

DAWN TO DUSK: That time of day between sunrise and sunset.

DILAPIDATED OR DETERIORATED CONDITION: A sign which is shabby, neglected, or in disrepair, or which fails to be in the same form as originally constructed, or which fails to perform its intended function of conveying a message. Any sign which in the opinion of the city has any of the following characteristics:

1. Where elements of the surface or background can be seen, as viewed from the normal viewing distance, to have portions of the finished material or paint flaked, broken off, or missing, or otherwise not in harmony with the rest of the surface; or

2. Where the structural support or frame members are visibly bent, broken, dented, or torn; or

3. Where the panel is visibly cracked, or in the case of wood and similar products, splintered in such a way as to constitute an unsightly or harmful condition; or

4. Where the sign or its elements are twisted or leaning or at angles other than those at which it was originally erected (such as may result from being blown or the failure of a structural support); or

5. Where the message or wording can no longer be clearly read by a person with normal eyesight under normal viewing conditions; or

6. Where the sign is torn, ripped, faded, or fallen into ruin or decay, as from age, wear or neglect.

DIRECTOR: The planning director, or the planning director's designee. The planning director's designee may subdelegate any or all authority, duties, and powers under this chapter.

DISPLAY: Any visual form or character. A display may be comprised solely, or by a combination of words, symbols, images, or graphic elements.

DISPLAY SURFACE: The area of a sign that carries the display. Display surface does not include the sign structure, foundations, or supports unless the structure is designed in a way to form an integral background for the display. Display area is calculated by measuring the perimeter enclosing the extreme limits of the module/cabinet or background containing the advertising copy or graphic symbols. Display areas shall be calculated as follows:

1. Display area includes only one face of a double faced sign where the faces of the sign are parallel. A double faced sign is counted as one so long as the two (2) faces are part of the same structural bracing system.

2. If any face is offset from parallel by more than five degrees (5°), such face shall be counted as a separate sign surface.

3. A sign with more than two (2) faces, such as a cube or pyramid, shall be calculated as the

sum of the surface areas of all faces, divided by two (2).

4. In the event of an irregular, three-dimensional object that serves as signage, where the surface area is not readily measurable the area shall be calculated by the largest area of the three-dimensional object visible from any one viewing angle.

EFFECT: Sequential, intermittent, or simultaneous illumination by flashing light other than by an electronic display. As used in this chapter, effects include, but are not limited to:

Animated Effect: Illumination that depicts a moving object, thing, person, animal or happening, or depicts an ongoing series of images.

Chaser Effect: Illumination that is intended to lead the eye by directional or sequential movement, including, but not limited to, movement that is linear or circular.

Scintillating Effect: Illumination that provides a random twinkling of lights, including illumination that forms images, words, or sentences at the end of the sequence of twinkling lights.

Speller Effect: Illumination that produces letters, numbers, or visual symbols individually, or in group, including, but not limited to, illumination that flashes a complete word, phrase, or sentence.

ELECTRIC SIGN: Any sign containing electrical wiring, but not including signs illuminated by an exterior light source (e.g., a floodlight).

ELECTRONIC DISPLAY: A display created by light emitting diodes, liquid crystal displays, plasma display panels, pixel or subpixel technology, or other similar technology. As used in this chapter, electronic displays include, but are not limited to:

10-23-2

1. Dissolve: The changing of an electronic display by means of varying light intensity or pattern, where one display gradually appears to dissipate or lose legibility simultaneously with the gradual appearance and legibility of a subsequent display.

2. Fade: The changing of an electronic display by means of varying light intensity, where one display gradually reduces intensity to the point of being illegible or imperceptible and the subsequent display gradually increases intensity to the point of being legible or capable of being perceived.

3. Scrolling: The changing of an electronic display by the apparent vertical movement of the visual image, such that a new visual image appears to ascend and descend, or appear and disappear from the margins of the sign in a continuous or unfurling movement.

4. Static display: An electronic display which does not change and is at rest, inactive or stationary.

5. Travel display: The changing of an electronic display by the apparent horizontal movement of the visual image.

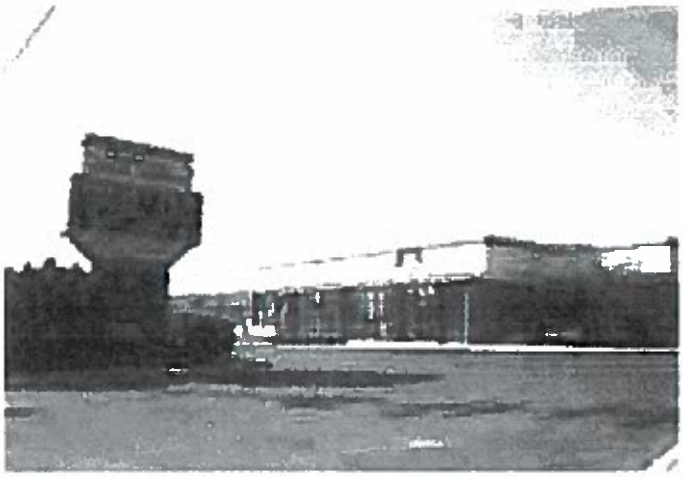
6. Video display: Providing an electronic display in horizontal or vertical formats to create continuously moving images.

ELEVATION, BUILDING: Synonymous with "facade", it is an exterior wall face or plane of a building, extending from the ground to the top of a parapet or eave, but not including any portion of the roof of a building.

EVENT CENTER: An exhibition hall, conference center, convention center, civic center, or other large public building, typically offering enough floor area to accommodate hundreds to thousands of attendees, with enough open space to host public social events, corporate conferences, industry trade shows, entertainment spectacles, conven-

10-23-2

tions, and concerts for the surrounding municipal and metropolitan areas.



10-23-2

FACADE: Any separate face of a building, including parapet walls and omitted wall lines, or any part of a building which encloses or covers usable space. Where separate faces are oriented in the same direction, or in the directions within forty five degrees (45°) of one another, they are to be considered as part of a single facade.

FLASHING: Sudden or intermittent electrical illumination that appears for less than one and one-half ($1^1/_2$) consecutive seconds, and includes illumination that constitutes an effect.

FLOODLIGHTED (INDIRECT LIGHTED) SIGN: A sign illuminated only by devices which reflect or project light upon it.

FRONTAGE, BUILDING: The linear measurement along the front building line of a building or portion of a building occupied by a business.

FRONTAGE, STREET: The linear measurement along the property line of a lot which faces upon an improved street or alley (public or private).

GATEWAY STREETS: Streets that provide unique sense of identity, transition, and anticipation. Gateway streets identify entrance points to the city and key destinations as well as its neighborhoods. As provided in this chapter, a sign oriented to a gateway street listed below may be regulated differently than a sign oriented to a street not listed. Where found to be appropriate, varying standards may exist between different gateway streets, and shall be so specified. In the event that the provisions for gateway streets conflict or overlap with other sections of this chapter, the more restrictive requirements shall control.

1. Garrity Boulevard, from I-84 to the intersection of North Franklin Road and 11th Avenue N.

2. North Franklin Boulevard, from I-84 to the intersection of 11th Avenue N and Garrity Boulevard.

3. Northside Boulevard, from I-84 to the intersection of 2nd Street S and Caldwell Boulevard.

4. Caldwell Boulevard, from the intersection of 2nd Street S and Northside Boulevard to Midway Road.

5. 12th Avenue S, from 3rd Street S to a point where 12th Avenue Road begins at the intersection of 12th and Roosevelt Avenue.

10-23-2

6. 12th Avenue Road from the intersection of 12th and Roosevelt to Locust Lane.

7. North Midland Boulevard from Cherry Lane to I-84.

8. West Karcher Road/Karcher Road from I-84 to Midway Road.

9. 16th Avenue N, from the intersection of Garrity Boulevard to 16th Avenue S, continuing past Roosevelt, down Holly Street, to East Sheridan Avenue then to Fern Street, to East Bird Avenue, then continues down Holly Street to the intersection of East Colorado and Holly Street.

10. 2nd Street S from Southside Boulevard to the intersection of 2nd Street S and Northside Boulevard.

11. 3rd Street S from 16th Avenue S to the intersection of 3rd Street S and 7th Avenue S/Yale Street.

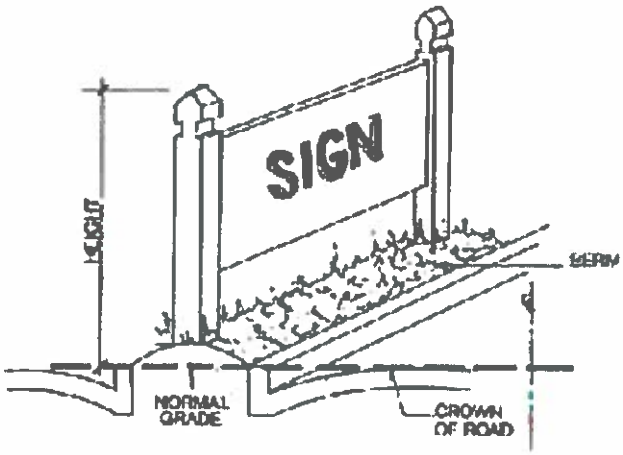
12. East Amity Avenue from South Happy Valley Road to Chicago Street.

13. Idaho Center Boulevard from Cherry Lane to I-84.

14. East Franklin Road from South McDermott Road to Idaho Center Boulevard.

HEIGHT (OF SIGN): The vertical distance from the ground underneath a sign to the highest point of a sign or any vertical projection thereof, including its support columns, or the vertical distance from the relative ground level in the immediate vicinity.

10-23-2



HOME OCCUPATION: A business within a residential home, where the occupant of the home still lives, resides and sleeps within the residence.

ILLEGAL SIGN: A sign installed without the issuance of the appropriate permit, or any sign installed that is not in compliance with City codes/ordinances.

ILLUMINATED, HALO: Illumination of a sign from a light source that is not visible and is concealed or contained within the sign or located between the sign and the structure/wall. Illumination from the source of the light becomes visible in darkness when the light is reflected off of the structure/wall upon which the sign is attached. See also the definition for "lighting, direct".

ILLUMINATED, INTERNAL: Illumination of a sign from a light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface. This includes illumination by gas filled luminous tubes, such as neon, argon or fluorescent. See also the definition for "lighting, direct".

LIGHTING, DIRECT:	Illumination of a sign via one or more internal fixture(s) - including those that produce a halo effect.
LIGHTING, INDIRECT:	Illumination of a sign via an external light source (e.g., floodlighting). As stated in the definition of a "floodlighted sign" it may be, "A sign illuminated only by devices which reflect or project light upon it".
MALL:	A building or structure where general merchandise or fashion oriented offerings are provided inside an enclosed structure with inward facing stores connected by a common walkway. Parking typically surrounds the outside perimeter.

They will feature shared parking, common service drive(s) and landscaping as regular amenities. They may be wholly sited on, or partially spread across, two (2) or more lots or parcels.

MARQUEE: A permanent rooflike structure projecting over the entrance of a building, that is not completely enclosed, freestanding, or attached to or supported by the building, and which is erected for the purpose of providing shelter to persons entering the building.

MURAL: A pictorial or graphical representation applied to or painted on and made an integral part of an exterior wall. A mural shall be considered a wall sign if it contains words, logos, trademarks or graphic representations of any person, product or service(s) that identifies or advertises the building upon which it is, or is to be located. A mural that does not represent any of the above may be classified as art.

NON-COMBUSTIBLE: A material that, in the form in which it is used and under the conditions in which it is anticipated to be used, will not ignite, burn, support

combustion, or release flammable vapors when subjected to fire or heat.

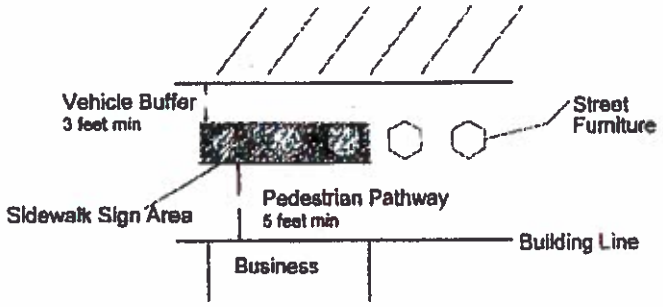
NONCONFORMING SIGN: Any sign within the city limits or its extraterritorial jurisdiction that does not comply with the provisions of this chapter on the effective date of this chapter or any governing amendment thereto. It is the intent of this chapter that legal nonconforming signs will not be made illegal by the adoption of this chapter unless otherwise noted herein.

NORMAL MAINTENANCE OF SIGNS: Changing messages without changing the sign or its components, cleaning, replacement of bulbs or fluorescent tubes, ordinary type maintenance repairs.

OPAQUE FACED SIGN: A sign whose background is nontransparent or nontranslucent with only its letters, figures, symbols, trademarks, or other copy meant to aid in such advertisement, lighted.

OVERHEAD ELECTRICAL CONDUCTOR: Any electrical conductor installed aboveground, except when such conductor is enclosed in conduit or other material covering of equal or greater strength.

PEDESTRIAN PATHWAY: That part of a sidewalk that is maintained for free and unobstructed movement by pedestrians.



PENNANT(S): See definition of Wind Sign.

PERSON: An individual, corporation, limited liability company, firm, partnership, cooperative, association, joint venture, joint stock company, or other entity in law or fact.

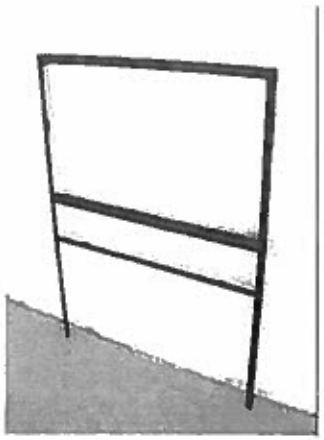
PORTE-COCHERE: A covered structure projecting horizontally from and attached to a building, affording protection from the elements; typically used for loading and unloading of vehicles.

ROOFLINE: The top edge of the roof or building parapet; excluding any cupolas, chimneys, or other projections.

SIGN: Any structure, board, poster, placard, or device which contains or comprises a display designed, used, or intended to attract attention of the public. As used in this chapter, sign includes the sign structure, display surface, and all other components. For purposes of this chapter, the specific types of signs are defined as follows:

Temporary Sign: A sign that is not permanently affixed or attached to a building, structure, or the ground and that is intended to be used for limited periods of time. Temporary signs are lawn signs, movable signs, sidewalk signs, and temporary sign displays, which are further defined as follows:

1. Lawn Sign: A temporary sign made of corrugated plastic, greyboard, or similar type material and that is generally supported by stakes inserted into the ground.

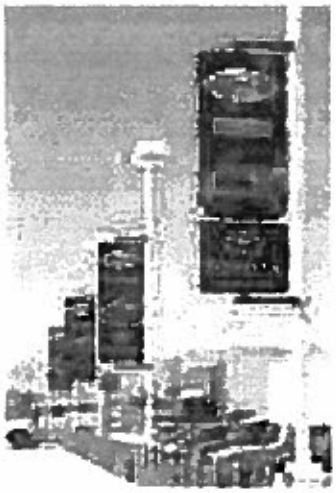


10-23-2

2. Movable Sign: A temporary sign that is self-supporting, and is designed to be moved from place to place. Movable signs include, but are not limited to: A-frame or sandwich board signs, flags or banners attached to a pole with a permanent foundation, reader boards, and signs attached to self-supporting and movable wood or metal frames.

10-23-2

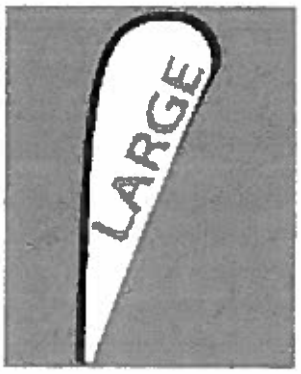
3. Pole Banner: A sign made out of cloth, fabric or other lightweight material, with only such material for backing, and designed for hanging from light poles or light posts. These banners are reinforced for extended, long term outdoor uses and are attached to the light pole/posts at the top, sides, and bottom by manufacturer specified brackets/hangers. Such connections must have the ability to withstand wind, rain, and snow conditions that it is subjected to.

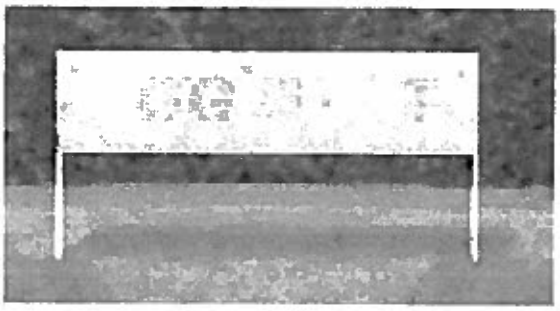


10-23-2

4. Temporary Sign Display: An attention attracting device or devices, including, but not limited to, banners, flags and/or banners attached to a pole without permanent foundation, balloons, and signs (not permitted or classified as a movable sign) attached to self-supporting and movable wood or metal frames. See definition of "wind sign" for pennants, streamers, pinwheels and the like.

10-23-2





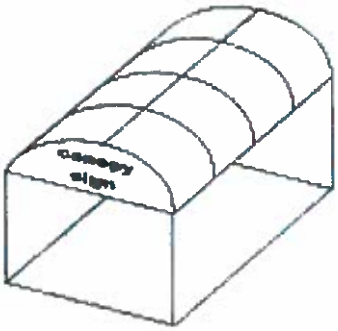
Permanent Sign: A sign that is permanently attached to a building, structure, or the ground, designed and constructed to resist the wind and seismic forces specified in the most current edition of the international building code and that is intended to be used for an ongoing, indefinite period of time. This definition includes signs attached to buildings and signs attached to poles and/or bases placed in the ground. This does not include temporary signs attached to structures and/or bases set on/in the ground. Permanent signs are further defined as follows:

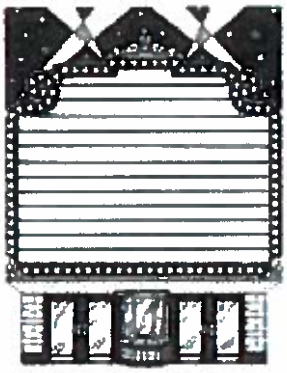
1. Awning Sign: A sign displayed on or attached flat against the surface or surfaces of an awning. The entire awning shall be included in the sign area calculation when the awning is backlit and the awning material exhibits the characteristics of luminosity obtained by means of a source of illumination.

10-23-2

2. Building Directory: A sign giving the name and room number of the occupants of a building.

3. Canopy Or Marquee Sign: A sign which is attached parallel to the faces of or suspended below the ceiling or roof of a marquee or canopy, except signs painted directly on the outward face of the marquee, canopy or awning.

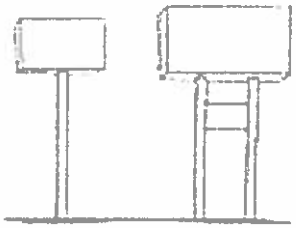


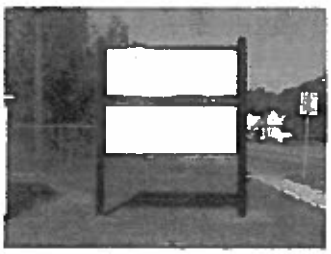


10-23-2

4. Directional Sign: A sign designed to be read by a person on the premises on which the sign is located, and used for the purposes of identifying and locating an entrance, exit, telephone, service, route, office, or similar place.

5. Freestanding Sign: A single or multiple faced sign supported by one or more upright poles or braces, extending from and permanently attached to the ground by a foundation or footing, with a clearance between the ground and the sign face. Pylon signs shall have no more than two (2) faces.



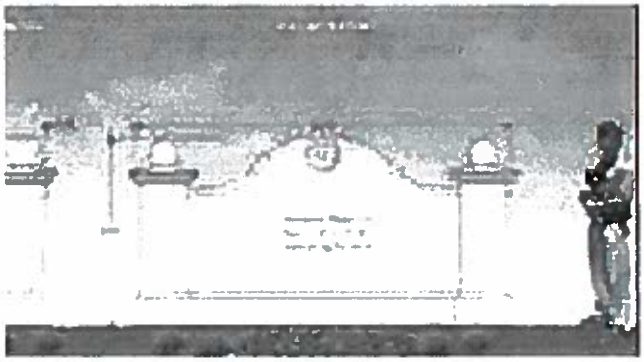


6. Hanging Sign: A sign that is attached to the underside of a marquee, canopy, portico, porte-cochere, or other similar overhanging structure.

10-23-2

7. Interior Sign: A permanent sign located inside an enclosed building or structure, regardless of whether the sign is visible from the exterior of the building.

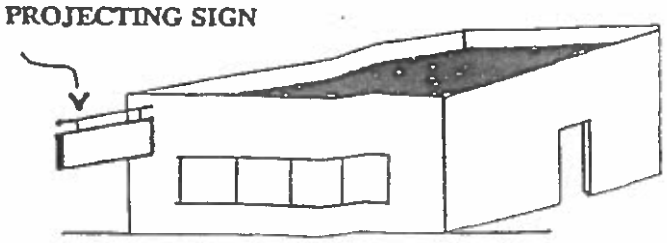
8. Monument Sign: A sign which is attached directly to the ground, or is supported by a base of solid construction that is placed on or anchored in the ground and is independent from any building or other structure. The base of the monument sign is not included in the calculation of display surface.

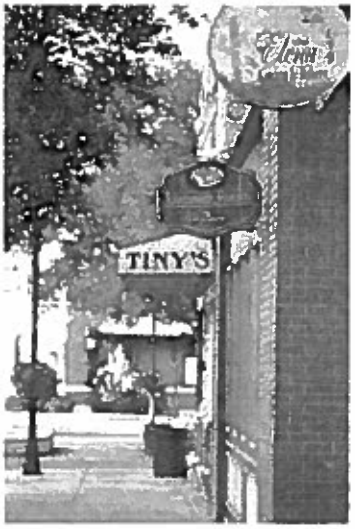


9. Outdoor Advertising Sign: A sign which is a substantial permanent structure that is either a wall sign, freestanding or monument sign. Outdoor advertising signs are not limited as to content, but are usually and customarily used to advertise goods, products, businesses, services, or facilities which are not sold, manufactured, or distributed on or from the property or facilities on which the sign is located; or to present messages dealing with political, public interest, public service, or education issues; an election, candidate for election, or ballot measure; or religious matters, health, and other similar subjects.

10. Projecting Sign: A sign, other than a wall sign, that projects beyond the building frontage or building face to which it is attached. "Projecting" means the distance that the sign extends from the building frontage or building face.

10-23-2





11. Reader Board Sign: A sign display which is characterized by copy or illustration which may be modified at periodic intervals, regardless of the method, but which is permanently secured to the ground in the same manner as a free-standing or monument type sign, or permanently secured to the wall of a building in the same manner as a wall sign, or incorporated into a portion of a freestanding, monument or wall sign.

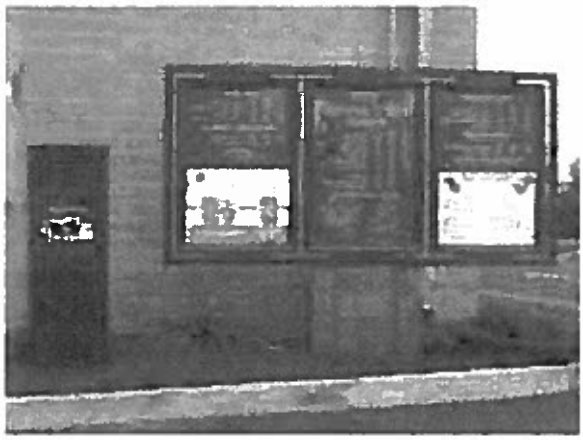
10-23-2

12. Roof Sign: A sign erected upon or painted upon the roof of a building, canopy, portico, or marquee.

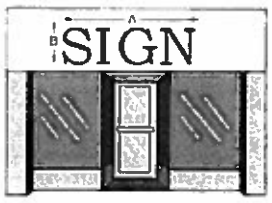
13. Vehicle Directional Sign: A freestanding sign or a wall sign that designates an automobile entrance onto or exit from property.

10-23-2

14. Vehicle Viewing Sign: A freestanding, monument or wall sign that is intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor vehicle.

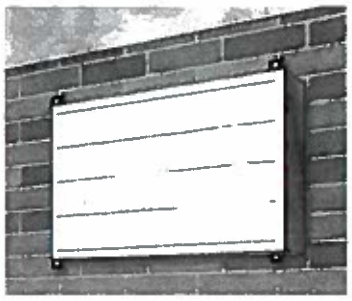


15. Wall Sign: A sign painted on or attached to a wall or parapet of a building or structure, sign tower, or the face or end of a marquee or canopy, with the sign face parallel to and projecting not more than eighteen inches (18") from, the plane of the wall, parapet, face, or end.



Sign Face Area = (A)(B)

10-23-2

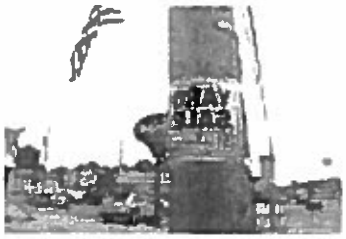


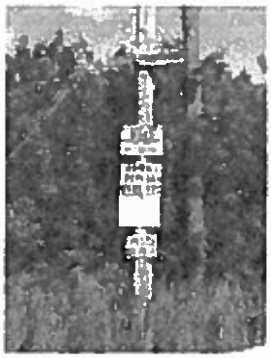
SIGN PROGRAM: A coordinated, comprehensive, detailed and packaged set of drawings and narration meant to illustrate and describe one or more signs intended for utilization by multiple tenants within an apartment complex, business complex, shopping center, mall, specialized purpose business center, and/or a residential sub-division. Such programs often contain sign structures meant to be shared by tenants as well as individual tenant sign structures. Sign program application packages, as explained to the city should feature a "to scale" site plan showing intended sign locations (including manifesting compliance with clear vision triangle requirements and setback measurements), elevation drawings depicting proposed sign dimensions (height and square foot area) and intended appearance (including colors and materials), and any proposed lighting or sign specific landscaping treatments/schemes to be associated therewith.

SIGN STRUCTURE: The entire structure that comprises the sign, including, but not limited to, the display surface, supports, foundation, and sign tower.

SNIPE SIGN: Any sign which is attached to a public utility pole, fixture poles, canopy supports, tree, fence, etc., including, but not limited to, garage/yard sale signs, auction signs, etc.

10-23-2





SPECIALIZED PURPOSE (BUSINESS) CENTERS:

1. Power centers contain category dominant anchors, including discount department stores, off price stores, wholesale clubs, with only a few small tenants.

2. Lifestyle centers contain upscale national chain specialty stores with dining and entertainment in an outdoor setting.

3. Factory outlets contain manufacturers' and retailers' outlet stores selling brand name goods at a discount.

4. Theme/festival centers contain leisure, tourist, retail and service oriented offerings with entertainment as a unifying theme. Often located in urban areas, they may be adapted from older, sometimes historic, buildings and can be part of a mixed use project.

STREET FRONTAGE: The width of a legal tax lot measured along the line separating the lot from a street.

TENANT SPACE: The portion of a structure occupied by a single commercial leaseholder with its own public

entrance from the exterior of the building or through a shared lobby, atrium, mall or hallway and separated from other tenant spaces by walls.

TRAFFIC CONTROL DEVICE (OFFICIAL): Traffic signs, signals, directional signs, parking signs, wayfinding signs, notices, or any other uniform traffic control device, regulatory sign, or law enforcement sign erected by the public body pursuant to lawful authority.

UNOB-STRUCTED: An area does not have any physical obstructions to free passage, any tripping hazards, or any area reserved for people to stand or sit.

UNSIGHTLY SIGN: Any sign which is in whole or in part: weak, unsafe, broken, inferior or old, torn, worn, faded or otherwise unpleasant or unattractive to look at.

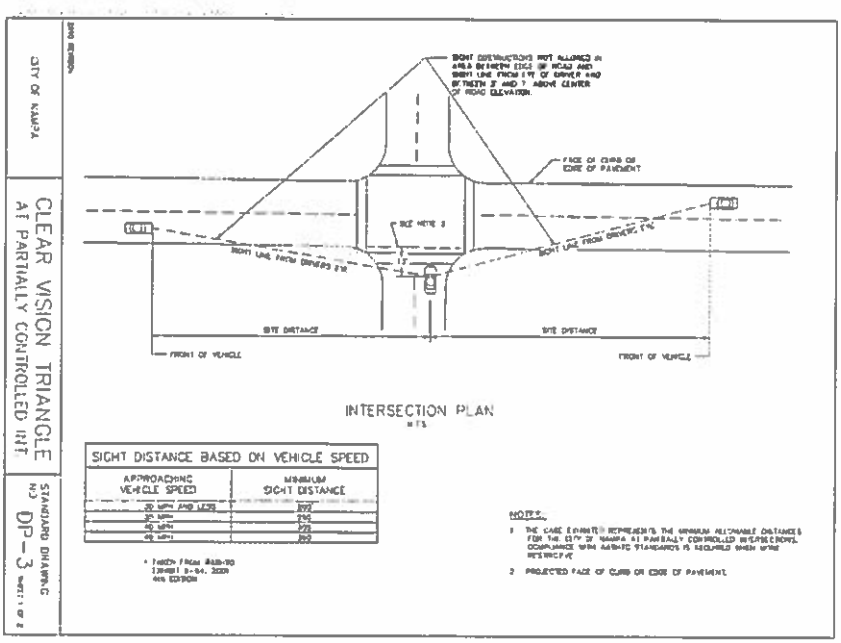
VEHICLE ACCESSWAY: Driveway that gives access to a window whereby goods or services are provided to patrons of a business, and that typically includes queuing lanes, service windows, or service islands.

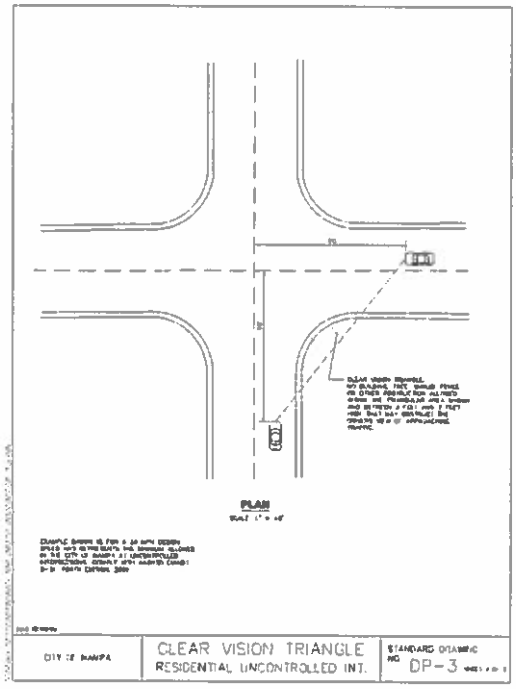
VEHICLE BUFFER ZONE: An area that runs parallel to and abuts a roadway, and creates a pedestrian safety zone and unobstructed accessibility to parked vehicles.

VISION CLEARANCE (TRIANGLE) AREA: The specified areas along intersection legs across their included corners that shall be clear of obstructions that might block a driver's view of potentially conflicting vehicles. Specific dimensional standards for vision triangles are found in the "City Of Nampa Engineering Development Process And Policy Manual".

In residential districts where front yards are required vision clearance dimension (A) is forty feet (40') for corner lots and 7.5 feet for lots at alley intersections.

10-23-2


CITY OF NAMPA
CLEAR VISION TRIANGLE
AT PARTIALLY CONTROLLED INT.
STANDARD DRAWING
NO. DP-3
FACE OF CURB OR EDGE OF PAVEMENT
SIGHT LINE FROM DRIVER 3'-6"
SIGHT LINE FROM DRIVER 3'-6"
SIDE NOTE 2
SITE DISTANCE
SITE DISTANCE
FRONT OF VEHICLE
FRONT OF VEHICLE
INTERSECTION PLAN
SIGHT DISTANCE BASED ON VEHICLE SPEED
APPROACHING VEHICLE SPEED
MINIMUM SIGHT DISTANCE
20 MPH AND LESS
NOTES:
2 PROJECTED FACE OF CURB OR EDGE OF PAVEMENT


PLAN
CITY OF NAMPA
CLEAR VISION TRIANGLE
RESIDENTIAL UNCONTROLLED INT.
STANDARD DRAWING
NO. DP-3

10-23-2

WAYFINDING SIGN: A government sign that provides directions or information to typically locate a destination, place, or facility.

WIND SIGN: Any cloth, plastic or other flexible light material made in strips, triangles or other shapes, which are fastened together at intervals by wire, rope, cord, string or other means and which are used or displayed to attract attention. This shall include, but not be limited to: pennants, streamers, pinwheels, and similar.

WORKS OF ART (PUBLIC): An original work of art in any artistic medium for temporary or permanent placement in outdoor or indoor settings. Public art is accessible to all members of the public and it aims to enrich the community by evoking meaning in the public realm. Art can take a variety of forms, including as an aesthetic element to a functional public work, to include, but not be limited to: architectural design features (embedded relief sculptures), landscape features, streetscape design features (artist gardens), site specific monumental works (sculptures), community enhancement projects (artistic designed/painted sewer covers, embedded logos within streets, utility boxes). Such artwork can include water elements and walkways.

(Ord. 4051, 2-19-2013; amd. Ord. 4428, 4-15-2019)

B. Construction Of Words: As used in this chapter, words used in the present tense include the future, the singular number includes the plural, and the word "shall" is mandatory and not directory.

C. Interpretation: Nothing in this chapter is intended, and shall not be construed, to restrict speech on the basis of its speaker, content, or viewpoint, and, to the extent that any provision of this chapter is ambiguous, the provision shall not be interpreted to regulate on the basis of the speaker, content, or viewpoint. (Ord. 4051, 2-19-2013)

10-23-3: **GENERAL RULES:** The following shall apply to signs in all zoning districts:

A. Permits Required: No person shall construct, erect, enlarge, alter, or relocate any sign, or install electrical parts, wiring, or illumination in

or upon a sign, until all required permits have been obtained, including, but not limited to, sign permits, building permits, electrical permits, and any other permit required by federal, state or local law.

B. Adherence To Provisions Of Chapter, Permit Required: No person shall erect, construct, enlarge, alter, repair, move, improve, convert, equip, use, or maintain any sign, or cause or permit the same to be done, in violation of any provision of this chapter or a permit issued hereunder. These regulations apply to both commercial and noncommercial signage.

C. Stricter Standards Prevail: Nothing in this chapter is intended, nor shall be construed, to permit the erection, construction, enlargement, alteration, or maintenance of any sign at any place or in any manner unlawful under any other federal, state, or local law. When any part of this chapter conflicts with another provision of federal, state, or local law, the provision that establishes the stricter standard shall control.

D. Placement Restrictions: No signs (whether permanent or temporary) shall be placed within any utility or access easement, public right of way (or projected future right of way area as determined by the city engineer), or within any vision triangle.

E. Structure, Building Permit Or Certificate Of Compliance Required: No sign permit will be issued for any property and/or business without an existing structure, valid building permit, or certificate of compliance for an allowed use within the applicable district.

F. Attachment: All signs shall be attached in accordance with the manufacturer's specifications, the registered design professional, or the sign contractor, whichever is applicable and the most stringent. (Ord. 4051, 2-19-2013)

10-23-4: MEASUREMENTS:

A. Size: Size includes the height, length, width, and area of the display surface of a sign. Measurements shall be rounded up to the nearest foot, or nearest square foot, as applicable.

B. Display Surface Area: Display surface area is the area that lies within a line drawn around the outermost points of the display surface of the sign. Display surface area shall be expressed in square feet. Where the display surface is three-dimensional,

including, but not limited to, round or irregular solid shapes, the display surface area shall be calculated by taking the largest cross section, and drawing a line around the outermost points of the cross section. If there is open space between sections or modules of a display surface area, the open shape shall be deducted from the calculation of the display surface area.

C. Gross Face Area: The gross face area of a building frontage or a building face is the area that lies within a line drawn around the outermost points of the building frontage or building face. Gross face area shall be expressed in square feet. Where a building houses more than one business, gross face area for each business shall be that area lying within a line drawn around the outermost points of that portion of the building frontage or building face that is actually occupied by the business.

D. Height: Sign height shall be measured from the average level of the grade below the sign to the topmost point of the sign structure.

E. Clearance: Clearance shall be measured from the average level of the grade below the sign to the lowest point on the sign structure.

F. Spacing And Density:

1. For the purpose of applying spacing requirements or density limits to signs, distances shall be measured along a line parallel to the centerline of the adjacent street or highway and between the nearest edges of the display surfaces.

2. A back to back sign is counted as a single sign for the purpose of spacing and density limits.

G. Setbacks: For the purpose of applying setback requirements, distances shall be measured from the property line to the nearest edge of the display surface, unless otherwise noted in this chapter. (Ord. 4051, 2-19-2013)

10-23-5: **COPY REGULATIONS:** The owner of any sign which is otherwise allowed by this chapter may substitute noncommercial copy in lieu of any other commercial or noncommercial copy. The substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message. This

provision prevails over any more specific provision to the contrary. (Ord. 4051, 2-19-2013)

10-23-6: **BLANKETING OF SIGNS:** This section refers to all permanent type sign(s).

A. No signs shall be erected in the same horizontal plane with other signs unless spaced the following distances apart, measured center to center:

1. Portions of sign cabinets/structures extending outwardly from their bases or poles three feet (3') or less to either side shall be spaced at least ten feet (10') apart.

2. Portions of sign cabinets/structures extending outwardly from their bases or poles three feet (3') to four feet (4') to either side shall be spaced at least twenty feet (20') apart.

3. Portions of sign cabinets/structures extending outwardly from their bases or poles four feet (4') to six feet (6') to either side shall be spaced at least twenty five feet (25') apart.

4. Portions of sign cabinets/structures extending outwardly from their bases or poles more than six feet (6') to either side shall be spaced at least thirty feet (30') apart.

B. Any sign erected at a shorter distance apart than required above shall be erected above the top edge or below the bottom edge of the adjacent sign so as to prevent the two from sharing the same horizontal plane. (Ord. 4051, 2-19-2013)

10-23-7: **EXEMPT SIGNS:** The following signs are exempt from the provisions of this chapter, except that exempt signs shall still comply with the requirements of subsection 10-23-3D of this chapter:

A. Balloons: Balloons twelve inches (12") or less in diameter.

B. Door Or Wall Sign: One door or wall sign up to a maximum of two (2) square feet.

C. Directional Signs: Two (2) directional or instructional signs, per property, provided such signs are less than six (6) square feet in area.

D. Historical Markers: Historical markers erected or maintained by public authority or by a historical society or historical organization identifying sites, buildings, or structures of recognized historical value.

E. Decorative Signs: Holiday decorations and signs of a decorative nature, incidental and commonly associated with any national, local or religious holiday, provided vision triangles are maintained.

F. Hospitals; Public Facilities: Hospitals or city public facilities shall be allowed signage in accordance with BC zoning sign standards in this chapter even if such structures are located in a non-BC zoned district.

G. House Numbers: House and building numbers.

H. Interior Signs:

1. Nonilluminated interior signs in commercial and industrial zones including, but not limited to, signs attached to or painted on the inside of a window; provided, however that the total coverage of the window area does not exceed fifty percent (50%). Signs in the downtown districts must comply with requirements specific to their zone.

2. Illuminated interior signs intended to be viewed from the public sidewalk, street, highway, alley, plaza, park, or other similar public place; provided, however, that the sign does not flash or employ an effect, and does not exceed eight (8) square feet in display surface. Signs in the downtown districts must comply with requirements specific to their zone.

3. Nonilluminated interior signs not visible from the public right of way, public sidewalk, street, highway, or alley. Signs in the downtown districts must comply with requirements specific to their zone.

I. Murals; Public Works Of Art: Murals and public works of art as defined in section 10-23-2 of this chapter.

J. Traffic Control Signs: Official traffic control signs, to include wayfinding signs.

K. Building Identification: Permanent building plaques, cornerstones, nameplates, and similar building identifications, one nonilluminated or externally illuminated sign not exceeding one square foot in area.

L. Signs Required By Law: Signs required to be erected by public officers pursuant to law or by order of the court.

M. Certain Flags: United States and government flags.

N. Temporary Signs: Temporary signs authorized by use within City parks or on City owned property. (Ord. 4051, 2-19-2013)

10-23-8: **PROHIBITED SIGNS:** The following signs are prohibited:

A. Public Or Moral Nuisance: Any sign which creates a public nuisance due to statements, words, or pictures of defamation, obscene, lewd or pornographic nature, perjury, criminal conspiracies, threatening life, violent or destructive acts, deceptive commercial speech, or which depicts or describes patently offensive representations or descriptions in accordance with Idaho State Statute, title 52, chapter 1.

B. Hazardous Or Unsafe Signs: Any sign that, in the opinion of the building official, Planning Director, engineer or traffic officer, creates a hazard to vehicular or pedestrian traffic or a hazard to the public in general, including, but not limited to, the following reasons:

1. Design and construction.

2. Signs which by reason of their size, location, movement, content, coloring or manner of illumination may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or radio equipment vehicle, or signs which obstruct the visibility of any traffic or street sign or signal device.

3. Location which creates a vehicular or pedestrian hazard.

4. Any sign that emits any sound, odor or visible matter.

5. Any signs within the clear vision triangle.

6. Any sign not maintained in a safe condition.

C. Abandoned Signs: Signs located on property which becomes vacant and unoccupied for a period of ninety (90) days or more, or any sign which pertains to a time, event or purpose which no longer applies.

D. Unsightly Signs: Any sign which is in whole or in part weak, unsafe or constructed of broken, unsightly, inferior or old, worn material.

E. Signs In Right-Of-Way: Any sign, poster, placard, sticker, banner or other device as listed within this chapter that is fixed or otherwise placed upon any public sidewalk, crosswalk, median strip, curb, lamppost, hydrant, tree, utility pole, or any fixture of the traffic control, fire alarm or police alarm system, to include snipe signs.

F. Animated Signs: Except as specifically provided in section 10-23-20 of this chapter.

G. Wind Signs: Wind signs.

H. Car Window Flags: Except on the front row of vehicles which are adjacent to the street frontage at a car sales lot only, so long as the flags do not exceed two (2) square feet.

I. Illegal Signs: Any sign that employs a structure, material, illumination, size, or placement not specifically allowed under this chapter, unless the sign is a lawfully established nonconforming sign.

J. "Billboard Type" Outdoor Advertising Signs:

1. Not Allowed: New "billboard type" signs shall not be allowed.

2. Existing Signs: Existing "billboard type" signs already located within City limits prior to the effective date hereof or subsequently annexed into the City after the effective date hereof may be relocated to new sites within City limits. Application for a sign permit must be filed for relocation of a billboard. (Ord. 4051, 2-19-2013)

3. Relocation Requirements: In order to relocate a billboard within the City, application shall first be made to the Planning and Zoning Department. A relocated billboard must meet/comply with requirements listed in this chapter in order to be allowed. Not more than one billboard sign shall be allowed per property. Minimum spacing between billboard signs on the same side of a right-of-way shall be no less than one thousand (1,000) linear feet, measured along the centerline of the roadway. Minimum spacing between a billboard sign on the other side of a right-of-way from another such sign shall be no less than three hundred (300) linear feet, measured along the centerline of the right-of-way. No grouping of signs on a single pole shall be allowed. If a proposal for relocation of a billboard sign is

deemed to meet applicable codes, the City shall permit relocation of the sign.

4. Painted Billboard Signs: The allowance to relocate billboards shall not be deemed or construed to permit painted billboard signs existing along Interstate 84 prior to the effective date hereof to be moved to other parts of the City away from the interstate.

5. Abandonment: If a billboard is removed from a property, and it is nether relocated (nor is an application for its relocation filed) within thirty (30) days, the right to maintain said billboard will be deemed abandoned.

6. Other Advertising Signs: Other types of outdoor advertising signs are permitted in accordance with this chapter. (Ord. 4428, 4-15-2019)

K. Temporary Signs In Lieu Of Permanent Wall Signage: Temporary signs in lieu of permanent wall signage. (Ord. 4051, 2-19-2013)

10-23-9: SIGN PERMITS:

A. Applicability: Except as otherwise provided in this chapter, it shall be unlawful for any person to erect, move, construct, alter or enlarge any sign without first obtaining a sign permit. A separate permit shall be required for each group of signs on a single supporting structure. In addition, electrical permits shall be obtained for electric signs.

B. Application For Permanent Sign Permits: Application for a sign permit shall be made upon forms furnished by the planning director and shall be accompanied by such information as may be required to ensure compliance with all appropriate laws and regulations of the city.

1. Sign applications shall be accompanied by an elevation drawing, footing design and connection details illustration set for any and all freestanding and monument signs.

2. Structural engineering calculations for any freestanding or monument signs that are over fifteen feet (15') in height shall also be required.

3. An elevation and connection specification drawing and specifications sheet shall be required for all attached wall signs.

4. Freestanding and monument signs shall be designed so as to resist a ninety (90) mile per hour wind load.

5. If work authorized under a permit has not been completed within one hundred eighty (180) days after the date of issuance, said permit shall become null and void. Permits are nontransferable.

C. Application For Temporary Sign Permits: Application for temporary signs as listed in sections 10-23-2 and 10-23-19 of this chapter shall be made upon forms furnished by the planning director and shall be accompanied by such information as may be required to ensure compliance with all appropriate laws and regulations of the city. Sign applications shall be accompanied by a site plan indicating location of such sign, an elevation drawing depicting the sign size, advertisement, connection method, and design color scheme.

D. Application For Murals Or Public Art: Application for works of art or murals shall be made upon forms furnished by the planning director and shall be accompanied by such information as may be required to ensure compliance with all appropriate laws and regulations of the

city. Applications shall be accompanied by a site plan indicating location of such mural or art, an elevation drawing depicting the size, connection method (if applicable), design color scheme, and a colored rendering of such art.

E. Criteria: An application for a sign permit shall be granted if the following criteria are met:

1. The sign meets the requirements of this chapter.

2. The sign is allowed in the zone.

3. The sign will not interfere with the use of any public right of way, other public easements, or other publicly owned property.

4. The sign conforms to all the applicable standards in this chapter.

F. Identification: A numbered identification decal shall be issued at the time of permit issuance. The decal shall be displayed on the sign to which it has been assigned. When the planning director or designated code official determines that a numbered identification decal has not been posted on a sign, the planning director or designated code official shall notify the owner of the sign in writing by certified mail that unless the numbered identification decal is posted on the sign within thirty (30) days after the date such notice is mailed, the sign shall be considered illegal. The planning director or designated code official shall initiate the necessary proceedings to secure removal of the sign.

G. Fees: Sign permit applications shall be accompanied by fees as established by council resolution.

H. Activities Exempt From Permit Requirements:

1. The following activities do not require a sign permit:

a. Changing of copy on a sign specifically designed for the use of replaceable copy. However, if this is a change of use (business), a certificate of compliance/occupancy is required from the building department.

b. Painting, repainting, cleaning, and normal maintenance and repair of a sign, where no substantial structural alteration is made. (Ord. 4051, 2-19-2013)

10-23-10: SIGN VARIANCES:

A. Applicability: Sign variances may be granted to the height and display surface standards, to increase the number of allowed signs, to allow relocation of a sign, and to allow structural alterations to a sign in accordance with chapter 24 of this title. (Ord. 4051, 2-19-2013)

10-23-11: INSPECTION; REINSPECTION:

A. The planning director and his duly authorized representatives are authorized and directed to enforce all the provisions of this chapter and for such purposes shall have the powers of law enforcement officers.

B. The director or the director's designee may inspect, at any time he/she deems necessary, any sign regulated by this chapter to ensure that such sign conforms to this chapter and all other ordinances of the city.

C. A footing inspection is required prior to the pouring of any concrete or covering of any footing. All requests for such footing inspection shall be made directly to the building department.

D. It is the responsibility of the sign contractor and/or sign permit applicant to ensure that full compliance is met with all requirements of this chapter. Failure to comply may result in the removal, replacement and/or alteration of the noncompliant sign at the sole expense of the contractor and/or sign permit applicant.

E. Upon presentation of proper credentials, enforcement officers may enter at reasonable times any building, structure or premises in the city to make inspection of a sign, its structural and electrical connections and to ensure compliance with any of the provisions of this chapter, including repair or structural alteration for safety of signs which present a hazard to the public. (Ord. 4051, 2-19-2013)

10-23-12: MATERIALS:

A. Except as otherwise specified in this section, materials used for construction of signs shall be of the quality and grade specified for

buildings and structures pursuant to the currently adopted building code.

B. Except for lamps, tubes, bulbs, or neon tubing, no glass shall be used in the display surface of any sign.

C. Roof signs, wall signs, projecting signs, and hanging signs shall be constructed of noncombustible materials, except for nonstructural trim, display surfaces, and cutouts which may be constructed of wood, metal, approved plastics, or any combination thereof.

D. Except as provided in subsection E of this section, only metal and approved plastics shall be used in construction of electronic display signs, internally illuminated signs, and externally illuminated signs.

E. Combustible materials for covering or ornamenting a sign structure may be used for electronic display signs, internally illuminated signs, and externally illuminated signs, provided that no load bearing member of the sign structure is constructed of combustible materials and there is no substantial fire or electrical safety hazard.

F. Freestanding pole signs shall have their poles sheathed or boxed and have material components which match the primary business building(s) finishes for the property in which the sign resides. Such coverings may include, but not be limited to: stucco, decorative metal, rock, simulated rock, and/or brick. (Ord. 4051, 2-19-2013)

10-23-13: **SIGN SUPPORTS:** Unless approval to place a sign in right of way has been obtained from the applicable government agency, sign supports shall be located on private property. (Ord. 4051, 2-19-2013)

10-23-14: **GENERAL ILLUMINATION STANDARDS:**

A. Except as otherwise provided in this section and in tables located in section 10-23-20 of this chapter, permanent signs may be externally or internally illuminated.

B. Temporary signs shall not be externally or internally illuminated.

C. No sign shall use lights or illumination that creates an unduly distracting or hazardous condition to motorist, a pedestrian, or the

general public, or that may be confused with or construed as an official traffic control device.

D. Wall signs, roof signs, and projecting signs placed on a building face that fronts a residential use may not be externally or internally illuminated. (Ord. 4051, 2-19-2013)

10-23-15: SIGNS INSTALLED OVER OR WITHIN THE RIGHT OF WAY:

A. Permanent signs and sign structures may, to a limited extent, project over or within the right of way (or future right of way where known or determined by the city engineer), provided that a right of way/ encroachment permit is obtained and that:

1. No permanent sign or sign structure shall project over or past the curb line of a public or private street where said sign is proposed to be located within fifty feet (50') of the intersection of the existing curb lines (or projected future curb lines) of two (2) intersecting streets.

2. Permanent signs proposed to be located more than fifty feet (50') away from an intersection may project over public right of way. They shall not, however, project beyond two feet (2') of a line/plane drawn perpendicularly upward from the back of an existing curb line (or a projected future curb line as determined by the city engineer), or more than six feet (6') over the public right of way in any event.

3. In order to allow any projection over the public right of way it must be determined by the city engineer that said projection shall not constitute a future traffic hazard or conflict with existing or future utilities or street signing.

4. Any signs that project over public right of way shall provide at least twelve feet (12') of clearance from a sidewalk or finished grade underneath the sign cabinet, except that the bottom of a marquee or awning may be eight feet (8') from/above the top surface of a sidewalk, or, absent a sidewalk or similar walkway, eight feet (8') over the finished grade.

5. Signs spanning over the street right of way shall be no larger than two hundred (200) square feet, and shall require special right of way permits and approval.

6. Signs spanning over the street right of way shall be at least seventeen feet (17') above the highest point of the right of way, or as directed by the public works director. (Ord. 4051, 2-19-2013)

10-23-16: **SIGNS IN VISION CLEARANCE AREAS:**

A. No sign shall be located in a vision clearance (triangle) area of an intersection of public streets, a private service drive, driveway or private street into a public street or other private service drive, driveway or private street unless a variance is granted. (Ord. 4051, 2-19-2013)

10-23-17: **SIGN MAINTENANCE:**

A. Graffiti on a sign shall be removed within five (5) days of notice of its placement on such sign. Graffiti remaining on a sign for longer shall be considered a nuisance.

B. The display upon any surface area of a sign shall be maintained in good condition, without rips, tears, or similar damage.

C. All parts, portions, units and materials composing a sign, together with the frame, background surface, support or enclosure therefor shall be maintained in a safe condition, painted, and adequately protected from weathering with all braces, bolts, and structural parts and supporting frames and fastenings reasonably free from deterioration, rot, rust, and loosening so that they do not create a hazard to persons or property or constitute an attractive nuisance.

D. Any sign or sign structure that is sagging, leaning, fallen, decayed, broken, deteriorated, faded, or in another dilapidated condition shall be promptly repaired, to the satisfaction of the city, or removed.

E. All ground area surrounding signs shall be kept free of rubbish and weeds. (Ord. 4051, 2-19-2013)

10-23-18: **SPECIFIC SIGN TYPE REQUIREMENTS:** Where such sign types as listed herein are permitted by this chapter, such signs shall meet the specific requirements. Specific requirements are in addition to and supplemental to all other requirements found in this chapter.

A. Abandoned Signs:

1. All abandoned signs shall be removed by the owner of the sign or owner of the premises within thirty (30) days of being declared an abandoned sign.

B. Awning Signs:

1. No sign shall project from an awning. Awning signs shall not project above the roofline, or be located over a public right of way without permission from the city of Nampa.

2. Awning graphics may be painted or affixed flat to the surface of the front or sides.

3. All awning signs shall count as part of the building wall signs allowances as set forth in this chapter.

C. Balloons/Inflatables:

1. Balloons/inflatables are permitted to be displayed, but in no case shall they be displayed for more than ninety (90) days in any calendar year.

2. Sign permits are required to be submitted to the planning director for approval for each separate time period balloons/inflatables are displayed.

D. Bus Stop Benches:

1. Bus stops, as designated by the regional transportation organization and authorized by the city of Nampa, may have benches with flat, poster or painted signs fastened to their back supports/rests.

2. Such signs shall not require sign permits.

3. Signs attached to bus stop benches shall be securely fastened and kept clear of graffiti.

4. Movable, temporary, prohibited or other similar type signs shall not be chained, tied, propped upon or otherwise affixed to benches.

5. Bus stop benches may be located on private residentially zoned U or GB2 zoned properties; or private properties zoned commercially or industrially even if said properties in those zones already have

preexisting, freestanding signs located on them along/in the same street frontage yard area as a/the newly proposed bus bench location(s).

6. Bus stop benches with signage affixed thereto shall not be placed on properties zoned DH, DV, or DB (but bus benches without signage may be placed therein).

E. Construction Signs:

1. Construction signs are permitted in the BC, BF, BN, IH, IL, IP, RMH, U, and GB zoning districts only.

2. Temporary signs, such as: banners, flags, reader boards, A-frames and similar shall not be used as construction signs.

3. Display surface areas shall not be more than fifty (50) square feet. Signs having a display area in excess of fifty (50) square feet may be approved by the planning director or designated staff representative based on criteria, such as: location of signage, size of construction site/parcel, and/or special circumstances as determined.

4. All other requirements shall be as required for permanent monument and freestanding signs, such as, but not be limited to, height, material, location, etc.

5. Signs shall not be placed on a site more than sixty (60) days prior to the start of construction, are confined to the site of construction, and need to be removed not more than thirty (30) days after occupancy.

F. Electronic Changing Or Flashing Signs (Including Message Centers): Electronic message center and display signs that are changing or flashing types shall be allowed in all commercial (including gateway), industrial, residential professional, and university zones, and on church, school or professional office sites, except they are not permitted within the DH zone. When permitted, all signs shall comply with the following restrictions:

1. Signs that are proposed to feature electronic reader board message centers: The electronic display/message center portion of a freestanding pole or monument sign shall not exceed forty five percent (45%) of the sign's overall area and shall be made an integral part thereof.

2. The display/message of an electronic reader board sign shall remain static for at least one and one-half ($1^1/_2$) seconds. The display of a changing LED type billboard sign shall remain static for at least eight (8) seconds.

3. The display of any electronic sign shall not, or shall not appear to, flash, undulate, pulse or portray explosions, fireworks, flashes of light, or blinking or chasing lights; the display shall not appear to move toward or away from the viewer, expand or contract, bounce, rotate, spin, twist, or otherwise portray movement or animation as it comes onto, is displayed on, or leaves the sign board.

4. Scrolling or traveling of a static display onto an electronic reader board sign from one direction only per display shall be allowed. A change of display must not take longer than one and one-half ($1^1/_2$) seconds to accomplish in the case of LED billboards and such signs shall also feature a default, static image that will be displayed in the event of malfunction or absence of advertiser paid messages.

5. The display may be of a classic nature having a dark background and copy lit in a white, amber or red shade and/or may be full color.

6. All electronic reader board signs shall have installed ambient light monitors and shall at all times allow such monitors to automatically adjust the brightness level of the electronic sign based on ambient light conditions so as to minimize and keep consistent sign brightness. Direct light sources shall not, in any event, exceed forty (40) watts or sixty (60) milliamps. Full color LED billboards featuring full color display shall not exceed seven thousand (7,000) nits between seven o'clock (7:00) A.M. to eleven o'clock (11:00) P.M. and two thousand five hundred (2,500) nits from eleven o'clock (11:00) P.M. to seven o'clock (7:00) A.M.

7. At no time shall the sign be operated at a brightness level greater than the manufacturer's recommended levels.

8. Electronic signs shall not be allowed within or in association with any dwelling or home occupation.

9. Businesses, churches or schools are allowed electronic reader board type signs provided that they comply with the standards of this section.

10. Electronic sign permit applications must also include a certification from the owner or operator of the sign stating that the sign shall

at all times be operated in accordance with city codes and that the owner or operator shall provide proof of such conformance upon request of the city.

11. Electronic displays may not depict, describe, exhibit, or feature any image or message that is a moral nuisance or obscene per state code.

G. Electrical Signs:

1. The enclosed shell of electric signs shall be watertight, except that service holes fitted with covers shall be provided into each compartment of such signs. Electrical equipment shall be installed in accordance with the current edition of the national electrical code. Every electrical sign projecting over any street or alley or public place shall have inscribed on the surface of the sign: the name of the sign erector, the listing label, and the date of manufacture.

H. Freestanding Signs: All freestanding pole and monument signs shall conform to the requirements as listed herein:

1. Structure:

a. A freestanding sign shall be directly supported by poles or a foundation, and shall be constructed in accordance with the sign installation details for foundation and connections. Signs exceeding fifteen feet (15') in height are required to have structural engineering calculations for the foundation, pole connections, and cabinet connections.

b. Foundations for all freestanding signs must be entirely within the property line boundaries.

c. Site address or range of addresses, as required, shall be included on the main freestanding sign/monument sign. When the freestanding sign/monument sign is located on a corner street or faces a street frontage in which the street is not part of the legal address, the location of the address on the sign shall be determined by the city of Nampa. Address shall be delineated with a minimum of ten inch (10") numbers and shall not be counted as part of the allowable sign or copy area. Building mounted addresses shall be provided as required by the city of Nampa fire official.

d. Freestanding pole signs shall have their poles sheathed or boxed and have material components which match the primary busi-

ness building(s) finishes for the property in which the sign resides. Such coverings may include, but not be limited to: stucco, decorative metal, rock, simulated rock, and/or brick.

I. Hanging Signs:

1. Hanging signs shall have a vertical clearance of at least twelve feet (12') from a sidewalk or finished grade underneath the sign, except that the bottom of a marquee or awning may be eight feet (8') from/above the top surface of a sidewalk, or, absent a sidewalk or similar walkway, eight feet (8') over the finished grade.

2. The display surface of a hanging sign shall not exceed six (6) square feet.

J. Interstate And Highway Signs:

1. Signs along interstate and primary highways shall conform to federal and state transportation department regulations as well as city standards. Notwithstanding, applicants are responsible for ensuring their compliance with any federal or state regulations as the city will not evaluate signs in accordance with those entities' rules.

K. Marquee Signs:

1. Marquee signs may be placed on, attached to, or constructed as part of a marquee.

2. A minimum of twelve feet (12') of clearance is required to the sidewalk or finished grade underneath the sign cabinet, except that the bottom of a marquee or awning may be eight feet (8') from/above the top surface of a sidewalk, or, absent a sidewalk or similar walkway, eight feet (8') over the finished grade.

3. Such signs shall, for the purpose of determining projection, clearance, height and material, be considered a part of and shall meet the requirements for a marquee as specified in the most current adopted international building code.

L. Nonconforming And Conditional Uses:

1. Sign structures for nonconforming uses shall not be erected, enlarged, altered or relocated, except by a conditional use permit. The application for the CUP must be accompanied by a pictorial sketch of the sign, showing the type of sign, material, lighting,

setback, clearance and overhang. Prior to the approval of the CUP, the commission must make a determination that the proposed sign will not detract from the general area where it is located.

M. Pole Banners:

1. There is/shall be no limit to the number of pole banners which are located on private property so long as such pole banners are installed in compliance with the following:

a. Pole banners are permitted on light poles, which are located on private property. Such pole banners must be attached by the appropriate brackets supplied by the manufacturer, and secured across the top and bottom;

b. Pole banners shall not exceed fifteen (15) square feet;

c. A minimum clearance of eight feet (8') shall be maintained between the bottom of the pole banner and the finished grade;

d. Pole banners may be permitted on city owned light poles with the expressed written consent of the city of Nampa.

N. Projecting Signs:

1. A minimum of twelve feet (12') of clearance is required to the sidewalk or finished grade underneath the sign cabinet, except that the bottom of a marquee or awning may be eight feet (8') from/above the top surface of a sidewalk, or, absent a sidewalk or similar walk-way, eight feet (8') over the finished grade.

2. The maximum projection of a projecting sign shall not exceed four feet (4') from the building, however, that, where a projecting sign is located on a corner, the maximum projection is five feet (5').

3. Shall not extend beyond the top of the wall on which it is placed.

4. Only one projecting sign shall be allowed per business. A double sided projecting sign is counted as one so long as the two (2) sign faces are part of the same structural bracing system.

5. Projecting signs shall count as part of the building wall sign allowances as set forth in this chapter.

O. Reader Board Signs (Permanent):

1. Reader boards five feet (5') or less in height will be considered as monument type reader board signs. Reader boards greater than five feet (5') in height will be considered as freestanding pole type reader boards.

2. Permanent monument type reader boards are permitted; however, such sign shall count against the number and square footage allowed for monument type signage.

3. Monument type reader boards shall meet all of the same requirements as specified for a monument type sign.

4. Permanent freestanding pole type reader boards are permitted; however, such sign shall count against the number and square footage allowed for freestanding type signage.

5. Freestanding pole type reader boards shall meet all of the same requirements as specified for a freestanding sign.

6. Permanent reader board type signs shall be of the nonilluminated type.

P. Roof Signs: Roof signs, where permitted, shall conform to the following:

1. Roof signs shall not exceed the highest point of a roof or parapet wall and shall not project farther than eighteen inches (18") from the building.

2. Roof signs shall be thoroughly secured and anchored to the frame of the building over which they are constructed and erected.

Q. Searchlights, Hot Air Or Helium Balloons:

1. Searchlights, hot air or helium balloons greater than ten feet (10') in their widest dimension, or other devices determined to be similar, which do not advertise, but which are intended to provide direction or attraction are subject to the following:

a. No searchlight beam shall flash against any building, cause any visual or traffic hazard, sweep an arc greater than forty five degrees (45°) from vertical and the searchlight shall be set back at least thirty feet (30') from any public right of way.

b. No searchlight or balloon shall be used by a new or existing business or enterprise more than four (4) times yearly, and for no more than a maximum period of fifteen (15) consecutive days.

c. Sign permits are required to be submitted to the planning director for approval each separate time period a searchlight or balloon is utilized.

R. Wall Signs:

1. Wall signs shall not extend above the top of the wall to which it is attached.

2. Wall signs shall be attached flat against the wall and project no farther than eighteen inches (18") from the building.

S. Business Complex, Commercial Shopping Center, Mall, Apartment Complex, And Residential Sign Program(s):

1. Comprehensive Sign Program: All business parks, commercial shopping centers, special purpose centers, malls, single-family residential subdivisions and residential apartment complexes shall create a detailed sign program to govern sign type and emplacement in their respective developments. Owners/developers of such complexes shall submit to the city a sign application package describing and illustrating their sign program. The sign package shall include the following elements (as pertaining to all uses and tenants):

a. Identification of the colors and materials to be used for all signage in the development. (The colors and materials shall be consistent with those used/proposed for the applicable development.)

b. Details regarding the proposed method of mounting signs; supporting structures and illumination shall be delineated. (Each sign program shall utilize consistent sign construction techniques, mounting mechanisms and methods of illumination.)

c. Intended sign location(s), copy and logo height and dimensions.

2. Sign Program In Addition To Sign Permits: Approval of a planned sign program does not waive the requirement to obtain sign permits for individual signs or sign structures. In cases of sites that have no preapproved sign program, all signs shall be regulated in confor-

mance with all other sections of this code until such time as a planned sign program is submitted, reviewed and approved.

3. Placement Standards: The/any principal park, center, mall, subdivision or apartment complex advertising sign(s) shall:

a. Be placed as near as possible to the main service drive(s) providing principal access to the center without being set in a vision triangle.

b. Not be placed in nor overhang public right of way notwithstanding section 10-23-15 of this chapter.

c. Be placed on any lease space or lot that is part of the development to which the sign directly pertains (and thereby not be considered as "off premises" and thus allowable only via issuance of a variance permit).

4. Center Freestanding Sign(s) Dimensions: Maximum area, height and number allowed standards for primary freestanding center signs shall be the same as for freestanding pole or monument signs allowed in the same zone as listed in tables located in section 10-23-20 of this chapter.

5. Additional Freestanding Signage: In addition to a center sign, a freestanding sign for each (separate) building within the center is permitted, provided that the same is a monument style sign measuring eight feet (8') or less in height and sixty four (64) square feet or less in area.

6. Directory Signage: Wall directory signs, for listing all tenants who have offices/businesses within a center, shall be permitted as a standard wall sign or may be allowed as separate freestanding sign from any center sign provided that:

a. Only one such sign shall be allowed per street frontage of the center unless the center has more than five hundred feet (500') of continuous frontage in which case another such sign may be allowed provided it is placed at least three hundred feet (300') away from the other tenant sign.

b. The directory sign(s) do/does not exceed thirty two (32) square feet in area and eight feet (8') in height, or, if in a vision clearance triangle three feet (3') in height.

7. Wall Signage: Each individual business within a center shall be permitted to have wall signage in accordance with tables located in section 10-23-20 of this chapter.

8. Sign Design(s): Center signs shall incorporate materials, colors and a design motif that is compatible with and complements the architectural theme and style of the complex which the sign serves to identify/advertise.

9. Temporary Signs: All temporary signs shall comply with section 10-23-19 of this chapter; however, such temporary signs may be placed as near as possible to each main service drive(s) where it intersects with a public street that provides access to but does not vector through a shopping center (providing principal access to the center without being set in a vision triangle).

10. Binding Effect: After approval of a planned sign program, no signs shall be constructed except in conformance with such plan. Upon approval, the sign program shall apply to all tenants. This planned sign program shall be included in the lease for each individual tenant. Proof of said inclusions shall be submitted to the planning department by the lessor. (Ord. 4123, 7-7-2014)

10-23-19: DISTRICT TEMPORARY SIGN ALLOWANCES:

A. Zone Temporary Sign Provisions: It is unlawful for any person to erect or install a sign having a size or height greater than allowed by the following tables or found in other sections of this chapter (including bus benches with signage thereon) located on the site or in a zoning use district in violation of the controls specified in this section/tables. (Ord. 4070, 10-7-2013)

B. Certain Temporary Signs Prohibited: If a sign type is desired in a zone but is not recognized/listed in the tables (e.g., a roof sign in the BC or GB zone) then it is not, and shall not, be allowed. For additional regulations governing the DB, DV and DH districts, refer to subsections 10-15-4J, 10-15-5J and 10-15-6F of this title respectively. (Ord. 4159, 1-20-2015)

C. Standards Supplemental: The standards in these tables and those expressed below are supplemental to those found in the remainder

of this chapter (e.g., blanketing of signs, signs installed over or within public right of way, signs in vision clearance areas, specific sign type requirements, permitting requirements, and temporary signs) and also in certain sections of chapter 15 of this title and require variance approval to deviate from. (Ord. 4070, 10-7-2013)

D. Temporary Signs, General Standards: All temporary signs shall adhere to the size, height, and placement locations as listed within this chapter.

1. Number: A maximum of one temporary sign shall be displayed per business at any given time, except as noted in the tables, whether freestanding or on the building wall.

2. Construction And Maintenance: All temporary signs must be professionally made, be weatherproofed and kept in a state of good appearance, safety and repair. No broken, unsightly, inferior, faded, ripped, or worn materials may be utilized.

3. Support: Temporary signs shall be self-supporting so as to remain in an upright position.

4. Location:

a. All temporary signs shall be located on private property; however, no signs shall be placed within any landscaping strips that are maintained by the city of Nampa regardless if they are private property or public property.

b. Temporary signs shall not be attached to trees, shrubbery, utility poles, or like items and shall not obstruct or obscure permanent signs on adjacent premises.

c. No temporary sign shall be erected or maintained which, by reason of its size, location, or construction constitutes a hazard to the public by impeding the vision of pedestrian or vehicular traffic, placed in/on the streets or other public rights of way, or placed within the vision clearance area. See chapter 15 of this title for downtown district allowances.

5. Freestanding Banners: Freestanding banners shall be adequately fastened at all four (4) corners to post/poles at each end of the banner, and pulled taut. Such poles/posts shall be securely embedded into the ground a minimum depth of twelve inches (12").

6. Wall Banners: Wall banners shall be securely fastened on all four (4) corners and at midway points along the top and bottom of the banner for the entire length.

7. Spacing: All temporary signs shall be spaced a minimum of five feet (5') away from any other temporary or permanent sign, except for fence banners, which shall be spaced a minimum of ten feet (10') from any other temporary or permanent sign.

8. Compliance Time Line: All temporary signs must be in compliance with this code within sixty (60) days of the effective date hereof.

E. Temporary Signs In Residential Zones: The following temporary signs are allowed in the suburban residential (RA), two-family residential (RD), multi-family residential (RMH), limited multi-family residential (RML), residential (RS 6), (RS 7), (RS 8.5), (RS 12), (RS 15), (RS 18) and (RS 22), university (U), and the planned unit development (PUD) zones. Temporary signs shall conform to the number, height, location, and display surface limitations as provided in table 10-23-19(A) of this section, and this chapter.

1. Subdivisions: Properties which have received subdivision approval may, from the date of recording of the final plat until such time as a building permit is issued for the last lot or parcel to be sold, have temporary signs in accordance with table 10-23-19(A) of this section.

TABLE 10-23-19(A)
TEMPORARY SIGNS IN RESIDENTIAL ZONES; BY TYPE/ZONE/LAND USE

Permitted Zones And Land Uses	Type Of Temporary Sign	Number Allowed	Maximum Height Of Sign Above Grade	Display Surface Area Limitation[1]	Location/Setback
All residential zones	Lawn[3]	1 per property	30"[3]	2 sq. ft.[3]	
Multi-family, 3 units and greater	Wall banner on each building	1 per building	n/a	12 sq. ft.	Building wall
Subdivisions[2]	Lawn	1 per 100 linear feet of street frontage	4'	6 sq. ft.[4]	Minimum of 10' from the edge of asphalt/street
Subdivisions[2]	Movable:	1 per 100 linear feet of street frontage			Minimum of 15' from the edge of asphalt/street
	Horizontal banners		5'	12 sq. ft.	
	Vertical banners		8'	12 sq. ft.	
	All other		4'	12 sq. ft.	
Subdivisions[2]	Flags on poles without foundation	1 per 100 linear feet of street frontage	10'	15 sq. ft.	Minimum of 15' from edge of asphalt/street

Notes:

1. Temporary signs shall be spaced a minimum of 5 feet from any other temporary or permanent sign. Temporary signs on fences may be spaced a minimum of 10 feet from any other temporary or permanent sign.
2. Temporary signs for subdivisions refers to signage located at the entrance to subdivisions or to model homes.

10-23-19

Notes (cont.)

3. During the period of time when realty is offered for sale, lease or exchange, the sign shall not exceed 3 square feet and shall not exceed a maximum height of 3 feet.
4. See section 10-23-18 of this chapter for signs utilized during construction. Signs utilized as construction signs can be temporary monument and/or freestanding signs.

F. Temporary Signs In Commercial/Industrial Zones: The following temporary signs are allowed in the community business (BC), freeway business (BF), neighborhood business (BN), downtown business (DB), downtown village (DV), downtown historic (DH), heavy industrial (IH), light industrial (IL), and industrial park (IP). Temporary signs shall conform to the number, height, location, and display surface limitations as provided in table 10-23-19(B) of this section. (Ord. 4051, 2-19-2013; amd. Ord. 4070, 10-7-2013)

10-23-19

TABLE 10-23-19(B)
TEMPORARY SIGNS IN COMMERCIAL/INDUSTRIAL ZONES, BY TYPE AND ZONE/LAND USE[2]

Permitted Zones And Land Uses	Type Of Sign	Number Allowed	Height Above Grade	Display Surface Area Limitation[1,6]	Location And Minimum Setback[2,3]	Permit Required
All zones, except DH, DB and DV	Lawn	1 per business	30"[5]	2 sq. ft.[5]		No
	Movable, Sidewalk And Temporary Sign Displays:					
All zones, except DH, DB and DV	Horizontal banners	1 per business[1]	5'	12, 18, 24 or 40 sq. ft.		No
Event centers	Horizontal banners	1 per event[4]	5'	12, 18, 24 or 40 sq. ft.		No
All zones, except DH, DB and DV	Vertical banners	1 per business[1]	8'	12 sq. ft.		No
All zones, except DH, DB and DV	Fence banners	1 per business[1]	n/a	12 sq. ft.	Spaced 10' apart	No
All zones, except DH, DB and DV	Wall banners	1 per business	n/a	Counts toward wall signage allowance	On tenant space building wall	Yes
All zones, except DH, DB and DV	Flags on poles with permanent engineered foundation	1 per business[1]	Based on structural calculations	Based on structural calculations		Yes

10-23-19

Permitted Zones And Land Uses	Type Of Sign	Number Allowed	Height Above Grade	Display Surface Area Limitation[1,6]	Location And Minimum Setback[2,3]	Permit Required
All zones	Pole banners	2 per pole	n/a	15 sq. ft.	On private property	No
All zones, except DH, DB and DV	Flags on poles without foundation	1 per business	Not greater than height of building	15 sq. ft.		No
All zones, except DH, DB and DV	Searchlights, hot air or helium balloons >10' wide	1 per business			30' from any public right of way	Yes
All zones, except DH, DB and DV	Balloons or inflatables	1 per business				Yes
All zones	A-frames, chalk-board, and reader boards	1 per business	5'	12 sq. ft.[7]		No[7]
All zones	Construction	1 or more up to maximum size		50 sq. ft.		No

Notes:

1. Parcels that contain a single occupancy/tenant business may have 1 sign for each 50 linear feet of street frontage, spaced accordingly.
2. Temporary signs shall be spaced a minimum of 5 feet from any other temporary or permanent sign. Temporary signs on fences may be spaced a minimum of 10 feet from any other temporary or permanent sign.
3. A-frames, chalkboard signs and reader board signs may be located on the sidewalks within the downtown zones in accordance with chapter 15 of this title.

10-23-19

Notes (cont.)

4. Banners can be put up 2 weeks prior to the event and must be taken down within 3 days following the event.
5. During the period of time when realty is offered for sale, lease or exchange, the sign shall not exceed 6 square feet for properties up to 1 acre in size, or 12 square feet for properties greater than 1 acre, and the distance from the ground to the top of the sign shall not exceed 4 feet.
6. See section 10-23-18 of this chapter for signs utilized during construction. Signs utilized as construction signs can be temporary monument and/or freestanding signs.
7. Reader boards greater than 12 square feet are permitted so long as:
   a. The sign is utilized for a special temporary event.
   b. A temporary sign permit is obtained.
   c. The time frame does not exceed 30 days.
   d. The sign does not exceed 32 square feet.

(Ord. 4051, 2-19-2013; amd. Ord. 4070, 10-7-2013; Ord. 4159, 1-20-2015)

10-23-20: DISTRICT PERMANENT SIGN ALLOWANCES:

A. It is unlawful for any person to erect or install a sign having a size, quantity or height greater than allowed by the following tables or found in other sections of this chapter (including bus benches with signage thereon) located on the site or in a zoning use district in violation of the controls specified in this section/tables unless a variance permit is first obtained by authorization of the City Council.

B. If a permanent sign type is desired in a zone but is not recognized/ listed in the tables (e.g., a roof sign in the GB Zone) then it shall not be allowed, save by issuance of a conditional use permit in accordance with standards set forth in subsection 10-25-4B of this title. For additional regulations governing the DB, DV and DH Districts, refer to subsections 10-15-4J, 10-15-5J and 10-15-6F of this title respectively. (Ord. 4159, 1-20-2015)

C. The standards in these tables and those expressed below are supplemental to those found in the remainder of this chapter (e.g., blanketing of signs, signs installed over or within public right-of-way, signs in vision clearance areas, specific sign type requirements, permitting requirements, and temporary signs) and also in certain sections of chapter 15 of this title and require variance approval to deviate from. (Ord. 4340, 9-18-2017)

10-23-20

TABLE 10-23-20(A)
PERMANENT SIGNS PERMITTED IN THE AG ZONE[1]

Type Of Sign	Number Allowed	Maximum Allowable Height Above Grade	Maximum Display Surface Area Per Establishment	Spacing And Location[1]	Illumination[2]
Freestanding pole or monument	1	40'	20 sq. ft.		
Nameplate type sign	1	n/a	2 sq. ft.		Not allowed

Notes:
1. If not noted, see section 10-23-3 of this chapter for general provisions and section 10-23-7 of this chapter for exemptions.
2. Not to be confused with or construed as the presence of an electronic reader board message center component in a sign.

(Ord. 4051, 2-19-2013; amd. Ord. 4159, 1-20-2015)

TABLE 10-23-20(B)
PERMANENT SIGNS PERMITTED IN THE BC/BF ZONES[1]

Type Of Sign	Number Allowed	Maximum Allowable Height Above Grade	Maximum Display Surface Area Per Establishment	Spacing And Location[1]	Illumination[4]
Freestanding pole, monument or projecting[2]	1 per street[3]	25'	$1^1/_2$ sq. ft. per linear foot of street frontage or 200 sq. ft. maximum, whichever is more restrictive		Indirect, internal
Freestanding billboard	1 per street	40'	312 sq. ft. maximum		Indirect, internal
Freestanding billboard	1 per lot	40'	672 sq. ft. maximum	Only if oriented to, and on property abutting, I-84	Indirect, internal
Wall or marquee	1 or more[2]	5' above building	25% of building or tenant wall space (as pertinent)		Indirect, internal

Notes:
1. If not noted, see section 10-23-3 of this chapter for general provisions and section 10-23-7 of this chapter for exemptions.
2. The combined maximum sign area for these signs shall not exceed the total area allowed.
3. 1 additional sign per street may be allowed when street frontage exceeds 500 feet and signs are at least 300 feet apart.
4. Not to be confused with or construed as the presence of an electronic reader board message center component in a sign.

(Ord. 4340, 9-18-2017)

10-23-20

TABLE 10-23-20(C)
PERMANENT SIGNS PERMITTED IN THE BN/DB/DV ZONES[1]
Refer also to special sign provisions in subsections 10-15-4J and 10-15-5J of this title

Type Of Sign	Number Allowed	Maximum Allowable Height Above Grade	Maximum Display Surface Area Per Establishment	Spacing And Location[1]	Illumination[4]
Freestanding pole, monument or projecting	1 per street[3]	25'	1 sq. ft. per linear foot of street frontage or 100 sq. ft. maximum, whichever is more restrictive		Indirect, internal
Wall or marquee[2]	1 or more[2]	5' above building	15% of building or tenant wall space (as pertinent)		Indirect, internal

Notes:
1. If not noted, see section 10-23-3 of this chapter for general provisions and section 10-23-7 of this chapter for exemptions.
2. The combined maximum sign area for these signs shall not exceed the total area.
3. 1 additional sign per street may be allowed when street frontage exceeds 500 feet and signs are at least 300 feet apart.
4. Not to be confused with or construed as the presence of an electronic reader board message center component in a sign.

TABLE 10-23-20(D)
PERMANENT SIGNS PERMITTED IN THE DH ZONES[1]
Refer also to special sign provisions in section 10-15-6 of this title

Type Of Sign	Number Allowed	Maximum Allowable Height Above Grade	Maximum Display Surface Area Per Establishment	Spacing And Location[1]	Illumination[4]
Freestanding pole or monument	1 per street[3]	20'	1 sq. ft. per linear foot of street frontage or 40 sq. ft. maximum, whichever is more restrictive		Indirect or opaque faced internal
Projecting, wall or marquee[2]	1 or more[2]	No taller than building	1 sq. ft. per linear foot of building or tenant wall length frontage (as pertinent) or 100 sq. ft., whichever is more restrictive		Indirect or opaque faced internal

Notes:
1. If not noted, see section 10-23-3 of this chapter for general provisions and section 10-23-7 of this chapter for exemptions.
2. The combined maximum sign area for these signs shall not exceed the total area.
3. 1 additional sign per street may be allowed when street frontage exceeds 500 feet and signs are at least 300 feet apart.
4. Not to be confused with or construed as the presence of an electronic reader board message center component in a sign.

(Ord. 4051, 2-19-2013; amd. Ord. 4159, 1-20-2015)

TABLE 10-23-20(E)
PERMANENT SIGNS PERMITTED IN THE GB1/GB2/GBE ZONES[1]

Type Of Sign	Number Allowed	Maximum Allowable Height Above Grade	Maximum Display Surface Area Per Establishment	Spacing And Location[1]	Illumination[3]
Freestanding pole, monument or projecting	1 per street frontage	25'	$1^1/_2$ sq. ft. per linear foot of street frontage or 200 sq. ft. maximum, whichever is more restrictive		Indirect or internal, or direct
Freestanding pole, monument or projecting	1 per street frontage	70'	$1^1/_2$ sq. ft. per linear foot of street frontage or 300 sq. ft. maximum, whichever is more restrictive	Only if oriented to, and on property abutting, I-84	Indirect or internal, or direct
Wall, marquee, canopy or awning	1 or more[2]	1' above building for single story; 5' for buildings >30'	20% of building or tenant wall (as pertinent)		Indirect or internal for wall; also direct for others

Notes:
1. If not noted, see section 10-23-3 of this chapter for general provisions and section 10-23-7 of this chapter for exemptions.
2. The combined maximum sign area for these signs shall not exceed the total area.
3. Not to be confused with or construed as the presence of an electronic reader board message center component in a sign.

(Ord. 4282, 9-19-2016; amd. Ord. 4428, 4-15-2019)

TABLE 10-23-20(F)
PERMANENT SIGNS PERMITTED IN THE IL/IH ZONES[1]

Type Of Sign	Number Allowed	Maximum Allowable Height Above Grade	Maximum Display Surface Area Per Establishment	Spacing And Location[1]	Illumination[4]
Freestanding pole, monument, projecting, or roof[2]	1 per street[3]	40'	$1^1/_2$ sq. ft. per linear foot of street frontage or 300 sq. ft. maximum, whichever is more restrictive		Indirect or internal
Freestanding pole, monument, projecting or billboard[2]	1 per street[3]	40'	400 sq. ft. maximum		Indirect or internal
Freestanding pole, billboard	1 per lot	40'	672 sq. ft. maximum	Only if oriented to, and on property abutting, I-84	Indirect or internal
Wall or marquee	1 or more up to maximum square feet allowed[2]	5' above building	25% of building or tenant wall (as pertinent)		Indirect or internal

Notes:
1. If not noted, see section 10-23-3 of this chapter for general provisions and section 10-23-7 of this chapter for exemptions.
2. The combined maximum sign area for these signs shall not exceed the total area.
3. 1 additional sign per street may be allowed when street frontage exceeds 500 feet and signs are at least 300 feet apart.
4. Not to be confused with or construed as the presence of an electronic reader board message center component in a sign.

(Ord. 4282, 9-19-2016)

TABLE 10-23-20(G)
PERMANENT SIGNS PERMITTED IN THE IP ZONES[1]

Type Of Sign	Number Allowed	Maximum Allowable Height Above Grade	Maximum Display Surface Area Per Establishment	Spacing And Location[1]	Illumination[4]
Freestanding pole, monument, projecting, or roof[2]	1 per street[3]	40'	$1^1/_2$ sq. ft. per linear foot of street frontage or 300 sq. ft. maximum, whichever is more restrictive		Indirect or internal
Freestanding pole, monument, projecting or billboard[2]	1 per street[3]	40'	400 sq. ft. maximum		Indirect or internal
Wall or marquee	1 or more up to maximum square feet allowed[2]	5' above building	25% of building or tenant wall (as pertinent)		Indirect or internal

Notes:
1. If not noted, see section 10-23-3 of this chapter for general provisions and section 10-23-7 of this chapter for exemptions.
2. The combined maximum sign area for these signs shall not exceed the total area.
3. 1 additional sign per street may be allowed when street frontage exceeds 500 feet and signs are at least 300 feet apart.
4. Not to be confused with or construed as the presence of an electronic reader board message center component in a sign.

(Ord. 4178, 5-18-2015; amd. Ord. 4282, 9-19-2016)

10-23-20

TABLE 10-23-20(H)
PERMANENT SIGNS PERMITTED IN THE RML ZONES[1]

Type Of Land Use	Type Of Sign	Number Allowed	Maximum Allowable Height Above Grade	Maximum Display Surface Area	Illumination[3]
Private or public elementary or secondary school	Freestanding pole or monument	1 per street frontage	25'	150 sq. ft. maximum	Indirect or internal
	Wall	1 or more up to maximum[2]		15% of building wall that faces a street	Indirect or internal
Apartment project	Freestanding pole or monument	1 per street frontage	8'	64 sq. ft.	Indirect or internal
Residential subdivision	Subdivision identification (e.g., monument)	1 per entry	8'	64 sq. ft.	Indirect or internal
Religious facilities	Freestanding pole or monument[2]	1 or more[2]	Not to exceed height of building	32 sq. ft.	Indirect or internal
	Wall	1 or more[2]		15% of building wall that faces a street	Indirect or internal
All other	Wall	1	n/a	2 sq. ft.	Not allowed

Notes:

1. If not noted, see section 10-23-3 of this chapter for general provisions and section 10-23-7 of this chapter for exemptions.
2. The combined maximum sign area for these signs shall not exceed the total area.
3. Not to be confused with or construed as the presence of an electronic reader board message center component in a sign.

TABLE 10-23-20(I)
PERMANENT SIGNS PERMITTED IN THE RMH ZONES[1]

Type Of Land Use	Type Of Sign	Number Allowed	Maximum Allowable Height Above Grade	Maximum Display Surface Area	Illumination[3]
Private or public elementary or secondary school	Freestanding pole or monument	1 per street frontage	25'	150 sq. ft. maximum	Indirect or internal
	Wall	1 or more up to maximum sq. ft.[2]		15% of building wall that faces a street	Indirect or internal
Apartment project	Freestanding pole or monument	1 per street frontage	8'	64 sq. ft.	Indirect or internal
Residential subdivision	Subdivision identification (e.g., monument)	1 per entry	8'	64 sq. ft.	Indirect or internal
Religious facilities	Freestanding pole or monument[2]	1 or more[2]	Not to exceed height of building	32 sq. ft.	Indirect or internal
	Wall	1 or more[2]		15% of building wall that faces a street	Indirect or internal
All other	Freestanding pole or monument (subsection 10-23-18H of this chapter)	1	8'	18 sq. ft.	Opaque faced or indirect only
	Wall	1	n/a	2 sq. ft.	Not allowed

10-23-20

Notes:

1. If not noted, see section 10-23-3 of this chapter for general provisions and section 10-23-7 of this chapter for exemptions.
2. The combined maximum sign area for these signs shall not exceed the total area.
3. Not to be confused with or construed as the presence of an electronic reader board message center component in a sign.

TABLE 10-23-20(J)
PERMANENT SIGNS PERMITTED IN THE RP ZONES[1]

Type Of Land Use	Type Of Sign	Number Allowed	Maximum Allowable Height Above Grade	Maximum Display Surface Area	Illumination[3]
Private or public elementary or secondary school	Freestanding pole or monument	1 per street frontage	25'	150 sq. ft. maximum	Indirect or internal
	Wall	1 or more up to maximum		15% of building wall that faces a street	Indirect or internal
Apartment project	Freestanding pole or monument	1 per street frontage	8'	64 sq. ft.	Indirect or internal
Residential subdivision	Subdivision identification (e.g., monument)	1 per entry	8'	64 sq. ft.	Indirect or internal
Religious facilities	Freestanding pole or monument[2]	1 or more[2]	Not to exceed height of building	32 sq. ft.	Indirect or internal
	Wall	1 or more[2]		15% of building wall that faces a street	Indirect or internal
All other	Freestanding pole, monument, projecting or marquee[2]	1	Not to exceed building height	32 sq. ft.	Opaque faced or indirect only
	Wall	1	n/a	2 sq. ft.	Not allowed

10-23-20

Notes:

1. If not noted, see section 10-23-3 of this chapter for general provisions and section 10-23-7 of this chapter for exemptions.
2. The combined maximum sign area for these signs shall not exceed the total area.
3. Not to be confused with or construed as the presence of an electronic reader board message center component in a sign.

(Ord. 4207, 10-19-2015)

10-23-20

TABLE 10-23-20(K)
PERMANENT SIGNS PERMITTED IN THE RS6, RS7, RS8.5, RS12, RS15, RS18, RS22, RA, AND RD ZONES[1]

Type Of Land Use	Type Of Sign	Number Allowed	Maximum Allowable Height Above Grade	Maximum Display Surface Area	Illumination[4]
Residential	Wall or door	1		2 sq. ft.	Not allowed
Private or public elementary or secondary school	Freestanding pole or monument[2]	1 per street frontage	25'	150 sq. ft. maximum	Opaque faced or indirect only[3]
	Wall	1 or more[2]		15% of building wall that faces a street	Indirect or internal[3]
Apartment project	Freestanding pole or monument	1 per street frontage	8'	64 sq. ft.	Indirect or internal
Residential subdivision	Subdivision identification (e.g., monument)	2 per entry	8'	64 sq. ft.	Indirect or internal
Religious facilities	Freestanding pole or monument[2]	1 or more[2]	Not to exceed height of building	32 sq. ft.	Indirect or internal[3]
	Wall	1 or more[2]		15% of building wall that faces a street	Indirect or internal[3]
Businesses	Wall	1		2 sq. ft.	Indirect or internal[3]
	Freestanding pole or monument[2]	1	5'	32 sq. ft.	Indirect or internal[3]

10-23-20

Notes:

1. If not noted, see section 10-23-3 of this chapter for general provisions and section 10-23-7 of this chapter for exemptions.
2. The combined maximum sign area for these signs shall not exceed the total area.
3. Signs that front a Residential District/use may not be illuminated.
4. Not to be confused with or construed as the presence of an electronic reader board message center component in a sign.

(Ord. 4207, 10-19-2015; amd. Ord. 4428, 4-15-2019)

10-23-21: **NONCONFORMING SIGNS:** Nonconforming signs shall not be replaced, relocated or be structurally altered unless every portion of such sign is made to conform to all City regulations governing signage.

A. Schedule Of Amortization: Signs not in conformance with the requirements of this chapter but which met requirements in effect at the time of their installation shall be amortized. Thus, such signs shall be removed or made code compliant (including being removed from any City right-of-way) at such time as the use of the structure and/or property to which such signs are pertinent is developed, changed or expanded as described by regulations specified and listed in section 10-1-6 of this title. (Ord. 4051, 2-19-2013)

10-23-22: **ENFORCEMENT:**

A. Violations: Any person erecting, constructing, enlarging, altering, repairing, moving, improving, removing, converting or demolishing, equipping, using or maintaining any sign or sign structure in the City, or causing or permitting the same to be done, contrary to or in violation of any of the provisions of this chapter, is declared to be unlawful and a public nuisance.

B. Signs On Public Property Or Public Right-Of-Way: The City shall have the right to immediately remove and dispose of any signs found illegally located within public property or public right-of-way, or any sign(s) that are declared to endanger public safety. Owners of said signs illegally placed within public property or public right-of-way shall not be entitled to the notice provisions pending removal and disposal of said signs.

C. Notice To Comply: Upon determination of a sign being unlawful and/or a public nuisance, the sign shall be removed, in a reasonable period of time, as determined by the Planning Director, code enforcement official, or their designated representative.

1. A written or oral notification shall be given to the property owner, last known owner, manager, employee of the business, or responsible party, as applicable, that the sign has been declared unlawful, specifying the reasons why the sign is unlawful and ordering that the sign be repaired, modified or removed within a reasonable time being either the same day or up to a total of twenty (20) calendar days from pronouncement or issuance of notice or notices.

2. After twenty (20) days have elapsed from the notice(s) of violation, the city may issue an order to abate if the violation has not been corrected. Abatement proceedings shall be as set forth in subsection D of this section.

3. If a sign is determined to be hazardous or presents an immediate and serious danger to the public, it may be immediately removed by the city without prior notice and the removal costs charged to the owner of said property.

D. Abatement Of Unlawful Signs: Nothing contained herein or elsewhere shall limit the power of the city to cause or effect abatement of any sign by notifying the occupant in writing to remove the same within five (5) days, or sooner if deemed expedient by a code enforcement official, following the receipt of such notice.

1. In default of abatement of such sign(s), the city is empowered to remove and abate the unlawful sign(s) at the expense of the owner creating, causing, committing, or maintaining the same, and to levy a special assessment of the premises whereon the unlawful sign(s) is situated to defray the cost or to reimburse the city for the cost of abating the same.

2. The city has the authority to employ such labor as is necessary to carry out the provisions of this chapter and allow the bills therefor.

3. Any sign (except those illegally located within public property or public right of way which are subject to immediate removal and disposal) found in violation of this chapter that has been abated shall become the property of the city, to be disposed of in any manner deemed appropriate as follows:

a. Impoundment And Expense: Any unlawful sign which has been abated may be impounded at the request of the planning director, code enforcement official, or his/her designee, and the costs of removal and storage shall constitute a lien in favor of the city upon and against the property for such sign. Neither the city nor its agents shall be liable for any sign damage at the time of removal or storage. If removal and storage costs have not been paid and the sign reclaimed within thirty (30) days of its removal by the city, the city may proceed to sell or otherwise dispose of the sign in accordance with subsection D3c of this section.

b. Proof Of Ownership: Any person claiming ownership of any impounded sign shall furnish proof of ownership. The owner of the

10-23-22

premises shall be presumed to be the owner of all signs thereon, unless otherwise brought to the attention of the planning director or code enforcement official. The sign shall be released to the owner upon payment of all the costs assessed against such property for such sign(s).

c. Sale Or Disposal Of Impounded Signs: All signs impounded which are not reclaimed may be subjected to sale to the highest bidder for cash, or disposed of in the manner provided in subsection D3d of this section. Any proceeds shall go toward defraying the cost or reimbursing the city for such expense of removal, to include, paying off any liens that exist because of such sign. Any proceeds in excess of removal and storage costs shall be paid to the owner. In the event there are no purchasers for the sale of such signs, the city may discard such signs in any way deemed convenient.

d. Notice Of Sale Or Disposal: Whenever any sign shall be sold hereunder, written notice shall be given to the owner as well as notice in one issue of the official newspaper five (5) days prior to the date of sale. The notice shall state that a sign sale will be held giving the time and place of such sale, that all bids shall be for cash to the highest bidder and that the city reserves the right to reject any or all bids. Upon payment of the bid prices, the city shall execute and deliver a bill of sale to the purchaser of such sign.

E. Public Liability Bond: No person shall construct, erect, alter, repair, paint or remove any sign or sign structure of any design or description which is now or may hereafter be erected within three feet (3') of or on or over any public sidewalk, street or alley right of way, or which shall project from or be erected on any building and no sign permit shall be issued unless said person shall have on file with the planning department, a public liability policy of insurance or surety bond providing limits of not less than twenty five thousand dollars ($25,000.00) on account of injury to or death of one person, and not less than fifty thousand dollars ($50,000.00) on account of injury to or death of two (2) or more persons in any accident. The policy of insurance or surety bond shall be conditioned on and save harmless the city and its officers, agents, servants and employees against any and all damages, losses, claims and demands, expenses and costs on account of any accident.

F. Appeals: The council shall hear and decide appeals from any decision, requirement or interpretation made by the planning director, or his duly authorized representatives, in the enforcement of this

chapter. Such appeals must be made within thirty (30) days from the date of such action. (Ord. 4051, 2-19-2013)

10-23-23: **DESIGN AND CONSTRUCTION:** In order to prevent the construction of signs that are faulty and hazardous to the public, signs and sign structures shall comply with the wind and seismic requirements as listed within the current adopted international building code. Such design, construction, and installation are the sole responsibility of the sign contractor and property owner to which the sign is installed. (Ord. 4051, 2-19-2013)