

CITY OF WILLARD, MISSOURI

224 W. Jackson Street P.O. Box 187 Willard, MO 65781 417-742-3033 417-742-3080 Fax



MEETING AGENDA AND PACKET

PLANNING AND ZONING COMMISSION

Regular Meeting

June 23, 2020

7:00 p.m.

Willard Community Building

220 W. Jackson

PLANNING AND ZONING MEMBERS

Alderman Whitman

Terry Kathcart, Chairman

Valorie Simpson, Secretary

Mayor Corey Hendrickson

Dave Helton

Jose Casanova, Vice-Chairman

Randy Brown, Director of Development

www.cityofwillard.org

CITY OF WILLARD
PLANNING AND ZONING
REGULAR MEETING
June 23, 2020
7:00 P.M.

Notice posted on June 18, 2020

Notice is hereby given that the City of Willard, Planning and Zoning will conduct a regular meeting at 7:00 p.m., June 23, 2020 at the Willard Community Building, 220 W. Jackson, Willard, MO 65781.

The tentative agenda of this meeting includes:
PLEDGE OF ALLEGIANCE

1. Call the meeting to order.
2. Roll Call.
3. Agenda Amendments/Agenda Approval.
4. Approval of the Minutes from the Meeting May 26, 2020.
5. Citizen Input.
6. Discussion/Vote to appoint Chairman, Vice-Chairman and Secretary.
7. Discussion on Sign Code Changes.
8. New Business.
9. Unfinished Business.
10. Adjourn.

REPRESENTATIVES OF THE NEWS MEDIA MAY OBTAIN COPIES OF THIS NOTICE BY CONTACTING:

Jennifer Rowe
224 W. Jackson
Willard, Missouri 65781
(417)742-5302

CITY OF WILLARD, MISSOURI
PLANNING AND ZONING
REGULAR MEETING
May 26, 2020
7:00 P.M.

This Meeting took place over GoToMeeting as well as in person due to the Covid-19 Pandemic.

Staff present: City Administrator, Brad Gray; Director of Development, Randy Brown; and Planning Assistant, Abby Brixey.

City Attorney Ken Reynolds was not present.

Citizens present: Martin Gugel and Karl Borchardt.

Meeting opened by Chairman Terry Kathcart at 7:00 P.M.

Roll Call

Present: Jose Casanova, Pat Lloyd, David Helton, Valorie Simpson, Terry Kathcart, Alderman Whitman and Mayor Hendrickson.

Approval of Agenda

Motion was made by Valorie Simpson with a second by Jose Casanova to approve the Agenda. Motion carried with a vote of 7-0. Voting aye: Jose Casanova, Pat Lloyd, David Helton, Valorie Simpson, Terry Kathcart, Alderman Whitman and Mayor Hendrickson.

Approval of the Minutes from the Meeting February 25, 2020.

Motion was made by Valorie Simpson with a second by Pat Lloyd to approve the Minutes from the February 25, 2020 Meeting. Motion carried with a vote of 7-0. Voting aye: Jose Casanova, Pat Lloyd, David Helton, Valorie Simpson, Terry Kathcart, Alderman Whitman and Mayor Hendrickson.

Citizen Input.

None.

Public Hearing for changes to the Land Development Regulations: Chapter 400.

Mayor Hendrickson opened the Public Hearing for changes to the Land Development Regulations: Chapter 400. No citizens wished to speak, so Mayor Hendrickson closed the Public Hearing.

Discussion/Vote on changes to the Land Development Regulations: Chapter 400.

a. Signs:

Mr. Brown discussed the update for the sign code. Discussion was made on limitations with the new code. Mr. Brown requested that this topic be tabled until more information can be brought back to define animation, request review by Board/City, and the size. Motion was made by Valorie Simpson and seconded by Jose Casanova to table the changes for the Sign code. Motion carried with a vote of 7-0. Voting aye: Jose Casanova, Pat Lloyd, David Helton, Valorie Simpson, Terry Kathcart, Alderman Whitman and Mayor Hendrickson.

b. Sidewalks:

Mr. Brown informed the Commission of the need for updates with the Sidewalks with ADA Compliance. Motion was made by Valorie Simpson and seconded by Terry Kathcart to approve the changes to the Sidewalk Code. Motion carried with a vote of 7-0. Voting aye: Jose Casanova, Pat Lloyd, David Helton, Valorie Simpson, Terry Kathcart, Alderman Whitman and Mayor Hendrickson.

c. Cul-de-Sac:

Mr. Brown discussed the current 40-foot radius and need to update the detail for the Fire Department. Motion was made by Terry Kathcart and seconded by David Helton to approve the changes to the Cul-de-Sac code. Motion carried

with a vote of 7-0. Voting aye: Jose Casanova, Pat Lloyd, David Helton, Valorie Simpson, Terry Kathcart, Alderman Whitman and Mayor Hendrickson.

Discussion/Vote on Lot Combination for Martin Gugel.

Mr. Gugel gave the background on the lots and future plans to add a detached garage on the subject Lot 26. Discussion was made on the ownership and maintenance of the property. Motion was made by Jose Casanova and seconded by Valorie Simpson to approve the Lot Combination for Martin Gugel. Motion carried with a vote of 7-0. Voting aye: Jose Casanova, Pat Lloyd, David Helton, Valorie Simpson, Terry Kathcart, Alderman Whitman and Mayor Hendrickson.

Public Hearing for the Annexation for Joyce Borchardt at 3151 N State Highway AB.

Mayor Hendrickson opened the Public Hearing for the Annexation for Joyce Borchardt at 3151 N State Highway AB. No citizens wished to speak, so Mayor Hendrickson closed the Public Hearing.

Discussion/Vote on the Annexation for Joyce Borchardt at 3151 N State Highway AB.

Motion was made by Mayor Hendrickson and seconded by Jose Casanova to approve the Annexation request for Joyce Borchardt for 3151 N State Highway AB. Motion carried with a vote of 7-0. Voting aye: Jose Casanova, Pat Lloyd, David Helton, Valorie Simpson, Terry Kathcart, Alderman Whitman and Mayor Hendrickson.

New Business.

None.

Unfinished Business.

Mr. Brown updated the Commission at the Miller Road bid opening was this week. June 5th, the bids will be opened for the Sidewalk Project on Hunt Road.

Adjourn.

Motion was made by Valorie Simpson and seconded by Jose Casanova to adjourn. Motion carried with a vote of 7-0. Voting aye: Jose Casanova, Pat Lloyd, David Helton, Valorie Simpson, Terry Kathcart, Alderman Whitman and Mayor Hendrickson.

Meeting adjourned at 7:45 p.m.

Valorie Simpson, Secretary

Terry Kathcart, Chairman

Background Report for Sign Ordinance

Date: June 17, 2020

Introduction- At the May 26th P/Z meeting staff had brought a proposed change to the sign ordinance that deleted the % of animation allowed. The discussion led to staff recommending the Commission table the item to allow staff more time to research and gather more information. Staff has provided for your review sign ordinances from three (3) other communities and also included our current sign ordinance for reference and comparison. After reviewing our current ordinance and reviewing the other three, staff determined additional definitions should be added to our current ordinance to clarify the difference in animation and electronic message boards. Looking further into the current ordinance it was determined by staff that the formula used to calculate the allowed surface area of a detached sign was very restrictive compared to the other surrounding communities sign ordinances. In effort to accommodate and support new business as Willard continues to grow -

Staff proposes the following changes to our current sign ordinance:

400.850 Definitions (add):

Animation - Any action or motion other than flashing lights, automatic changeable copy, or indexing that attempt to develop a pictorial scene through the movement of lights or parts of a sign.

Electronic Message Sign - A sign that can be electronically or mechanically changed by remote or automatic means

Change Section 400.950 Detached Signs:

4. A premise located in a commercial district shall be allowed a detached sign with a sign surface area determined by adding fifty (50) square feet to a ratio of one (1) square foot of surface area per lineal foot of frontage along the street. The maximum surface area for any detached sign shall be two hundred and fifty (250) square feet.

Staff Recommendation: For a member of the Commission to recommend approval of the changes as presented and for staff to advertise a Public Hearing for the July 21, 2020 meeting or deny and make recommendations to staff on what they would like changed.

400.850

Unless otherwise provided, words and phrases used in this Article shall be defined in the following manner:

ANIMATION - Any action or motion other than flashing lights, automatic changeable copy, or indexing that attempt to develop a pictorial scene through the movement of lights or parts of a sign.

ELECTRONIC MESSAGE SIGN - A sign that can be electronically or mechanically changed by remote or automatic means

SIGN — Any words, numbers, figures, devices, designs or trademark by which anything is made known, such as are used to designate an individual, a firm, profession, business or a commodity and which are visible from any public street.

SIGN, ATTACHED — Any sign substantially and permanently attached to, painted on, etched on or supported by any part of a building exterior.

SIGN, DETACHED (FREESTANDING) — Any sign other than an attached sign and including any inoperable vehicle or any trailer located for the purpose of advertising.

SIGN, OFF-PREMISES (BILLBOARD) — A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction or other activity that is conducted, sold or offered at a location other than the premises on which said sign is located.

SIGN, PORTABLE — Any sign not permanently attached to the ground or other permanent structure or a sign designed to be transported from one place to another, including, but not limited to, signs designed to be transported on wheels; menu and sandwich board signs; balloons or other inflatable figures.

SIGN, PROJECTING — Any sign that is attached to and projects away from the building surface or face.

SIGN, ROOF — Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure of a building and extending vertically above the highest portion of the roof.

SIGN, WALL — A sign in a parallel plane to and attached upon a structure's wall.

A. Detached (freestanding) signs shall be permitted according to the following requirements:

1. Each premises containing a multifamily use, permitted nonresidential use or legal non-conforming use shall be permitted one (1) detached sign.
2. If a development is located on a corner lot that has at least one hundred (100) feet of frontage on each of the two (2) intersecting streets, the development may have one (1) detached sign along each street frontage.
3. Premises with more than seven hundred fifty (750) feet of frontage along a public street may have one (1) additional detached sign; however, a minimum of three hundred (300) feet of separation shall be maintained between signs and a minimum setback of twenty-five (25) feet from adjacent property lines is maintained for both signs.
4. ~~The surface area of a detached sign may not exceed three tenths (0.3) square foot for every linear foot of street frontage. Total sign shall not exceed fifty (50) square feet in surface area if the lot has less than two hundred (200) feet of total street frontage, seventy-five (75) square feet on lots with frontage of two hundred (200) feet or more but less than four hundred (400) feet and one hundred (100) square feet on lots with four hundred (400) or more feet of street frontage. Lots with more than one (1) side of street frontage may include all frontage in sign area square footage calculation.~~ **A premise located in a commercial district shall be allowed a detached sign with a sign surface area determined by adding fifty (50) square feet to a ratio of one (1) square foot of surface area per lineal foot of frontage along the street. The maximum surface area for any detached sign shall be two hundred and fifty (250) square feet.**

Chapter 400. Land Development Regulations

Article X. Signs

Section 400.840. Purpose.

[Ord. No. 020227 §1(10.1), 2-27-2002; Ord. No. 131209 §1, 12-9-2013]

This Article establishes standards for the erection and maintenance of signs in order to protect the safety of persons and property; to promote the efficient communication of information; to protect the public welfare; and to preserve and enhance the visual character and economy of the City of Willard. Except as otherwise provided, no sign shall be erected, moved, or modified except in accordance with the provisions of this Article.

Section 400.850. Definitions.

[Ord. No. 020227 §1(10.2), 2-27-2002; Ord. No. 131209 §1, 12-9-2013]

Unless otherwise provided, words and phrases used in this Article shall be defined in the following manner:

SIGN

Any words, numbers, figures, devices, designs or trademark by which anything is made known, such as are used to designate an individual, a firm, profession, business or a commodity and which are visible from any public street.

SIGN, ATTACHED

Any sign substantially and permanently attached to, painted on, etched on or supported by any part of a building exterior.

SIGN, DETACHED (FREESTANDING)

Any sign other than an attached sign and including any inoperable vehicle or any trailer located for the purpose of advertising.

SIGN, OFF-PREMISES (BILLBOARD)

A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction or other activity that is conducted, sold or offered at a location other than the premises on which said sign is located.

SIGN, PORTABLE

Any sign not permanently attached to the ground or other permanent structure or a sign designed to be transported from one place to another, including, but not limited to, signs designed to be transported on wheels; menu and sandwich board signs; balloons or other inflatable figures.

SIGN, PROJECTING

Any sign that is attached to and projects away from the building surface or face.

SIGN, ROOF

Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure of a building and extending vertically above the highest portion of the roof.

SIGN, WALL

A sign in a parallel plane to and attached upon a structure's wall.

Section 400.860. Exempt Signs.

[Ord. No. 020227 §1(10.3), 2-27-2002; Ord. No. 131209 §1, 12-9-2013]

The following signs shall not require a sign permit, but must be in conformance with all other applicable provisions of this Article:

Address numbers and name plates. Address numbers and unlighted name plates not exceeding one (1) square foot in area per dwelling unit or business. Such signs must be attached to the principal structure, be parallel with the wall to which it is attached, and no part of said sign may extend into any required yard setback.

Banner signs. Signs, consisting of a flexible lightweight material, such as a banner, not exceeding twenty-four (24) square feet of area. One (1) sign per premises is permitted, posted for not more than thirty (30) business days per year.

Construction site signs. Construction site identification signs, exceeding no more than one (1) sign per site, with no more than thirty-two (32) square feet in area.

Directional signs. Signs directing and guiding traffic on private property that do not exceed one and one-half (1 1/2) square feet each.

Flags. Flags, pennants or insignia of any government or non-profit organization when not displayed in connection with a commercial promotion.

Governmental signs. Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and information signs, traffic and directional signs or regulatory signs.

Neighborhood identification signs. Neighborhood identification signs, such as a masonry wall, landscaping or other similar materials that are combined to display neighborhood identification. The message of such signs shall display only the name of the neighborhood.

Non-commercial signs. Signs of a religious, political or other non-commercial nature that do not exceed sixteen (16) square feet in area and that are not internally illuminated.

Official signs. Signs of a non-commercial nature erected by public utilities.

Real estate sale or lease signs. Detached or attached, non-illuminated, temporary on-premises signs pertaining to the sale or lease of the premises. Such signs shall not exceed twelve (12) square feet in area. For lots exceeding five (5) acres and having street frontage in excess of four hundred (400) feet, one (1) additional sign may be erected with an area not to exceed thirty-two (32) square feet. Such signs shall be removed within fourteen (14) days of sale or lease of the premises.

Temporary special event signs. Temporary signs not exceeding thirty-two (32) square feet in area, erected to advertise a special event of a commercial, civic, educational, philanthropic,

religious, political or similar nature. Such signs may be erected no sooner than two (2) weeks before the event and shall be removed no later than five (5) days after the event.

Vehicular signs. Signs painted on or permanently attached to vehicles. Vehicular signs may not contain flashing or blinking lights nor any animation.

Window signs. Any sign, symbol or picture designed to provide information about a business, activity, service or event that is placed against or near to the interior glass surface; and is visible from the exterior of the window. Window signs shall not exceed fifty percent (50%) of the glass square footage area.

Section 400.870. General Provisions.

[Ord. No. 020227 §1(10.4), 2-27-2002; Ord. No. 060508C §1, 5-8-2006; Ord. No. 131209 §1, 12-9-2013]

- A. The following provisions shall apply to all signs in the City:
1. *Prohibited signs.* The following signs are specifically prohibited:
 - a. Signs which advertise or promote unlawful activity.
 - b. Signs which may be confused with a traffic control signal, sign or devise, the light of an emergency or road equipment vehicle or any other governmental agency sign.
 - c. Signs which hide from view any traffic or street sign, signal or similar traffic control or directional sign.
 - d. Signs which use searchlights or strobe lights that attract the attention of the public.
 - e. Portable signs, except as specifically allowed as a temporary sign in Section 400.860.
 2. *Sign illumination.* All illuminated signs shall be designed, constructed and located to eliminate or minimize glare.
 3. *Sign condition.* All signs, including supports, braces and anchors, shall be installed and maintained as indentified in the municipal building codes of the City of Willard.

Section 400.880. Calculating Number of Signs and Sign Surface Area.

[Ord. No. 020227 §1(10.5), 2-27-2002; Ord. No. 060508C §1, 5-8-2006; Ord. No. 131209 §1, 12-9-2013]

- A. (Reserved)
- B. Two-sided and multisided signs shall be considered as one (1) sign, provided that:
1. The distance between the backs of each face of a two-sided sign does not exceed three (3) feet.

2. The distance between the backs of a "V" type sign does not exceed five (5) feet.
- C. The total sign surface area shall include letters, emblems, background and illuminated areas. Multiple signs on the same structure shall all be inclusive of the total area. Supporting structure, framework or bracing shall be excluded from calculation.
- D. The sign surface area of two-sided or multisided signs shall be calculated in the following manner:
 1. The surface area of a two-sided, back-to-back sign shall be calculated by totaling the area of only one (1) side of the sign, as long as the distance between the backs of the signs does not exceed three (3) feet. If the distance exceeds three (3) feet, both sides will be added and used in calculation.
 2. The surface area of a double-faced sign constructed in the form of a "V" shall be calculated by totaling the area of the largest side, as long as the angle of the "V" does not exceed thirty degrees (30°) and the distance between the backs of the signs does not exceed five (5) feet. If the angle of the "V" exceeds thirty degrees (30°), or the distance between the backs of the signs exceed five (5) feet, or the sign has more than two sides; the area summation of all sides shall be the calculation total.
- E. An animation display shall not exceed ten percent (10%) of the total permitted square footage of sign surface.

Section 400.890. Signs Permitted in "R-1," "R-2" and "R-4" Residence Districts.

[Ord. No. 020227 §1(10.6), 2-27-2002; Ord. No. 131209 §1, 12-9-2013]

- A. Unless otherwise provided in Section **400.860**, the following signs shall be permitted in the "R-1," "R-2" and "R-4" Residence Districts:
 1. One (1) non-illuminated name plate or sign for each dwelling unit, not exceeding one (1) square foot in area, indicating the name of the occupant. Such signs must be attached to the principal structure, be parallel with the wall to which it is attached, and no part of said sign may extend into any required yard setback.
 2. One (1) non-illuminated name plate or identification sign not exceeding twelve (12) square feet in area for buildings other than dwellings, provided that said sign shall be attached to and parallel with the front wall of the building.
 3. One (1) white, illuminated, on-premises church or school bulletin board not exceeding eighteen (18) square feet in area.
 4. Non-illuminated real estate sale or lease sign or signs not exceeding a total area of twelve (12) square feet pertaining to the sale or rental of the property on which said sign is located.

Section 400.900. Signs Permitted in "R-3" Residence Districts.

[Ord. No. 020227 §1(10.7), 2-27-2002; Ord. No. 131209 §1, 12-9-2013]

- A. The following signs shall be permitted in the "R-3" Residence District:
 - 1. All signs permitted in the "R-1," "R-2" and "R-4" Residence Districts.
 - 2. One (1) non-illuminated, attached or detached name plate identification sign not exceeding six (6) square feet in area for boardinghouses or rooming houses.
 - 3. One (1) white illuminated attached or detached identification sign not exceeding sixteen (16) square feet in area for multiple dwellings having four (4) or more dwelling units or for buildings other than dwellings.
 - 4. All signs in the "R-3" Residence District that are not attached to the wall of the building shall be set no more than five (5) feet from the building.

Section 400.910. Signs Permitted in "C" Commercial Districts.

[Ord. No. 020227 §1(10.8), 2-27-2002; Ord. No. 131209 §1, 12-9-2013]

- A. The maximum sign surface area inclusive of all attached signs permitted on any lot in any commercial district shall be determined by:
 - 1. A maximum of one-half (0.5) square foot of sign surface area per linear foot of lot street frontage up to two hundred (200) feet of frontage. Lots without at least twelve (12) feet of street frontage shall be allotted six (6) square feet of area for a sign.
 - 2. A maximum of three-fourths (0.75) square foot of additional sign surface area per linear foot of lot street frontage in excess of two hundred (200) feet shall be allowed.

Section 400.920. Signs Permitted in "M" Manufacturing Districts.

[Ord. No. 020227 §1(10.9), 2-27-2002; Ord. No. 131209 §1, 12-9-2013]

- A. The maximum sign surface area permitted on any lot in any manufacturing district shall be one (1.0) square foot of sign surface area per linear foot of lot frontage.
- B. If a lot has frontage on more than one (1) street, the total sign surface area permitted on that lot shall be the sum of the sign surface area allotted to each street on which the lot has frontage.

Section 400.930. Sight Triangles.

[Ord. No. 020227 §1(10.10), 2-27-2002; Ord. No. 131209 §1, 12-9-2013]

A. Signs At Street Intersections.

- Street intersection sight triangles shall reflect the street classification as established in the Willard Comprehensive Plan. Minimum requirements for sight triangles shall be in accordance with the following table. The sight triangle shall be measured along the right-of-way as illustrated in Figure 400.930 contained in Subsection (B) of this Section. The City may require additional triangle area for clear sight and safety as may be warranted by special condition as determined by the Administrative Official.
- Signs may be erected in the street intersection sight triangles. However, any such sign must be at least ten (10) feet above street grade except for supports, which may not exceed one (1) foot in width or diameter or be spaced less than ten (10) feet apart from any other stationary object.

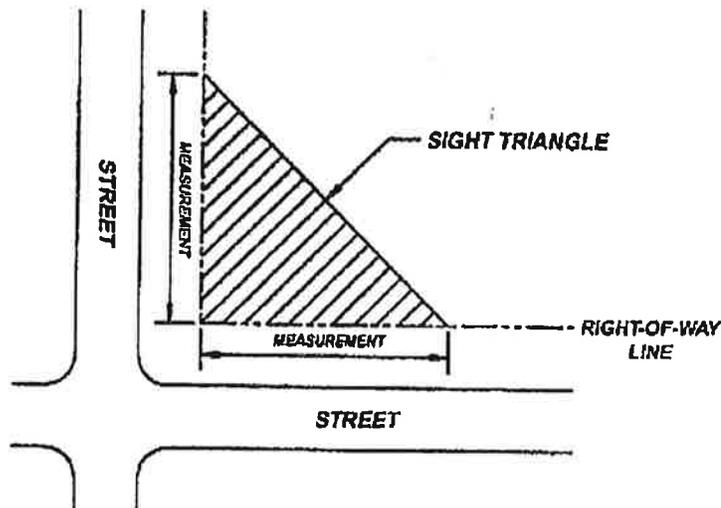
Street Sight Triangle Requirements						
Intersecting Street	Highway	Arterial	Collector Single-Family Residential	Collector All Others	Local Residential Single-Family	Local Residential Multifamily
Highway	A	A	B	B	B	
Arterial	A	A	B	B	C	B
Collector: single-family residential	B	B	C	C	C	C
Collector: all others	B	B	C	C	C	C
Local residential	B	C	C	C	C	C
Key:						
A — 100 feet by 100 feet sight triangle						
B — 30 feet by 30 feet sight triangle						
C — 10 feet by 10 feet sight triangle						

B. Signs At Street/Driveway Intersections.

- Signs may be erected in the street/driveway sight triangles. However, any such sign shall be at least ten (10) feet above street grade except for supports, which may not exceed one (1) foot in width or diameter or be spaced less than ten (10) feet apart from any other stationary object.
- Figure 400.930 illustrates the measurement of a street/driveway sight triangle. A street/driveway sight triangle shall be measured as follows:

A triangle formed by the intersection of a public street and a driveway where the triangle area is that area encompassed within two (2) intersecting lines formed by the edge of the pavement, curb, roadway or projection thereof and extending forty (40) feet down the street from the right edge of the driveway when standing in the driveway facing the street and extending twelve (12) feet from the edge of the street extending up the driveway pavement and a third imaginary line connecting the other two (2) lines without overlaying the pavement. On the left side of the driveway, the triangle is determined by measuring sixty-five (65) feet down the street pavement from the edge of the driveway and measuring twelve (12) feet down the driveway pavement from the edge of the street and an imaginary third line connecting the other two (2) lines without overlaying the pavement.

Figure 400.930 Sight Triangles for Street/Driveway Intersections



Section 400.940. Location, Setback and Height Requirements.

[Ord. No. 020227 §1(10.11), 2-27-2002; Ord. No. 060508C §1, 5-8-2006; Ord. No. 131209 §1, 12-9-2013]

- A. No sign or supporting structure, other than a governmental sign, shall be located in or over any public property or right-of-way, unless the sign is attached to a structural element of a building and pursuant to the appropriate Section of the Willard Municipal Building Code, and State and Federal statute pertaining to right-of-way restrictions.
- B. No sign shall extend beyond a parapet or be located upon a roof. This Subsection shall not apply to temporary displays, including animated displays, erected on roofs of structures in connection with the observation of holidays.
- C. Wall signs attached to a building shall not extend past the edge of the exterior wall and shall not project more than eighteen (18) inches away from the wall.
- D. Projecting signs shall have a minimum clearance of ten (10) feet above grade and shall not project more than eighteen (18) inches from the wall to which it is attached.

- E. No part of a detached sign may exceed a height, measured from ground level, of twenty-five (25) feet in the "C-1" District, forty-five (45) feet in the "C-2" District and thirty (30) feet in the "M-1" and "M-2" Districts and fifteen (15) feet in all other districts.
- F. Freestanding signs shall meet the minimum setback requirements as established in the following table:

Street Classification	Minimum Setback (feet)
Highway	15
Arterial	15
Collector: single-family residential	10
Collector: all others	10
Local residential	10

Section 400.950. Detached Signs.

[Ord. No. 020227 §1(10.12), 2-27-2002; Ord. No. 131209 §1, 12-9-2013]

- A. Detached (freestanding) signs shall be permitted according to the following requirements:
 1. Each premises containing a multifamily use, permitted non-residential use or legal non-conforming use shall be permitted one (1) detached sign.
 2. If a development is located on a corner lot that has at least one hundred (100) feet of frontage on each of the two (2) intersecting streets, the development may have one (1) detached sign along each street frontage.
 3. Premises with more than seven hundred fifty (750) feet of frontage along a public street may have one (1) additional detached sign; however, a minimum of three hundred (300) feet of separation shall be maintained between signs and a minimum setback of twenty-five (25) feet from adjacent property lines is maintained for both signs.
 4. The surface area of a detached sign may not exceed three-tenths (0.3) square foot for every linear foot of street frontage. Total sign shall not exceed fifty (50) square feet in surface area if the lot has less than two hundred (200) feet of total street frontage, seventy-five (75) square feet on lots with frontage of two hundred (200) feet or more but less than four hundred (400) feet and one hundred (100) square feet on lots with four hundred (400) or more feet of street frontage. Lots with more than one (1) side of street frontage may include all frontage in sign area square footage calculation.

Section 400.960. Off-Premises Signs.

[Ord. No. 020227 §1(10.13), 2-27-2002; Ord. No. 060911 §1, 9-11-2006; Ord. No. 131209 §1, 12-9-2013]

Off-premises signs (billboards) shall be permitted only in the "C-1" and "C-2" Commercial Districts and in the "M-1" and "M-2" Industrial Districts. The surface area of a detached, off-premises sign shall be subject to the provisions of Section 400.880 if the sign is oriented towards a street classified as an arterial, collector or local street. Where the street towards which the sign is oriented is classified as a highway, a single side of a detached off-premises sign may not exceed three-fourths (0.75) square foot in surface area for every linear foot of street frontage. In no case may a single side of such sign exceed two hundred (200) square feet in surface area.

Section 400.970. Legal Non-Conforming Signs.

[Ord. No. 020227 §1(10.14), 2-27-2002; Ord. No. 131209 §1, 12-9-2013]

- A. Any sign lawfully erected before the effective date of this Article, but which does not comply with the requirements and restrictions of this Article, shall be considered a legal, non-conforming sign and may be continued subject to the provisions of this Section.
- B. A non-conforming sign shall not be expanded in size or effective area or altered in any manner so as to increase the degree of non-conformity. Illumination shall not be added to any non-conforming sign.
- C. A non-conforming sign shall not be moved or replaced except to bring the sign into complete conformance with this Article.
- D. Except for safety requirements, a non-conforming sign shall not be structurally altered so as to prolong the life of the sign. Non-conforming signs may be repaired so long as the cost of materials and labor for such work does not exceed within any twelve-month period fifty percent (50%) of the value (tax value if listed for tax purposes) of the sign.
- E. If a non-conforming sign is destroyed, it may not be reconstructed or replaced except in conformity with the provisions of this Article. A sign shall be considered destroyed if more than fifty percent (50%) of the sign structure or backing has been altered, for whatever reason, from its original appearance.
- F. Abandoned, destroyed or discontinued non-conforming signs shall be removed within thirty (30) days after determination by the City Administrative Official. A sign shall be considered abandoned or discontinued if:
 1. For a period of twelve (12) consecutive months the sign advertises a service, product or activity that is no longer operating, being conducted or offered.
 2. For purposes of this Section, a sign is considered blank if:
 - a. The advertising message displayed becomes illegible in whole or substantial part.

Section 400.980. Sign Permits and Inspection.

[Ord. No. 020227 §1(10.15), 2-27-2002; Ord. No. 131209 §1, 12-9-2013]

Except as otherwise provided in this Article, no sign shall be erected, moved, enlarged, illuminated or substantially altered without first obtaining a sign permit for each sign in conformance with the requirements of Article III, Section 400.200. Repainting or changing

the message on a sign shall not be considered a substantial alteration and shall not require a sign permit.

Chapter 407. Signs

Section 407.020. Definitions.

~~[Ord. No. 13-001 §1, 1-7-2013]~~

The following words and terms shall, for the purposes of this Chapter and as used elsewhere in this Code, have the following meaning:

ABANDONED SIGN

A sign structure that has ceased to be used, and the owner intends no longer to have used, for the display of sign copy.

ANIMATED SIGN

A sign employing actual motion or the illusion of motion. Animated signs, which are differentiated from changeable signs as defined and regulated by this Chapter, include the following types:

ELECTRICALLY ACTIVATED — Animated signs producing the illusion of movement by means of electronic, electrical or electro-mechanical input and/or illumination capable of simulating movement through employment of the characteristics of one (1) or both of the classifications noted below:

- a. *Flashing*: Animated signs or animated portions of signs whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of no illumination. For the purposes of this Chapter, flashing will not be defined as occurring if the cyclical period between on-off phases of illumination exceeds four (4) seconds.
- b. *Patterned illusionary movement*: Animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.

ENVIRONMENTALLY ACTIVATED — Animated signs or devices motivated by wind, thermal changes or other natural environmental input. Includes spinners, pinwheels, pennant strings and/or other devices or displays that respond to naturally occurring external motivation.

MECHANICALLY ACTIVATED — Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.

ARCHITECTURAL PROJECTION

Any projection that is not intended for occupancy and that extends beyond the face of an exterior wall of a building, but that does not include signs as defined herein. See also "AWNING", "BACKLIT AWNING" and "CANOPY, (ATTACHED and FREESTANDING)".

AWNING

An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid or non-rigid materials and/or fabric on a supporting framework that may be either permanent or retractable, including such structures that are internally illuminated by florescent or other light source.

AWNING SIGN

A sign displayed on or attached flat against the surface or surfaces of an awning. See also "WALL OR FASCIA SIGN".

BACKLIT AWNING

An awning with a translucent covering material and a source of illumination contained within its framework.

BANNER

A flexible substrate on which copy or graphics may be displayed.

CANOPY (ATTACHED)

A multi-sided overhead structure or architectural projection supplied by attachments to a building on one (1) or more sides and either cantilevered from such building or also supplied by columns at additional points. The surface(s) and/or soffit of an attached canopy may be illuminated by means of internal or external sources of light. See also "MARQUEE".

CANOPY (FREESTANDING)

A multi-sided overhead structure supported by columns, but not enclosed by walls. The surfaces(s) and/or soffit of a freestanding canopy may be illuminated by means of internal or external sources of light.

CANOPY SIGN

A sign affixed to the visible surface(s) of an attached or freestanding canopy. For reference, see Sign Regulation Guideline.

CHANGEABLE SIGN

A sign with the capability of content by means of manual or remote input, including signs which are:

ELECTRICALLY ACTIVATED — A changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices; or it may be from an external light source designed to reflect off the changeable component display. See also "ELECTRIC MESSAGE SIGN OR CENTER".

MANUALLY ACTIVATED — A changeable sign whose message copy or content can be changed manually.

CODE OFFICIAL

The employee of the Planning and Development Department of the City of ~~Ozark~~ ^{WILLARD} specifically designated to conduct inspections, enforce provisions of this Chapter, review applications and issue permits as authorized herein. The Code Official so designated may not necessarily be the same individual.

COPY

Those letters, numerals, figures, symbols, logos, and graphic elements comprising the content or message of a sign, excluding numerals identifying a street address only.

DEVELOPMENT COMPLEX SIGN

A freestanding sign identifying a multiple-occupancy development, such as a shopping center or planned industrial park, which is controlled by a single owner or landlord, ~~approved in accordance with Section 407.070 of this Chapter.~~

DIRECTIONAL SIGN

Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.

ELECTRIC MESSAGE SIGN OR CENTER

An electrically activated changeable sign whose variable message capability can be electronically programmed.

FACIA SIGN

See "*WALL OR FASCIA SIGN*".

FREESTANDING SIGN

A sign principally supported by a structure affixed to the ground, and not supported by a building, including signs supported by one (1) or more columns, poles or braces placed in or upon the ground.

FRONTAGE (BUILDING)

The length of an exterior building wall or structure of a single premise oriented to the public way or other properties that it faces.

FRONTAGE (PROPERTY)

The length of the property line(s) of any single premise along either a public way or other properties on which it borders.

GROUND SIGN

See "*FREESTANDING SIGN*".

IDEOLOGICAL AND NON-COMMERCIAL SIGNS

A sign which does not name or advertise a product, service or business but only expresses a viewpoint, non-commercial message, opinion or idea. This includes commemorative plaques, historic markers, holiday decorations, political or fraternal flags or emblems, or protective signs which are commonly associated with safeguarding the permitted uses of a premise including, but not limited to, "vicious dog", "no trespassing", "neighborhood watch" and "authorized parking".

ILLUMINATED SIGN

Any sign characterized by the use of artificial light, either projecting through its surface(s) (internally illuminated); or reflecting off its surface(s) (externally illuminated).

INTERIOR SIGN

Any sign placed within a building, but not including "window signs" as defined herein. Interior signs, with the exception of window signs as defined herein, are not regulated by this Chapter.

MANSARD

An inclined decorative roof-like projection that is attached to an exterior building facade.

MENU BOARD

A freestanding sign oriented to the drive-through lane for a restaurant that advertises the menu items available from the drive-through window, and which has no more than twenty percent (20%) of the total area for such a sign utilized for business identification.

OFF-PREMISE SIGN

See "*OUTDOOR ADVERTISING SIGN*".

ON-PREMISE SIGN

A sign erected, maintained or used in the outdoor environment for the purpose of the display of messages appurtenant to the use of, products sold on, or the sale or lease of, the premise on which it is displayed.

OUTDOOR ADVERTISING SIGN

A permanent sign erected, maintained or used in the outdoor environment for the purpose of the display of commercial or non-commercial messages not appurtenant to the use of, products sold on, or the sale or lease of, the premise on which it is displayed.

PARAPET

The extension of a building facade above the line of the structural roof.

POLITICAL SIGN

A temporary sign intended to advance a political statement, cause or candidate for office. A legally permitted outdoor advertising sign shall not be considered to be a political sign.

PORTABLE SIGN

Any sign not permanently attached to the ground or to a building or building surface.

PREMISES

That portion of a lot or building occupied by a single person or legal entity inclusive of common area, if any, shared with adjacent occupants. Permitted sign area shall be separately calculated for multi-tenant commercial buildings only when the tenants have a separate entrance for their exclusive use.

PROJECTING SIGN

A sign other than a wall sign that is attached to or projects more than eighteen (18) inches (457 mm) from a building face or wall or from a structure whose primary purpose is other than the support of a sign.

REAL ESTATE SIGN

A temporary sign advertising the sale, lease or rental of the property or premise upon which it is located.

REVOLVING SIGN

A sign that revolves three hundred sixty degrees (360°)(6.28 rad) about an axis. See also "*ANIMATED SIGN, MECHANICALLY ACTIVATED*"

ROOFLINE

The top edge of a peaked roof or, in the case of an extended facade or parapet, the uppermost point of said facade or parapet.

ROOF SIGN

A sign mounted on, and supported by, the main roof portion of a building, or above the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such a building. Signs mounted on mansard facades, pent eaves and architectural projections such as canopies or marquees shall not be considered to be roof signs.

SIGN

Any device visible from a public place that displays either commercial or non-commercial messages by means of graphic presentation of alphabetic or pictorial symbols or representations. No sign located outside of a building shall be constructed of paper, cardboard or other similar non-permanent material. Non-commercial flags or any flags displayed from flagpoles or staffs will not be considered signs.

SIGN AREA

The area of the smallest geometric figure, or the sum of the combination of regular geometric figures, which comprise the sign face. The area of any double-sided or "V" shaped sign shall be the area of the largest single face only. The area of a sphere shall be computed as the area of a circle. The area of all other multiple-sided signs shall be computed as fifty percent (50%) of the sum of the area of all faces of the sign.

SIGN COPY

Those letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign, exclusive of numerals identifying a street address only.

SIGN FACE

The surface upon, against or through which the sign copy is displayed or illustrated, not including structural supports, architectural features of a building or sign structure, non-structural or decorative trim, or any areas that are separated from the background surface upon which the sign copy is displayed by a distinct delineation, such as a reveal or border. See Sign Regulation Guideline Details.

1. In the case of panel or cabinet type signs, the sign face shall include the entire area of the sign panel, cabinet or face substrate upon which the sign copy is displayed or illustrated, but not open space between separate panels or cabinets.
2. In the case of sign structures with routed areas of sign copy, the sign face shall include the entire area of the surface that is routed, except where interrupted by a reveal, border, or a contrasting surface or color.
3. In the case of signs painted on a building, or individual letters or graphic elements affixed to a building or structure, the sign face shall be comprised of the sum of the geometric figures or combination of regular geometric figures drawn closest to the edge of the letters or separate graphic elements comprising the sign copy, but not the open space between separate groupings of sign copy on the same building or structure.
4. In the case of sign copy enclosed within a painted or illuminated border, or displayed on a background contrasting in color with the color of the building or structure, the sign face shall comprise the area within the contrasting background, or within the painted or illuminated border.

SIGN, PRIMARY

A permanent wall sign that displays the name of a commercial entity.

SIGN, SECONDARY

A permanent wall sign that may advertise products and services offered by the commercial entity.

SIGN STRUCTURE

Any structure supporting a sign.

TEMPORARY SIGN

A sign intended to display either commercial or non-commercial messages of a transitory or temporary nature. Portable signs or any sign not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs.

UNDER CANOPY SIGN OR UNDER MARQUEE SIGN

A sign attached to the underside of a canopy or marquee.

V-SHAPED SIGN

The two (2) permitted faces of a standard double-faced yard or monument sign placed in a horizontal V-shaped configuration where the two (2) faces or their supporting structures are connected at the point of the V.

[Ord. No. 14-025 §1, 6-16-2014]

WALL OR FASCIA SIGN

A sign that is in any manner affixed to any exterior wall of a building or structure and that projects not more than eighteen (18) inches (457 mm) from the building or structure wall, including signs affixed to architectural projections from a building provided the copy area of such signs remain on a parallel plane to the face of the building facade or to the face or faces of the architectural projection to which it is affixed. For a visual reference and comparison of differences between wall or fascia signs and roof signs, see Sign Regulation Guideline Details.

WINDOW SIGN

A sign affixed to the surface of a window with its message intended to be visible to and readable from the public way or from adjacent property.

Chapter 407. Signs

Section 407.030. Allowable Signs.

[Ord. No. 13-001 §1, 1-7-2013]

All signs of any size or description are prohibited except those that are described and allowed by this Chapter. Allowed signs are divided into two (2) general categories, permanent and temporary and may further be subdivided by requiring permits or being exempt from permits. Each category of sign may have specific restrictions as set forth in this Chapter, however, if a specific sign or a restriction to an allowed sign is not enumerated in this Chapter, it is either not allowed or does not apply to a specific sign type.

Chapter 407. Signs

Section 407.040. General Provisions Applicable to All Signs.

[Ord. No. 13-001 §1, 1-7-2013]

- A. *Conformance To Codes.* Any sign hereafter erected shall conform to the provisions of this Chapter and the provisions of Chapter 500, Article I "International Building Code" and of any other applicable provision of this code or any regulations promulgated hereunder.
- B. *Permits Required.* All signs allowed by this Chapter shall require a permit issued by the Code Official unless exempted for a specified sign type. Each permit shall have a specified fee and those fees to erect, alter or relocate a sign shall be set in accordance with the procedures and fee schedule adopted pursuant to ~~Section 405.496~~ of this Title. Each specific sign type may have its unique criteria which are set forth in the descriptions of the allowable sign type later in this Chapter. If a specific sign type is exempt from the necessity of securing a permit, it shall not be construed to relieve the owner of the sign involved from responsibility for its erection and maintenance in a safe manner in compliance with all the other provisions of this Chapter.
- C. *Signs In Right-Of-Way.* No sign, other than a traffic, directional or promotional sign authorized by the appropriate governmental agency, shall be erected within any public way, unless specifically authorized by ordinance, resolution or regulation of the City of ~~Ozark.~~ WILLARD
- D. *Projections Over Public Ways Or Upon Public Property.* Projecting signs over public walkways shall be allowed to do so only subject to the projection clearance limit at a minimum height of eight (8) feet (2,438 mm) from grade level to the bottom of the sign. No sign may be placed in, upon or projecting over property owned, leased or managed by the City, including, but not limited to, rights-of-way without prior authorization from the City.
- E. *Traffic Visibility.* No sign or sign structure shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, or at any location where by its position, shape, or color it may interfere with or obstruct the view of or be confused with any authorized traffic sign, signal or device.
- F. *Computation Of Frontage.* If a premise contains walls facing more than one (1) property line or encompasses property frontage bounded by more than one (1) street or other property usages, the sign area(s) for each building wall or property frontage will be computed separately for each building wall or property line facing a different frontage.

The sign area(s) thus calculated shall be permitted to then be applied to permitted signs placed on each separate wall or property line frontage.

- G. **Animation And Changeable Messages.** Animated signs, changeable signs (electrically, environmentally or mechanically activated), except those that blink, flash or are animated by lighting in any fashion that would cause such signs to have the appearance of traffic safety signs and lights or municipal vehicle warnings from a distance, are allowed for non-residential uses in all districts.
- H. **Maintenance, Repair And Removal.** Every sign allowed by this Chapter shall be kept in good condition and repair. When any sign becomes insecure, in danger of falling or is otherwise deemed unsafe by the Code Official, or if any sign shall be unlawfully installed, erected or maintained in violation of any of the provisions of this Chapter, the owner thereof or the person or firm using same shall, upon written notice by the Code Official forthwith, in the case of immediate danger, and in any case within not more than ten (10) calendar days, make such sign conform to the provisions of this Chapter, or shall remove it. If within ten (10) calendar days the order is not complied with, the Code Official shall be permitted to remove or cause such sign to be removed at the expense of the owner and/or the user of the sign.
- I. **Obsolete Sign Copy.** Any sign copy that no longer advertises or identifies a use conducted on the property on which said sign is erected must have the sign copy covered or removed within thirty (30) calendar days after written notification from the Code Official; and upon failure to comply with such notice, the Code Official is hereby authorized to cause removal of such sign copy, and any expense incident thereto shall be paid by the owner of the building, structure or ground or which the sign is located.
- J. **Non-Conforming Signs.** Any sign legally existing at the time of the passage of this Chapter that does not conform in use, location, height or size with the regulations of the property use in which such sign is located shall be considered a legal non-conforming use or structure and shall be permitted to continue provided that it is maintained in good condition, but shall not be:
 - 1. Structurally altered (except to meet safety requirements) so as to prolong the life of the sign; or
 - 2. Altered so as to increase the degree of non-conformity of the sign; or
 - 3. Expanded; or
 - 4. Moved or replaced except to bring the sign into complete conformity with this Chapter; or
 - 5. Reconstructed after damage if the cost of reconstruction exceeds fifty percent (50%) of the value (appraised or tax value if listed for tax purposes) of such sign; or
 - 6. Abandoned or discontinued for a continuous period of one hundred eighty (180) days.

~~X~~ Outdoor advertising signs shall not be allowed on Business 65, Business 14, State Highway NN, State Highway J and State Highway CC within the City limits of the City of Ozark.

- K L. *Roof Signs.* Roof signs existing prior to the enactment of this Chapter may be refaced. Regular maintenance is allowed. Replacement of a non-conforming sign will not be allowed once an existing sign has been removed.

- L M. *Placement Of Signs.* No sign shall be attached to any utility pole, public light standard, trees, rocks, natural features, fences, fence posts, fence railing, benches, flower boxes, perimeter or privacy walls, accessory structures, trash enclosures and any other public facility located within the public right-of-way.
~~[Ord. No. 17-080, 12-18-2017]~~

Chapter 407. Signs

Section 407.050. Exempt Sign.

[Ord. No. 13-001 §1, 1-7-2013]

- A. The following signs shall be exempt from the provisions of this Chapter. No sign shall be exempt from Section **407.040(D)** or **407.040(H)**.
1. Any government's sign erected or maintained by or for any agency of government pursuant to and in discharge of any governmental function or required or authorized by law, ordinance or governmental regulations. Such signs shall include, but not be limited to, official notices authorized by a court, public body or public safety official; directional, Federal, State or municipal warning or information signs; street address signs and combination nameplate and street signs which do not exceed six (6) square feet; and any sign warning the public of the existence of danger.
 2. Memorial plaques, building identification signs and building cornerstones when cut or carved into a masonry surface or when made of non-combustible material and made an integral part of the building or structure.
 3. The flag of a government or non-commercial institution, such as a school.
 4. Religious symbols and seasonal decorations within the appropriate public holiday season.
 5. Works of fine art displayed in conjunction with a commercial enterprise where the enterprise does not receive direct commercial gain.
 6. A sign in or upon a civic organization, political subdivision or City property, to include, but not limited to, outdoor sports facilities, parks and green spaces, which provides information, advertising sponsorships or other information related to a municipal activity. These signs may include, but are not limited to, banners, scoreboards, time clocks, benches, and signs on fences or signs in concession stands.

Chapter 407. Signs

Section 407.060. Allowed Permanent Signs.

[Ord. No. 13-001 §1, 1-7-2013]

A. The following permanent sign types are specifically allowed subject to the criteria and limitations set forth below. Each sign type shall require a permit issued by the Code Official unless the sign type is specifically exempted. All such permits shall be subject to the following further regulations:

1. Before any permit is granted for the erection of a permanent sign or sign structure requiring such permit, construction documents shall be filed with the Code Official showing the dimensions, materials and required details of construction, including load, stresses, anchorage and any other permanent data. The permit application shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is to be erected and by the engineering calculations signed and sealed by a registered design professional where required by Sections **500.010** and **500.020** of this Code.
2. No permanent signs shall be structurally altered, enlarged or relocated except in conformity with the provisions herein, nor until a proper permit, if required, has been secured. The changing or maintenance of a movable sign or component of an approved permanent sign that is designed for such change, or the changing of sign copy, business names, lettering, sign faces, colors, display and/or graphic matter, or the content of any sign shall not be deemed a structural alteration.

~~X~~ In the event that a requested permanent sign is located on a property designated as "historic", that request shall comply with the requirements of this Chapter along with those of Chapter **420** of this Title.

4. The refacing of an existing sign is allowed as long as it is not enlarged and the original sign structure is structurally sound.
[Ord. No. 17-060, 12-18-2017]

B. *Identification Signs.* Permanent identification signs shall be allowed in accordance with Subsections (1) through (5) of this Subsection.

1. *Wall signs.* Every multiple-family residential complex, commercial, office warehouse or industrial building, and every separate non-residential building in a residential district may display non-animated primary and secondary wall signs per street property frontage subject to the limiting standards that each individual wall facade shall have an effective area not to exceed three (3) square feet per lineal foot of wall length. Such signs shall be allowed by permit and are subject to the following limitations:

- a. For commercial, office warehouse, industrial or other multiple occupancy non-residential buildings, the building face or wall shall be calculated separately for each separate occupancy.
- b. All permanent signs shall be made of rigid material and/or placed in a rigid enclosure.
- c. Building(s) that have an allowable side wall facade shall be calculated one (1) square foot of sign area per linear foot of frontage of that side of the building or a maximum area of one hundred fifty (150) square feet, whichever is less. [Ord. No. 14-025 §2, 6-16-2014]

- 2. *Freestanding signs.* In addition to any allowable wall sign, every single-family residential subdivision, multiple-family residential, commercial, office warehouse or industrial building and every separate non-residential building in a residential zone shall be permitted to display freestanding or combination signs per street property frontage subject to the limiting standards set forth in Table 407.080(T)(1). All freestanding signs shall have a front yard setback of ten (10) feet or must be placed outside of any utility easements, whichever may be greater. Where two (2) such faces are placed together creating a horizontal V-shape with an angle no greater than sixty degrees (60°), it will be considered a double-faced sign. If the angle is greater than sixty degrees (60°), it will be considered a single-faced sign. [Ord. No. 14-025 §3, 6-16-2014]

Table 407.080(T)(1)			
Identification Sign Standards — Freestanding Signs (a & b)			
Land Use	Number of Signs	Max Height in Feet	Area in Square Feet
Single-family residential subdivision	1 monument sign per entrance	10	150
Multiple-family residential	1 monument sign per entrance	10	150
Non-residential in a residential zone	1 ground or low profile sign	8	32
Commercial, office warehouse and industrial	1	25 above street grade	300

- a) For any commercial, office warehouse or industrial premises that have more than four hundred twenty-five (425) feet of property frontage along a street may have one (1) additional detached sign for each additional four hundred twenty-five (425) feet of property frontage, provided a minimum of three hundred (300) feet of separation is maintained between signs on a given premise and a setback of twenty-five (25) feet from the adjacent property line is maintained for all detached signs on the premise, except the twenty-five (25) foot setback does not apply to outdoor advertising signs.
- b) For any commercial, office warehouse or industrial development complex exceeding one million (1,000,000) square feet of gross leasable area, or forty (40) acres in size, such as regional shopping centers, auto malls or industrial

parcs, one (1) freestanding sign per street front shall be permitted to be increased in sign area by up to fifty percent (50%).

3. *Directional signs.* No more than two (2) permanent directional signs shall be allowed per street entrance to any lot. There shall be no limit to the number of permanent directional signs providing directional information interior to a lot. In residential districts, the maximum area for directional signs shall be three (3) square feet. For all other districts, the maximum area for any directional sign visible from adjacent property or right-of-way shall be six (6) square feet. Not more than twenty-five percent (25%) of the area of any directional sign shall be permitted to be devoted to business identification or logo, which area shall not be assessed as identification sign area.
4. *On-premise highway commercial freestanding signs.* The following areas are designated as Highway Commercial Sign Districts and are within a six hundred sixty (660) foot radius from the intersection of the right-of-way of the following:
 - a. U.S. Highway 65 and State Highway Business 14 (Jackson Street/Tiger Boulevard).
 - b. U.S. Highway 65 and State Highway CC.
 - c. U.S. Highway 65 and State Highway F/Business 65.

Any freestanding sign within these Highway Commercial Sign Districts shall have a minimum height of ten (10) feet above finish grade and must meet restrictions as set forth in Table 407.080(T)(2).

Table 407.080(T)(2)			
Highway Commercial District Freestanding Signs (a)			
[Ord. No. 13-040 §1, 10-21-2013]			
Land Use	Minimum Setback (feet)	Maximum Height (feet)	Maximum Area (square feet)
C-2, O-W, and I-1	10	40	400

(a)	Businesses within the Highway Commercial District may opt to follow Table 407.080(T)(1).
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5. *Off-premise outdoor advertising signs along U.S. Highway 65 within the City limits of the City of Ozark Willard*
 - a. Along U.S. Highway 65, any off-premise outdoor advertising signs shall be a maximum forty (40) feet above street grade, minimum ten (10) feet to bottom from finish grade, maximum six hundred seventy-two (672) square feet and shall not be erected within fourteen hundred (1,400) feet of any other off-premise outdoor advertising sign on the same side of the right-of-way.
 - b. No off-premise outdoor advertising sign shall be located closer than five hundred (500) feet to a highway interchange existing or approved for construction by the Missouri Highway and Transportation Department. Such

five hundred (500) feet shall be measured from the beginning or ending of the pavement widening at the exit from or entrance to the main traveled way.

- c. No off-premise outdoor advertising sign shall be located within one thousand (1,000) feet of any residential zoning district.
 - d. Any electric message sign, changeable sign or projected display that maintains a continuous static message without blackness or disruption shall comply with the following:
 - (1) The static display time for each message is a minimum of eight (8) seconds.
 - (2) The time to completely change from one message to the next is a maximum of two (2) seconds.
 - (3) The image shall not flicker or flash in accordance with this Code.
 - (4) No projected image(s) or messages shall appear to move or be animated.
 - (5) Any such sign shall be designed such that the sign will freeze in one (1) position if a malfunction occurs.
 - e. Sign regulations enforced by the Missouri Highway and Transportation Commission along U.S. Highway 65 shall take precedence over any less restrictive requirements of this Chapter.
 - f. All heights specified in this Chapter shall be facing street unless otherwise specified.
- C. *Requirements For Specific Sign Types.* Signs of the following specific types shall be allowed in accordance with Subsections (1) through (6) set out below:
- 1. *Canopy signs.*
 - a. The permanently affixed copy area of canopy signs shall not exceed an area equal to twenty-five percent (25%) of the face area of the canopy (attached) or architectural projection upon which such sign is affixed or applied.
 - b. Graphic striping, patterns or color bands on the face of a building, canopy (attached) or architectural projection shall not be included in the computation of sign copy area.
 - 2. *Awning signs.*
 - a. The copy area of awning signs shall not exceed an area equal to twenty-five percent (25%) of the background area of the awning or awning surface to which such a sign is affixed or applied, or the permitted area for wall or fascia signs, whichever is less.
 - b. Neither the background color of the awning, nor any graphic treatment or embellishment thereto such as striping, patterns or valances shall be included in the computation of sign copy area.
 - 3. *Projecting signs.*

- a. Projecting signs shall be permitted in lieu of freestanding signage on any street property frontage limited to one (1) sign per occupancy along any street property frontage with public entrance to such an occupancy, and shall be limited in height to eight (8) feet minimum and fifteen (15) feet maximum and that no such sign shall exceed an area of twelve (12) square feet.
 - b. Such signs shall not extend over a public sidewalk in excess of fifty percent (50%) of the width of sidewalk.
 - c. Such signs shall maintain a clear vertical distance above any public sidewalk a minimum of eight (8) feet.
4. *Window signs.* Window signs shall be permitted for any non-residential use in a residential district, and for all commercial, office warehouse and industrial districts.
 5. *Menu boards.* Menu board signs shall not be permitted to exceed fifty (50) square feet.
 6. *Permanent mobile signs (no permit required).* No sign may be attached to, or placed upon, a vehicle or trailer parked on public or private property, except for permanent mobile signs meeting the following conditions:
 - a. The primary purpose of such a vehicle or trailer is not the display of signs and the vehicle or trailer is not used primarily as a static display advertising a product or service, nor is the vehicle or trailer used for storage, shelter or distribution points for commercial products or services for the general public unless otherwise authorized by the Code of Ordinances of the City of Ozark.
 - b. The signs are magnetic, decals or painted upon an integral part of the vehicle or equipment as originally designed by the manufacturer.
 - c. The vehicle or trailer is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used or available for use in the daily function of the business to which such sign relates.

Chapter 407. Signs

Section 407.070. Signs for Development Complexes.

[Ord. No. 13-001 §1, 1-7-2013]

- A. **Master Sign Plan Required.** All landlord or single-owner controlled multiple-occupancy development complexes shall submit to the Code Official a master sign plan prior to issuance of new sign permits. The master sign plan shall establish standards and criteria for all signs in the complex that require permits and shall address, at a minimum, the following:
1. Proposed sign locations.
 2. Materials.
 3. Type of illumination.
 4. Design of freestanding sign structures.
 5. Size.
 6. Quantity.
 7. Uniform standards for non-business signage, including directional and informational signs.
- B. **Compliance With Master Sign Plan.** All applications for sign permits for signage within a multiple-occupancy development complex shall comply with the master sign plan.
- C. **Amendments.** Any amendments to a master sign plan must be signed and approved by the owner(s) within the development complex before such amendment will become effective.

Chapter 407. Signs

Section 407.080. Allowed Temporary Signs.

[Ord. No. 13-001 §1, 1-7-2013]

A. *Temporary Signs.* Temporary signs shall be allowed in accordance with Subsections (1) through (6) of this Subsection.

1. *General provisions.* The following temporary sign types are specifically allowed subject to the criteria and limitations set forth below. Each sign type shall require a permit issued by the Code Official unless the sign type is specifically exempted. All such permits shall be subject to the following further regulations:
 - a. Any balloons, streamers or pinwheels are prohibited except those temporarily displayed as a part of a special sale, promotion or community event.
 - b. The specific criteria and restrictions shall apply to a particular use (i.e. commercial or residential) in a Planned Unit Development (PUD) as provided in Section **405.410** of this Title unless the approved PUD plan contains other criteria or restrictions for signs within the specific PUD.
 - c. No sign shall be attached to any utility pole, public light standard, trees, rocks, natural features, flower boxes, perimeter or privacy walls, accessory structures, trash container or any other public facility located within the public right-of-way.
2. *Real estate signs (no permit required).* Real estate signs shall be allowed in all zoning districts, subject to the following limitations:
 - a. Real estate signs located on a single residential lot shall be limited to one (1) sign not greater than four (4) feet in height and six (6) square feet in area.
 - b. For the purpose of publicizing a property open house, outdoor, off-premises advertising signs are permitted to be displayed up to seventy-two (72) hours prior to the day of the open house. Outdoor, off-premises advertising signs shall not be displayed, placed or mounted in a public right-of-way or on private property without the property owner's permission.

[Ord. No. 14-049 §1, 12-1-2014]

- c. Real estate signs advertising the sale of lots located within a subdivision shall be limited to one (1) sign per entrance to the subdivision, and each sign shall be no greater than thirty-two (32) square feet in area nor eight (8) feet in height. All signs allowed under this Section shall be removed when fifty percent (50%) of the project has been completed and replaced with a permanent development complex sign.

- d. Real estate signs advertising the sale or lease of space within commercial, office warehouse or industrial buildings shall be no greater than thirty-two (32) square feet in area nor eight (8) feet in height, and shall be limited to one (1) sign per street front.
 - e. Real estate signs advertising the sale or lease of vacant commercial, office warehouse or industrial land shall be limited to one (1) sign per property frontage, and each sign shall be no greater than eight (8) feet in height, and thirty-two (32) square feet for property of ten (10) acres or less, or one hundred (100) square feet for property exceeding ten (10) acres.
 - f. Real estate signs in any zoning district shall be removed not later than ten (10) days after execution of a lease agreement in the event of a lease, or the closing of the sale in the event of a purchase.
3. *Development and construction signs (no permit required).* Signs temporarily erected during construction to inform the public of the developer, contractors, architects, engineers, the nature of the project or anticipated completion dates shall be allowed in all zoning districts, subject to the following limitations:
- a. Such signs on a single residential lot shall be limited to one (1) sign not greater than six (6) square feet in area.
 - b. Such signs for a residential subdivision or multiple residential lots shall be limited to one (1) sign at each entrance to the subdivision or on one (1) of the lots to be built upon, and shall be no greater than eight (8) feet in height and thirty-two (32) square feet in area.
 - c. Such signs for non-residential uses in residential districts shall be limited to one (1) sign, and shall be no greater than eight (8) feet in height and thirty-two (32) square feet in area.
 - d. Such signs for commercial, office warehouse or industrial projects shall be limited to one (1) sign per property frontage, not to exceed eight (8) feet in height and thirty-two (32) square feet for projects on parcels five (5) acres or less in size, and not to exceed twelve (12) feet in height and sixty-four (64) square feet for projects on parcels larger than five (5) acres.
 - e. Development and construction signs may not be displayed until after the issuance of construction permits by the Building Official, and must be removed not later than twenty-four (24) hours following issuance of an occupancy permit for any or all portions of the project.
4. *Banners (Permit Required).* Signs temporarily displayed shall be allowed for non-residential uses in a residential district and for all commercial, office, warehouse and industrial districts subject to the following limitations:
[Ord. No. 17-060, 12-18-2017⁽¹⁾]
- a. Such signs shall be limited to one (1) sign per street front.
 - b. Such banner signs shall be displayed not more than thirty (30) consecutive days and not more than ninety (90) days per calendar year.
 - c.

No sign shall be displayed without obtaining a new permit before each display period.

- d. The total area of all such signs shall not exceed the thirty-two (32) square feet of area.

[1] *Editor's Note: This ordinance provided for the renumbering of former Subsection (A)(4) through (9) as Subsection A(5) through (10).*

5. *Grand opening signs (no permit required).* Signs temporarily displayed to advertise grand openings shall be allowed for non-residential uses in a residential district, and for all commercial, office warehouse and industrial districts subject to the following limitations:

- a. Such signs shall be limited to one (1) sign per street front.
- b. Such grand opening banner signs shall be displayed not more than thirty (30) consecutive days, to allow time for permanent signage to be erected.
- c. The total area of all such signs shall not exceed thirty-two (32) square feet of area.
[Ord. No. 17-060, 12-18-2017]

6. *Vertical infrastructure signs (no permit required).* Vertical infrastructure not attached to a principal structure may have one (1) two-sided sign attached to the vertical structure not to exceed twelve (12) square feet as long as the vertical structure is capable and/or engineered to meet all structural requirements.

7. *Civic signs (no permit required).* A banner sign is allowed to temporarily display civic events within the City of Ozark, to include, but not limited to, outdoor sports facilities, parks and green spaces or upon private property with property owner's permission, which provides information, advertising sponsorship or other information relating to the civic event and shall have the following limitations:

- a. The civic banner may be posted thirty (30) days prior to the event and must be removed within seventy-two (72) hours after the event.
- b. A total of five (5) civic banners may be allowed per any given event.
- c. Signs advertising a special community event shall not impair the safety and convenience of use of public rights-of-way, or obstruct traffic visibility.

8. *Yard and/or portable sandwich board signs (no permit required).* Such signs shall be allowed only in commercial, office warehouse and non-residential uses in a residential zoned district as designated in this Chapter, subject to the following limitations:

- a. One (1) of each such sign is permitted per each ground-floor business.
- b. All such signs displayed by businesses must be removed from public view daily at the close of business.
- c. Sandwich board signs on private property shall not obstruct doorways and/or sidewalks.

- d. Sandwich boards shall not exceed six (6) square feet in area and four (4) feet in height.
 - e. Yard signs shall not exceed four (4) square feet in area and four (4) feet in height.
 - f. Businesses that have "drive thru" service windows for the sale of goods shall be allowed three (3) additional yard signs for outside menu boards or the advertisement of products, which said signs are located within fifteen (15) feet of the primary structure.
 - g. Signs on a public right-of-way/sidewalk shall be required to maintain thirty-two (32) inches of sidewalk clearance for disabled accessibility (per ANSI 117.1 (2003)). No such sign shall obstruct pedestrian traffic or impede maintenance and/or snow or ice removal.
9. *Political, ideological and non-commercial signs (no permit required).* Political, ideological and non-commercial signs shall be allowed in all zoning districts, subject to the following limitations:
- a. Signs in residential districts or upon a residential use in any district shall not exceed six (6) square feet in area.
 - b. Signs in all non-residential districts shall not exceed thirty-two (32) square feet in area.
 - c. Signs for election candidates, ballot propositions or holiday/special events shall only be displayed for only a period of sixty (60) days preceding the election or holiday/special event and shall be removed within ten (10) days after the election, holiday/special event except that signs promoting successful candidates or ballot propositions in a primary election may remain displayed until not more than ten (10) days after the general election.
10. **Temporary Mobile Signs (No Permit Required).** Temporary mobile signs may be allowed for a thirty-day period, not to exceed six (6) periods per calendar year. [Ord. No. 17-060, 12-18-2017]
- a. The primary purpose of such a vehicle or trailer is not the display of signs and the vehicle or trailer is not used primarily as a static display advertising a product or service, nor is the vehicle or trailer used for storage, shelter or distribution points for commercial products or services for the general public unless otherwise authorized by the Code of Ordinances of the City of Ozark.
 - b. The signs are temporarily affixed to the vehicle.
 - c. The vehicle or trailer is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used or available for use in the daily function of the business to which such sign relates.
 - d. A temporary mobile sign may be posted thirty (30) days prior to any promotional event and must be removed within seventy-two (72) hours after the event. Temporary mobile signs may be allowed a permit for a thirty (30) day period, not to exceed six (6) periods per calendar year.

- e. Temporary mobile signs for election candidates, ballot propositions or holiday/special events shall only be displayed for a period of sixty (60) days preceding the election or holiday/special event and shall be removed within seventy-two (72) hours after the election, holiday/special event except that temporary mobile signs promoting successful candidates or ballot propositions in a primary election may remain displayed until not more than seventy-two (72) hours after the general election.

Chapter 407. Signs

Section 407.090. Violations.

[Ord. No. 13-001 §1, 1-7-2013]

- A. *Unlawful Acts.* It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, expand, repair or move any sign, structure or equipment regulated by this Chapter, or cause same to be done, in conflict with or in violation of any of the provisions of this Chapter.
- B. *Notice Of Violation.* The Code Official is authorized to serve a notice of violation or order on the person responsible for a violation of the provisions of this Chapter or in violation of a permit or certificate issued under the provisions of this Chapter. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation within a specified, reasonable period of time.
- C. *Prosecution Of Violation.* If the notice of violation is not complied with within the time specified in the notice of violation, the Code Official is authorized to issue a citation and request the City Prosecuting Attorney to institute the appropriate proceeding at law or in equity to punish, restrain, correct or abate such violation.
- D. *Removal Of Temporary Signs.* In the event that the violation as set forth above consists of signage that has been placed and does not meet the requirements within this Chapter, the Code Official is hereby authorized to remove said signage and to notify the owner how and where the signs can be retrieved. If the owner of said signs cannot be determined or, after due notice, the owner fails to retrieve the signs, then the Code Official is authorized to dispose of said signs after a reasonable period of time.

[Ord. No. 17-060, 12-18-2017]

- E. *Penalties.* Any person, firm or corporation found responsible for a violation of this Chapter shall be punished as provided in Section **100.220** of this Code.

Chapter 415. Sign Regulations

Section 415.020. Definitions.

[CC 1999 §26-111; Ord. No. 04-71 §1, 12-27-2004; Ord. No. 05-23 §1, 3-28-2005]

As used in this Chapter, the following words, terms and phrases shall have the meanings respectively ascribed to them by this Section:

ATTACHED SIGN (SIGN, WALL)

Any sign substantially and permanently attached to, applied on, structurally connected to, painted on, engraved on, etched on, or supported by any part of a building's wall, awning, canopy, marquee, parapet, sunshield, window, door or similar item.



ATTENTION ATTRACTING DEVICES

Any animated, mechanical or stuffed item designed to promote, advertise, demonstrate or call attention to any commercial, office, retail or service business or activity.

BANNER

A sign made of fabric or any other non-rigid material with no enclosing framework.

BUILDING CODE

The Building Code of the City of Republic, Missouri, together with any related Code(s) adopted by the City, and any regulations adopted in conformance therewith.

BUSINESS AREA

Any district designated under Chapter 405 of the Republic City Code for office, commercial or industrial use.

CITY BUILDING INSPECTOR

The City Building Inspector of the City of Republic, Missouri, or his/her designated representative of the Community Development Department.

[Ord. No. 16-23 § 1, 11-28-2016]

COMMERCIAL

Relating to the sale of goods or services.

COPY

The letters, figures, characters, representations, pictures or wording on a sign, including any identification, description, symbol, trademark, object, design logo, illustration or device illuminated or non-illuminated which directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem or painting designed to advertise, communicate, identify or convey information.

DIRECTIONAL SIGN

A pole or monument sign, located on private property, which directs vehicular traffic. The sign may display arrows, words or other symbols to indicate the direction of the facilities. No goods or services for sale may be listed.

EFFECTIVE AREA

The area enclosed by the minimum imaginary rectangle, or combination of contiguous rectangles, composed of vertical and horizontal lines which fully contain all extremities of the sign. This rectangle, or combination of contiguous rectangles, is to be calculated from an orthographic projection of the sign viewed horizontally. The viewpoint for an orthographic projection shall be rotated horizontally around the sign to give the largest rectangle. For flat signs, this viewpoint is opposite a corner. If elements of the sign are movable or flexible, as a flag or string of lights, the measurement shall be taken when the elements are fully extended and parallel to the plane of view. The sign seen from this viewpoint is then enclosed within the smallest plane of view. The sign seen from this viewpoint is then enclosed within the smallest rectangle, or combination of contiguous rectangles, which fully contains the sign. The area of the rectangle, or combination of contiguous rectangles, is the "effective area" of the sign. A combination of contiguous rectangles may be used with more than one (1) surface containing copy.

ERECT

Attach, alter, build, construct, reconstruct, enlarge or move.

FLAGS

A construction of fabric, plastic or paper depicting through symbols, characters, design or letters a nation, political subdivision or business when hung, without frame, from a staff or pole.



FLASHING LIGHT

A continuously intermittent light or sequential light; but not including animation or lighting changes which change the copy of a sign.

FRONTAGE, BUILDING

The wall of the building that faces the street abutting the property. If the building is located on a corner at an angle facing two (2) streets, the frontage shall be the wall of the building which faces the street with the highest average daily traffic count.

IDEOLOGICAL AND NON-COMMERCIAL SIGN

A sign which does not name or advertise a product, service or business but only expresses a viewpoint, non-commercial message, opinion or idea. This includes commemorative plaques, historic markers, holiday decorations, political signs, political or fraternal flags or emblems, or protective signs which are commonly associated with safeguarding the permitted uses of a premises including, but not limited to "vicious dog", "no trespassing", "neighborhood watch" and "authorized parking only".

LOT

A parcel of land under one (1) ownership designated as a separate and distinct tract and identified by a tract or lot number or symbol in a duly approved subdivision plat of record.

MENU BOARD

An on-premise sign utilized by the public patronizing a drive-through business as to a bill of fare or other products or services.

NON-BUSINESS AREA

Any area within a residential zoning district, including areas therein where legal non-residential uses are present.

NON-COMMERCIAL

Relating to a public service, religion, charity, idea or similar item.

OFF-PREMISES SIGN

A sign structure advertising an establishment, merchandise, service or entertainment which is not sold, produced, manufactured or furnished at the property on which said sign is located, e.g. "billboards", "outdoor advertising" or "off-site sign".

ON-PREMISES SIGN

A sign which pertains to the use of the premises on which it is located and maintained.

PERMANENT SIGN

Any wall or monument sign or other sign which is intended remain displayed.

PERSON

Any individual, corporation, association, firm, partnership, institution or other legal entity, singular or plural.

PREMISES

Any tract of land, consisting of one (1) or more lots, under single or multiple ownership, which operates as a functional unit. When developed, a premises shall also possess one (1) or more of the following criteria:

1. Shared parking.
2. Common management.
3. Common identification.
4. Common access.
5. Shared circulation.

SETBACK

The horizontal distance between the curb line and a vertical projection from that portion of the sign nearest the curb line.

SIGN

Any object principally designed to convey a message, including sign structure and decorative cover. Examples of signs include, but are not limited to: message boards, changeable copy boards, pennants, flags, billboards, and streamers.

SIGN, DETACHED

A sign not attached to or painted on a building, but which is permanently affixed to the ground, otherwise known as a monument or freestanding sign. A sign attached to a flat surface such as a fence or a wall not a part of a building shall be considered a detached sign.

SIGN, FREESTANDING

A sign which is supported by one (1) or more uprights, poles or braces affixed to the ground, not attached to the principal building or structure. The bottom of the sign face shall be no closer than eight (8) feet from the ground.

SIGN, MONUMENT

A sign supported by the ground, not attached to the principal building or structure, where the bottom edge of the sign is on or in the ground.

SIGN, PROJECTING

Any sign which is attached to and projects from a surface or building face.

SIGN, ROOF

Any sign erected upon, against or directly above a roof.

SIGN STRUCTURE

Any structure which supports, has supported, or is designed to support a sign, including any decorative cover, exclusive of any copy.

SIGN, WALL

Any sign in a parallel plane to and attached, installed, painted, engraved or etched upon a structure's wall, awning, canopy, marquee, parapet, sunshield, window, door or similar item.

STP URBAN SYSTEM

Surface Transportation Program (Urban System) is a network of roads and highways that qualify for Federal aid under the Inter-modal Surface Transportation Efficiency Act.

STREET GRADE

The highest altitude of the street vertically under any portion of the sign or its supports.

USE

The purpose for which a building, lot, sign or other structure is arranged, intended, designed, occupied or maintained.

Chapter 415. Sign Regulations

Section 415.010. Purpose.

[CC 1999 §26-110]

- A. This Chapter provides standards for the erection and maintenance of signs. All signs shall be erected and maintained in accordance with these standards. The general purpose of these standards is to promote, preserve and protect the health, safety, general welfare, convenience and enjoyment of the public and to preserve and protect the aesthetic quality of the City of Republic, and to achieve the following:
1. *Safety.* To promote the safety of persons and property by providing that signs:
 - a. Do not create a hazard due to collapse, fire, collision, decay, abandonment or other safety considerations; and
 - b. Do not create traffic hazards by confusing or distracting motorists.
 2. *Landscape quality and preservation.* To protect the public welfare and to enhance the appearance and economy of the City, by providing that signs:
 - a. Do not interfere with scenic views;
 - b. Do not constitute a nuisance to occupancy of adjacent property by their brightness, size, height or movement;
 - c. Do not negatively affect the City's tourism industry;
 - d. Do not create or worsen visual clutter or visual blight;
 - e. Do otherwise protect and preserve a quality landscape in the City; and
 - f. Do otherwise enhance the appearance and economy of the City.

Section 415.030. Exempt Signs.

[CC 1999 §26-112; Ord. No. 99-42 §1, 9-27-1999; Ord. No. 04-64 §1, 10-11-2004; Ord. No. 08-67 §1, 9-8-2008]

- A. The following signs shall not require the issuance of a sign permit but must be in conformance with all other sign regulations and the Building Code. These signs are allowed in addition to all other signs allowed under this Chapter.
1. *Address numbers.*

- a. Address numbers for each residential building and business address numbers not exceeding one (1) square foot in effective areas per character, and one (1) name plate not exceeding two (2) square feet in effective area per dwelling unit or business. All address numbers and name plates shall be attached signs, except as follows:
 - b. If a building is more than one hundred (100) feet from the street, its address numbers may be detached.
2. *Banner signs.* One (1) banner sign per business premises, which is not over thirty-six (36) square feet in effective area.
3. *Directional signs.* Detached on-premises directional signs which do not exceed five (5) square feet in effective area. Any logo, business name, product, or service identification, or other advertising shall not exceed twenty percent (20%) of the effective area. No part of the sign shall exceed four (4) feet in height above street grade or four (4) feet in height above the lowest level of the ground under the sign if elevation of premises at sign location is more than twelve (12) inches above street grade, excluding berms or other landscaping features.
4. *Election signs.* Any sign erected for an election campaign, provided that said sign is removed ten (10) days after election is final.
5. *Flags.* Flags of any nation, State or political subdivision provided:
 - a. If the flag is flown from a flagpole, such flagpole shall be a minimum of four (4) times the length of the flag but shall not exceed over sixty (60) feet in height from finished grade.
6. *Government sign.* Any sign erected or maintained by or for any agency of government pursuant to and in discharge of any governmental function or required or authorized by law, ordinance or governmental regulations; or any sign erected in cooperation with the City or other government agency for the purpose of promoting the City or community.
7. *Holiday decorations.* Holiday decorations in season.
8. *Internal signs.* Any on-premises sign, the copy of which cannot be viewed from a street right-of-way or adjoining property.
9. *Neighborhood identification sign.* A detached sign, masonry wall, landscaping or other similar material or features which are combined to form a display for neighborhood or tract identification, provided that the legend of such display shall consist of only the neighborhood, tract name or historic district.
10. *Real estate sale, lease and construction signs.* One (1) detached or attached non-illuminated temporary on-premise and/or off-premise sign each pertaining to the construction, sale or lease of real estate. Such sign shall not exceed thirty-two (32) square feet in effective area in business areas and not to exceed four (4) square feet in effective area in non-business areas. One (1) additional sign shall be permitted in both business and non-business areas if the premises on which they are located either has at least two hundred fifty (250) feet of frontage, contains more than five (5) acres, or has frontage on more than one (1) street. All such signs shall be removed within seven (7) days after the closing of the sale or lease.

11. *Vehicular signs.* Any sign permanently attached to a motor vehicle which is traveling or lawfully parked where the primary purpose of such parking is not the display of any sign. This definition shall not include signs in transit to a site of permanent use.
12. *Miscellaneous exempt signs.*
 - a. A sign located on machinery or equipment which is necessary or customary to the business, including such devices as gasoline pumps or vending machines, which does not increase the size of the surface area or alter the shape of the machine or equipment.
 - b. Private street or road name signs.
 - c. "No trespassing", "no dumping", "no loitering" and like signs not exceeding one (1) square foot.
 - d. Signs warning the public of the existence of danger, but containing no advertising material, to be removed upon subsidence of the danger for which warning is being given and not exceeding one (1) square foot in effective area.
 - e. A sign on facilities located in City parks which provides information that is incidental to a sponsored activity such as scoreboards, time clocks, benches or signs in concession stands.
 - f. A detached or attached temporary sign not exceeding thirty-two (32) square feet in background area advertising drives or events of a civic, philanthropic, educational, religious, political or similar nature, provided that said sign is posted only during said drive or event for no more than sixty (60) days per year and is removed within twenty-four (24) hours after an event.
 - g. Attached incidental sign, which pertains to goods, products, services or facilities that are available on the premises where the sign is located, but only tangentially related to the main activities or purpose of the business, not exceeding a total of four (4) square feet in effective area per business.
13. *Personal property sales, moving sales, garage sales or yard sales signs.* Posting of such signs shall not be permitted more than one (1) day prior to the sale and must be removed by the last day of the sale. Posting of such signs shall be permitted on public property, including right-of-way, and shall be further governed by Sections **415.050** and **415.060**.
14. *Menu board signs in drive-thru facilities.*
 - a. Shall be located at the rear fifty percent (50%) of the principal building; and
 - b. Shall have a sign envelope that does not exceed sixty (60) square feet in area; and
 - c. Shall be limited to internally lit indirect lighting.

Section 415.040. Exempt Operations.

[CC 1999 §26-113]

- A. The following operations shall not require the issuance of a sign permit:
1. Changing of the copy describing products or services on an existing permitted sign which is specifically designed for the use of manually or automatically changeable copy including billboard panels and posters; but not including changes in the structure, size, placement or location of the sign.
 2. Maintenance, including repainting, refurbishing, cleaning or other normal repair of a sign not involving structural changes.

Section 415.050. General Sign Provisions.

[CC 1999 §26-114; Ord. No. 10-26 §2, 6-14-2010]

- A. The provisions of this Section shall apply to all signs in the City, without regard to their classification as a business or non-business sign.
- B. *General Provisions.* All signs are prohibited except as allowed by this Chapter.
1. *Public areas.* No sign other than a government sign shall be allowed, which is located within or projects over any public property, including rights-of-way, except where the building is located on or within three (3) feet of the property line. No such signs are allowed in the right-of-way of any thoroughfare designated as part of the STP Urban System. In no instance shall signs project beyond a vertical plane two (2) feet inside the curb line from any building and the bottom of said sign shall not be less than ten (10) feet above the highest level of the ground under the sign at the sign's lowest point.
 2. *Parking spaces.* No sign shall occupy a parking space necessary to satisfy minimum off-street parking requirements.
 3. *Sign illumination.* Illuminated signs shall be designed, located and constructed to eliminate or significantly reduce glare and shall not increase the lighting intensity upon adjoining premises not under the same ownership and control.
 4. *Sign condition.* No person shall maintain or allow to be maintained on any premises owned or controlled by that person any dangerous or defective sign. All signs, together with all their supports, braces, connections or anchors, shall be kept in good repair. Unsafe signs, damaged or deteriorated signs or signs in danger of breaking apart or falling shall be removed or repaired by their owner. Any fading, chipping, peeling or flaking of paint, plastic or glass; or any mechanical, electrical or structural defect shall be corrected upon written notice by the Republic Community Development Department.
[Ord. No. 16-23 § 1, 11-28-2016]
 5. *Compliance with Building Codes.* All signs shall be erected or affixed and maintained in compliance with the Republic Building Code.

6. *Signs at street intersections.* Signs may be erected in the street intersection sight triangles; however, any sign must be at least ten (10) feet above street grade except for supports, which may not exceed one (1) foot in width or diameter or be spaced less than ten (10) feet apart from any other stationary object. Sight triangles shall be established in accordance with Table 405.910. The Community Development Department may require additional triangle area for clear sight and safety as determined by a traffic study for special conditions.
[Ord. No. 16-23 § 1, 11-28-2016]

7. *Signs at street/driveway intersections.*

a. Signs may be erected in the street/driveway sight triangles, however, any sign must be at least ten (10) feet above street grade except for supports, which may not exceed one (1) foot in width or diameter or be spaced less than ten (10) feet apart from any other stationary object.

b. A street/driveway sight triangle is formed by the intersection of a public or private street and a driveway (see Figure 415.050) where the triangle area is that area encompassed within two (2) intersecting lines formed by the edge of the pavement, curb, roadway or projection thereof and extending forty (40) feet down the street from the right edge of the driveway when standing in the driveway facing the street, and extending eleven (11) feet from the edge of the street extending up the driveway pavement, and a third (3rd) imaginary line connecting the extremities of the other two (2) without overlaying the pavement. On the left side of the driveway, the triangle shall be measured by measuring sixty-five (65) feet down the street pavement from the edge of the driveway and measuring eleven (11) feet down the driveway pavement from the edge of the street, and an imaginary third (3rd) straight line connecting the extremities of the other two (2) without overlaying the pavement. (See Figure 415.050)

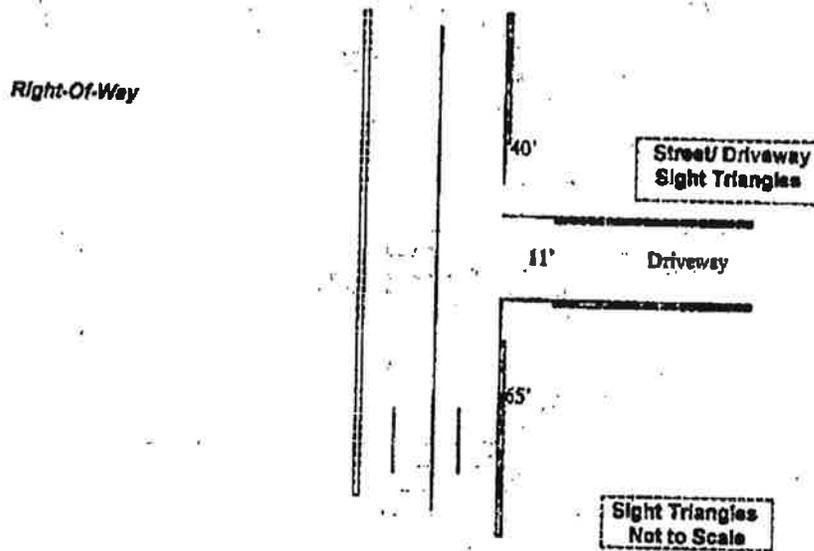


FIGURE 415.050

8. *Ideological or non-commercial signs.* Any sign permitted under this Chapter may contain ideological or non-commercial copy in lieu of any other copy.

Chapter 415. Sign Regulations

Section 415.080. Provisions For Signs in Business Areas.

[CC 1999 §26-117; Ord. No. 99-42 §1, 9-27-1999; Ord. No. 04-71 §1, 12-27-2004; Ord. No. 05-23 §1, 3-28-2005; Ord. No. 07-20 §1, 4-9-2007; Ord. No. 08-18 §1, 2-25-2008; Ord. No. 08-67 §1, 9-8-2008]

A. *General Provisions.* These provisions shall apply to all permanent signs in business areas as defined in this Chapter.

1. A sign in a business area shall conform to regulations for a sign in a non-business area if the sign is within twenty-five (25) feet of a non-business area.
2. Flashing lights or animation on signs in business areas shall be placed at least ten (10) feet above street grade.
3. Both on-premises or off-premises signs are allowed in general commercial and less restrictive zoning districts. Only on-premises signs are allowed in more restrictive districts. Off-premises detached signs shall conform to the standards for on-premises signs, with the following exceptions:
 - a. Off-premises detached signs shall maintain a minimum front yard setback of twenty-five (25) feet.
[Ord. No. 15-19 §1, 8-10-2015]
 - b. Off-premises detached signs shall maintain a maximum radius of one thousand five hundred (1,500) feet between all other off-premises detached signs. Off-premises detached signs shall maintain a maximum height of forty (40) feet and a maximum effective area of four hundred (400) square feet.
[Ord. No. 15-19 §1, 8-10-2015]
 - c. Off-premises detached signs are prohibited within one hundred twenty-five (125) feet of a non-business area.
4. Sign regulations enforced by the Missouri Highway and Transportation Commission along the primary highway system in the City shall take precedence over any less restrictive requirements of this Chapter.
5. All heights specified in this Code shall be measured from street grade at a point perpendicular to facing street unless otherwise specified.

B. *Detached Signs.* Detached signs are allowed in business areas.

1.

1.

A premises fronting on a collector street shall be allowed a detached sign with an effective area determined by adding fifty (50) square feet to a ratio of one (1) square foot of effective area per lineal foot of frontage along the collector street.

2. Each premises shall be allowed one (1) permanent detached on-premises or off-premises sign. Premises with frontage on more than one (1) street shall be permitted to have one (1) additional on-premises sign per side.
3. Premises which have more than four hundred twenty-five (425) feet of frontage along a street may have one (1) additional detached sign for each additional four hundred twenty-five (425) feet of frontage or fraction thereof, provided a minimum of three hundred (300) feet of separation is maintained between signs on a given premises.
4. The maximum effective area for any detached business sign shall be three hundred (300) square feet.
5. Each detached sign shall not exceed a maximum height of twenty-five (25) feet.
6. A minimum setback of ten (10) feet will be required from the property line for monument signs and a minimum setback of five (5) feet from the property line for freestanding signs.

C. *Attached Signs.* Attached signs are allowed in business areas in accordance with the following provisions:

1. Each business shall be allowed an attached sign. In the event the business does not front on a street, it shall be allowed signage as if it fronted on a local street. The attached sign shall not extend any further than eighteen (18) inches from any part of the structure, i.e. awning, canopy, door, marquee, parapet, sunshield, wall or similar item. Attached signs do not include signs on the inside or outside of the window, which do any advertising beyond merely identifying the business and giving the times it is open, these shall be subject to total square footage limitations. An attached sign shall not extend beyond the wall edge.
2. The total effective area of all wall signs allowed for a business shall be calculated based upon the lineal footage of each wall having frontage on a street. If the business has frontage on any street other than a local street, the effective area shall not exceed three (3) square feet per lineal foot of the wall length. If the business has frontage on a local street, the effective area shall not exceed one-half ($\frac{1}{2}$) square foot per lineal foot of the wall length.
3. A premises may have a roof sign only if it does not have a detached or projecting sign. No part of the sign shall extend beyond any wall. The methodology used to determine the effective area allowed for detached signs shall be used to calculate the effective area allowed for roof signs.
4. A business may have a projecting sign only if it does not have a roof sign or a maximum number or allowable detached signs for that premises. Where a business frontage would allow the use of two (2) or more detached signs, a projecting sign may be substituted for one (1) of the detached signs. Projecting signs shall have a minimum clearance of ten (10) feet above the highest level of the ground under the sign at the sign's lowest point and shall not exceed twenty (20) square feet in effective area.

5. Each premises containing more than one (1) business shall reserve one (1) detached sign to identify either the entire premises, or businesses located there, desiring to be identified, unless otherwise approved by the Community Development Department.

[Ord. No. 16-23 § 1, 11-28-2016]

D. Menu board signs shall be governed by the provisions of Section 415.030 paragraph (14).

E. Commercial subdivision signs shall:

1. Be limited to one (1) subdivision sign per entrance.
2. Not exceed an effective area of three hundred (300) square feet.
3. Not exceed a height of twenty-five (25) feet.
4. Comply with all other applicable provisions of the sign ordinance (i.e., "Intersection Clear Sight Triangle").
5. Be limited to displaying the names of companies located in the subdivision and no advertising matter shall be allowed on the sign.
6. Not supersede any other detached signs allowed within this Section.
7. Be placed in a sign easement.
8. Have a minimum setback of ten (10) feet from the property line for a monument sign and a minimum setback of five (5) feet from the property line for freestanding sign.
9. A sign permit is required for any commercial subdivision sign.
10. Sign shall not be in sight triangle.

Section 415.060. Prohibited Signs.

[CC 1999 §26-115]

A. The following signs are prohibited, which:

1. Concern unlawful activity;
2. Operate or employ any motion picture projection in conjunction with any advertisements;
3. Employ any searchlights, strobe lights, balloons or similar attention getting devices;
4. May be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or road equipment vehicle by reason of their size, location, movement, content, coloring, or manner of illumination;
5. Hide from the view of those to whom the device is directed, any traffic or street sign or signal or similar device;
6. Are temporary, except as specifically allowed in this Code;
7. Signs other than those specifically allowed by Section 415.030(10) that are capable of being carried, wheeled or moved from one location to another;
8. Signs which are attached to any tree, fence, branch, another sign or utility pole except warning signs issued and properly posted by the utility company.

Section 415.070. Temporary Banners.

[CC 1999 §26-116; Ord. No. 04-71 §1, 12-27-2004]

A. *Temporary Banners Permitted.*

1. Except as otherwise exempted in Section 415.030, or provided in this Section, temporary banners may only be used in a business area.
2. In non-business areas, each premises may display one (1) temporary banner not exceeding four (4) square feet in effective area for up to seven (7) consecutive days twice each calendar year.

B. *General Provisions.*

1. The effective area shall not exceed thirty-five (35) square feet.
2. All temporary banners shall be attached banners.
3. Each business may display one (1) attached temporary banner as set forth below.

C. *Temporary Banners — Duration Of Display.*

1. A business or premises shall be allowed to display a temporary banner for not more than thirty (30) days per display period and not more than ninety (90) days per calendar year.
 2. No temporary banner shall be displayed without obtaining a new permit before each display period.
 3. In business areas, a temporary business with a valid business license and a temporary building permit may apply for and obtain a special permit which would allow the use of a temporary banner for the period of the building permit. Such a banner must be attached to a temporary or permanent structure and may not exceed thirty-two (32) square feet in effective area.
- D. *Temporary Banners — Emergency Uses.* In the event a sign or business is substantially damaged through fire, flood, act of God, insurrection, riot or similar emergency beyond the control of the business owner or occupant, a temporary banner shall be allowed for a period of time not to exceed sixty (60) days, unless the time period is extended by the Community Development Department for a continuing hardship.
[Ord. No. 16-23 § 1, 11-28-2016]

Section 415.090. Provisions For Signs in Non-Business Areas.

[CC 1999 §26-118]

- A. *Single-Family And Two-Family Residential Districts.* These provisions shall apply to all permanent signs in non-business areas:
1. Dwelling units in single-family or two-family zoning districts shall be allowed to utilize any non-business sign described in Section 415.030, Exempt Signs. Home occupations, as defined in Section 405.020, and as allowed in Article III of Chapter 405 of this Title, shall be allowed one (1) on-premises detached sign, such sign shall not exceed five (5) square feet in effective area and four (4) feet in height. No off-premises signs shall be allowed other than those specifically allowed by Section 415.070, Temporary Signs.
 2. Wall signs shall not be permitted, however, this does not include signs on the inside or outside of windows except that any signs on the outside of the window, which do any advertising beyond merely identifying the business and giving the times it is open, shall not exceed five (5) square feet in effective area.
 3. Flashing lights and animation are not allowed except as seasonal decorations.
- B. *Detached Signs.* Detached signs are allowed in non-business areas as follows:
1. Each premises containing a multi-family use or legal non-conforming use shall be allowed one (1) detached sign. Premises with more than seven hundred fifty (750) feet of frontage along a public street may have one (1) additional detached sign, provided a minimum of three hundred (300) feet of separation is maintained between signs, and a minimum setback of twenty-five (25) feet from adjacent property line is maintained for both signs.

2. A minimum front yard setback of ten (10) feet is required of all detached signs. No detached sign shall exceed thirty-two (32) square feet in effective area or eight (8) feet in height.

C. *Attached Signs.* Attached signs are allowed in non-business areas as follows:

Each premises containing a multi-family use or legal non-conforming use shall be allowed one (1) wall sign per wall, which shall extend no further than eighteen (18) inches from the wall. The sign may contain the name and logo of the establishment, business or use and nothing else. Wall signs do not include signs on the inside or outside of windows except that any signs on the outside of the window, which do any advertising beyond merely identifying the business and giving the times it is open, shall be subject to total square footage limitations. A wall sign shall not project beyond the wall edge. The total effective area of all wall signs allowed for a business shall be calculated based upon street frontage and whether or not the premises has a detached sign. Where a premises has no detached sign, the total effective area of all wall signs shall not exceed one (1) square foot per linear foot of the wall length along the street or streets upon which the business fronts. Where a premises has a detached sign, the total effective area of all wall signs shall not exceed one-half (½) square foot per lineal foot of the wall length along the street or streets upon which the business fronts.

Section 415.100. Legal Non-Conforming Signs.

[CC 1999 §26-119]

- A. *Non-Conforming Signs.* The sign for a legal non-conforming use shall be a legal non-conforming sign if the sign:
1. Was erected or attached prior to the adoption of this Chapter,
 2. Is on-premise, and
 3. Would have been legal if the use had been located in the most restrictive zoning district where the use is allowed by right.
- B. *Continuation Of Legal Non-Conforming Signs.* Any sign which was lawfully erected or affixed prior to such time as it came within the purview of this Chapter and which sign complied with all regulations in force at the time it was erected or affixed, but which fails to conform to all applicable regulations and restrictions of this Chapter, shall be considered a legal non-conforming sign. A legal non-conforming sign may be continued and shall be maintained in good condition, but shall not be:
1. Structurally altered (except to meet safety requirements) so as to prolong the life of the sign;
 2. Altered so as to increase the degree of non-conformity of the sign;
 3. Expanded;
 4. Re-established after damage or destruction of seventy-five percent (75%) of the value (tax value, if listed for tax purposes) or more of the non-conforming sign.
- C. *Abandoned Or Discontinued.* Abandonment or discontinuance occurs whenever:

1. The sign for a continuous period of three (3) months or more advertises services or products no longer available to the traveling public because the services or products have been discontinued or cannot be obtained at the destination or by the directions indicated on the sign; or
2. The sign for a continuous period of three (3) months or longer is maintained without an advertising message. The following signs are signs maintained without an advertising message:
 - a. A sign with a message which is partially obliterated so as not to identify a particular service or product;
 - b. A sign which is blank or painted out;
 - c. A sign with a message consisting solely of the name of the sign owner on any part of the sign.

Section 415.110. Directional Signs.

[CC 1999 §26-120]

On-premises detached directional signs in excess of five (5) square feet in effective area shall be allowed in any area, provided such signs do not name or advertise any product, service or business, and the total allowable effective area of detached signs on the premises is not exceeded. A site plan locating all detached signs, including existing and proposed directional or instructional signs, shall be required prior to issuance of a sign permit.

Section 415.120. Commercial Sign Overlay Districts.

[CC 1999 §26-121; Ord. No. 08-18 §1; 2-25-2008]

- A. Purpose. The purpose of the Commercial Sign Overlay Districts is to permit on-premises detached signs in proximity to the intersection of major highways and expressways, freeways or interstates. Larger and taller on-premises detached signs are deemed appropriate in these areas due to the orientation of the commercial activity located at these intersections.
 1. *Highway Overlay District.* All signs located on a highway in a commercial district shall conform to Section 415.080, Provisions for Signs in Business Areas, except for the following:
 - a. Property located within a one thousand two hundred (1,200) feet radius from the center of the intersection of the rights-of-way of U.S. Highway 60 and State Highway 174.
 - b. Property located within a one thousand two hundred (1,200) feet radius from the center of the intersection of the rights-of-way of U.S. Highway 60 and State Highway M.
 - c. The maximum effective area for any on-premises detached sign in a Highway Overlay District shall be three hundred (300) square feet and shall have a maximum height of thirty-five (35) feet.

2. *Expressway Overlay District.* All signs located in an Expressway Overlay District shall conform to Section 415.080, Provisions for Signs in Business Areas, except for the following:
 - a. Property located within a radius of one thousand five hundred (1,500) feet from the center of the intersection of the rights-of-way of U.S. Highway 60 or Sunshine Street and James River Freeway, Brookline Avenue or State Highway MM and James River Freeway or State Highway MM and I-44.
 - b. The maximum effective area for any on-premises detached sign in an Expressway Overlay District shall be four hundred (400) square feet and shall have a maximum height of sixty (60) feet.
3. *Railroad Overlay District.* Due to the restricted view caused by the railroad overpass and elevated road bed located near the intersection of U.S. Highway 60 and State Highway 174, a sign allowed by paragraph (1) and located on the west side of the railroad right-of-way within the radius described in paragraph (1)(a) shall have a maximum height of sixty (60) feet.
4. A premises that has any portion of the premises located within the radius established in paragraphs (1), (2) or (3) is authorized to have located on any portion of the premises the sign allowed under this Section so long as not otherwise prohibited by this Code.

Section 415.130. Sign Permits and Inspections.

[CC 1999 §26-122]

A. *Permits Required.*

[Ord. No. 16-23 § 1, 11-28-2016]

1. Except as otherwise provided in this Code, it shall be unlawful for any person to erect, repair, improve, maintain, convert or manufacture any sign or cause the same to be done without first obtaining a sign permit for each such sign from the Community Development Department. In connection with the sign permit, an application fee in the amount of thirty dollars (\$30.00) shall be charged, upon receipt of an application for a sign permit. No sign permit shall be issued except to a person licensed to do business in the City or to a person exempt from the City licensing provisions.
 2. Every sign permit issued by the Community Development Department shall become null and void if work on the sign is not commenced within one hundred eighty (180) days from the date of such permit. If work authorized by such permit is suspended or abandoned for ninety (90) days after the work is commenced, the sign shall be considered abandoned unless a new permit shall be first obtained to proceed with the work on the sign, provided that no changes have been made in the original plans.
- B. *License.* No person shall perform any work or service for any person or for any government entity in connection with the erection, repair, improvement, maintenance, conversion or manufacture of any sign in the City, or any work or service in connection with causing any such work to be done, unless such person shall first have obtained a

business license and paid the license fees provided for by the City, or shall be represented by a duly licensed person.

C. *Application For Permit.* Application for a permit shall be made to the Community Development Department upon a form provided by the City and shall be accompanied by such information as may be required to ensure compliance with all appropriate laws and regulations of the City including, but not limited to:

[Ord. No. 16-23 § 1, 11-28-2016]

1. Name, address and business license number of permit application.
2. Name and address of owner of sign.
3. Name and address of the owner and the occupant of the premises where the sign is located or to be located.
4. Name and address of architect and or engineer responsible for design (see latest building code adopted by the City, as established in Chapter 500).

Drawings shall require a seal by an architect or an engineer when the sign is a roof sign, or the surface is twenty (20) feet or more from grade, or when the structural integrity of the sign is questioned.

5. Clear and legible drawings with description showing the precise location of the sign which is the subject of the permit and all other existing signs on the same premises or as otherwise specified by the Community Development Department.
6. Drawings showing the dimensions, construction supports, sizes, materials of the sign, and method of attachment and character of structural members to which attachment is to be made.
7. The Community Development Department shall issue a permit for work to be done on a sign when an application therefore has been properly made and the sign complies with all appropriate laws and regulations of the City.

D. *Denial Or Revocation.*

[Ord. No. 16-23 § 1, 11-28-2016]

1. The Community Development Department may, in writing, suspend, deny or revoke a permit issued under provisions of this Section whenever the permit is issued on the basis of a misstatement of fact, fraud or non-compliance with the Chapter.
2. When a sign permit is denied by the Community Development Department, written notice shall be given of the denial to the applicant, together with a brief written statement of the reason for the denial. Such denials shall have referenced the Section of the Sign Code or other pertinent Code used as a standard for the basis of denial.

Section 415.140. Enforcement and Penalty.

[CC 1999 §26-123]

A.

Removal Of Signs By The City. The Community Development Department shall identify any signs that are illegal or endanger the public safety such as an abandoned, dangerous or materially, electrically or structurally defective sign or a sign for which no permit has been issued.

[Ord. No. 16-23 § 1, 11-28-2016]

- B. *Revocation Of Permits, Utilities And City License.* Whenever the Community Development Department has ordered a person to correct a violation and when such violation has not been corrected within the time specified by such order, thereafter, the Community Development Department may institute an administrative action to revoke any and all permits issued by the City under which the activity is conducted, occupancy permits and the right to receive utilities for the activity of the building or structure wherein the activity is conducted.
[Ord. No. 16-23 § 1, 11-28-2016]
- C. *Penalty For Violation.* If a person violates this Chapter or if a notice of a violation is not complied with within the time specified by the Community Development Department, then the Department may cause a Municipal Court summons to be issued and the Department may also request the City Attorney to institute the appropriate legal proceedings to obtain an injunction to restrain, correct or abate such violation or to require removal or termination of the unlawful use of the building or structure in violation of the provisions of this Code or of any order or direction made pursuant thereto.
[Ord. No. 16-23 § 1, 11-28-2016]
- D. *Prosecution Of Violation.* Any person violating any of the provisions of the Building Code, or this Chapter, or failing to comply with any order issued pursuant to any Section thereof, or who shall erect, construct, alter or repair a sign in violation of an approved plan or directive of the Community Development Department or of a permit issued under the provisions of this Chapter shall be guilty of a violation of a municipal ordinance and upon conviction thereof shall be punished as provided by Missouri law, except the court shall hear evidence concerning the economic value of continuing the violation and shall assess a fine sufficient in the court's judgment to deter a continuation of the violation. Each day that a violation continues, after service of notice as provided for in this Chapter, and filing of charges in Municipal Court, shall be deemed a separate offense. Notice as required above shall not be required in order to prosecute a person for a violation of any provision of this Chapter.
[Ord. No. 16-23 § 1, 11-28-2016]
- E. *Abatement Of Violation.* The imposition of the penalties herein prescribed shall not prevent the City Attorney from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or use of building or structure in or about any premises in violation of this Chapter.
- F. *Responsibility.* Any person who shall occupy the premises when the sign is erected or attached as lessee or licensed operator shall be jointly and severally responsible for compliance with the provisions of this Chapter in the same manner as the owner of the sign and of the premises.

Section 415.150. Conflicts and Savings.

[CC 1999 §26-124]

- A. If the provisions of this Chapter conflict with other ordinances or regulations, the more stringent limitation or requirement shall govern or prevail to the extent of the conflict.
- B. If any Section, Subsection, sentence, clause or provision of this Chapter is held invalid, the remainder of this Chapter shall not be affected by such invalidity.

Sec. 36-454. - Signs.

(1) *Purpose.* Signs use private land and the sight line created by public rights-of-way to inform and persuade the general public by publishing a message. This section provides standards for the erection and maintenance of signs. All signs shall be erected and maintained in accordance with these standards. The general purpose of these standards is to promote, preserve, and protect the health, safety, general welfare, convenience, and enjoyment of the public, to preserve and protect the aesthetic quality of Springfield, and to achieve the following:

(a) *Safety.* To promote the safety of persons and property by providing that signs:

1. Create a hazard due to collapse, fire, collision, decay, abandonment, or other safety considerations;
2. Obstruct firefighting or police surveillance;
3. Impair the driver's ability to see pedestrians, obstacles, or other vehicles, or to read traffic signs and signals; and
4. Otherwise interfere with or detract from the safety of persons or property.

(b) *Communications efficiency.* To promote the efficient transfer of information in sign messages by providing that:

1. Customers and other persons may locate a business or service;
2. No person or group is arbitrarily denied the use of the sight lines from the public right-of-way for communication purposes; and
3. The messages in signs may otherwise be communicated efficiently.

(c) *Landscape quality and preservation.* To protect the public welfare and to enhance the appearance and economy of the city, by providing that signs:

1. Do not interfere with scenic views;
2. Do not create a nuisance to persons using the public rights-of-way;
3. Do not constitute a nuisance to occupancy of adjacent property by their brightness, size, height, or movement;
4. Do not overwhelm people by the number of messages presented, and do not interfere with the exercise of freedom of choice to observe or ignore said messages, according to the observer's purpose;
5. Do not negatively affect the city's tourism industry;
6. Do contribute to the special character of particular areas or districts within the city, helping the observer to understand the city and be oriented within it;
7. Do otherwise protect and preserve a quality landscape in the city; and
8. Do otherwise enhance the appearance and economy of the city.

(2) *Definitions.* Words in the text or tables of this article shall be interpreted in accordance with the provisions set forth in this section. Where words have not been defined within this article, the standard dictionary definition shall prevail.

Animation: Any action or motion other than flashing lights, automatic changeable copy, or indexing that attempts to develop a pictorial scene through the movement of lights or parts of a sign.

Attached sign: Any sign substantially and permanently attached to, applied to, applied on, structurally connected to, painted on, engraved on, etched on, or supported by, any part of a building.

Business area: Any premises that is not defined as a non-business area.

Copy: The letters, figures, characters, representation, pictures or wording on a sign, including any identification, description, symbol, trademark, object, design, logo, illustration, or device illuminated or non-illuminated which directs attention to a product, service, place, activity, person, institution, business, or solicitation, including any permanently installed or situated merchandise; or, any emblem or painting designed to advertise, communicate, identify, or convey information.

Detached sign: Any sign other than an attached sign, including any inoperable vehicle or any trailer located for the primary purpose of advertising.

Directional sign: Any sign which serves solely to designate the location of, or direction to, any premises or area.

Electronic message sign: A sign that can be electronically or mechanically changed by remote or automatic means.

Flag: A single piece of flexible material displaying a design, symbol or script that signifies a nation, state, political subdivision, or entity.

Flashing: A pattern of changing light illumination where the sign illumination alternates suddenly between fully illuminated and fully non-illuminated for the purpose of drawing attention to the sign.

Frame effect: A visual effect on an electronic-message-center sign applied to a single frame to transition from one message to the next.

Inflatable display object: A device designed to be inflated and erected to attract public attention.

Non-business area: A premises which is zoned as R-SF, R-TH, R-LD, R-MD, R-HD, R-MH.

Off-premises sign: A sign advertising goods and services not located on the premises where the sign is located.

On-premises sign: A sign advertising goods and services located on the premises where the sign is located.

Sign: Any words, numbers, figures, devices or trademarks (by which anything is made known) used to designate an individual, a professional firm, a business, or a commodity, visible from any public street.

Sign structure: Any device which supports, or is designed to support a sign, including any decorative cover, exclusive of any copy.

Streamers: Multiple pieces of fabric, plastic, tinsel or other material designed to either flap, move, wiggle or spin in the wind, which are suspended outdoors from a single structure, pole, rope, wire or string, for the purpose of attracting public attention to the site where they are displayed.

Street grade: The highest altitude of the street vertically under any portion of the sign or its supports.

- (3) *General sign provisions.* The provisions of this section shall apply to all signs in the city, without regard to their location in a residential or commercial zoning district.
- (a) General prohibition. All signs are prohibited except as allowed by this article.
 - (b) Public areas. No sign other than a government sign or a neighborhood identification sign reviewed and approved by the director of public works shall be allowed within or over public property or right-of-way. This section shall not be construed to prohibit the placement of signage and markings on encroachment authorized pursuant to article VII of chapter 98 of the City Code, provided that said signage and markings must comply with all other applicable provision of this section. No such signs are allowed in the right-of-way of any thoroughfare designated as a part of the Federal Aid Urban (FAU) system. When the building is located on or within three feet of the right-of-way line and the director of public works grants consent, signs may project into the right-of-way as follows:
 1. A horizontal separation of two feet from the inside curb line to the closest edge of the sign shall be maintained.
 2. The sign shall be at least ten feet above the highest level of the ground under the sign's lowest point.
 3. A license agreement shall be executed between the sign owner and/or the property owner and the City of Springfield.
 - (c) Parking spaces. No detached sign shall occupy a parking space necessary to satisfy the minimum off-street parking requirements nor shall it project over the rooftop or wall of a building.
 - (d) Prohibited signs. The following signs are prohibited, which:
 1. Concern unlawful activity;
 2. Operate or employ any motion picture projection in conjunction with any advertisements;
 3. Employ any searchlights or strobe lights;
 4. May be confused with or construed as a traffic control sign, signal, or device, or the light of an emergency or

- road equipment vehicle by reason of their size, location, movement, content, coloring, or manner of illumination;
 - 5. Hide from the view of those to whom the device is directed, any traffic or street sign or signal or similar device;
 - 6. Are temporary, except as specifically allowed in this Code.
- (e) Compliance with building codes. All signs shall be erected or affixed and maintained in compliance with the building codes and this article. In the case of conflict, the more restrictive article or code shall apply.
- (f) Streamers. Streamers are prohibited regardless of color, design, or script displayed on the streamers.
- (g) Wall signs. Wall signs do not include signs on the inside of a window.
- (h) Any sign permitted in this article may contain ideological or noncommercial copy in lieu of any other copy.
- (i) A detached sign may be located over an internal drive aisle provided a minimum of 17 feet of clearance is maintained from the bottom of the sign to the drive aisle pavement.
- (j) Off-premises signs requiring a state permit shall be separated from all other state permitted off-premises signs by 1,500 feet measured radially on all state controlled routes except I-44 which shall be 2,500 feet.
- (k) All detached signs shall be located no closer to the centerline of a street than that allowed by the right-of-way line established by the major thoroughfare plan.

Street Classification Centerline of Right-of-Way to Setback Line

Residential local20 feet

Commercial/industrial local30 feet

Collector30 feet

Secondary arterial35 feet

Primary arterial50 feet

Expressway65 feet

Freeway150 feet

- (l) A detached sign cannot be located in or above a utility easement unless permission is granted by director of public works or board of public utilities or the utility owning the easement.
- (m) Additional setback requirements may be mandated by the director of public works or board of public utilities if a public improvement project is scheduled to be implemented within a two-year timeline after the issuance of a sign permit.
- (n) Signs containing off-premises advertising along a state controlled route must have a valid state permit before submitting for the required city sign permit.
- (o) Detached signs located in a non-business area shall advertise only as an on-premises sign.
- (p) Detached signs located in a business area on a route not controlled by the state shall be permitted to advertise on-premises advertising only.
- (q) Detached signs located on a state controlled route as permitted by the state are permitted to advertise both on and off-premises advertising.
- (r) Detached signs located on a state controlled route that do not require a state permit but do require a city permit shall advertise only on-premises advertising.
- (s) No portion of detached sign requiring a state permit shall be located within 125 feet from any non-business area as measured radially from any portion of the sign or sign structure.
- (t) A detached sign requiring a state permit shall be located a minimum of 25 feet from all rights-of-way.
- (u) A detached sign requiring a state permit shall only be permitted within 660 feet along Interstate and primary highways where the city is mandated by state law to allow off-premises signs as defined in RSMo Chapter 226.500 to

226.000. If the intersecting street is not a state controlled route the state permitted sign shall not be located within an area created by a 660-foot right triangle. One side of the right triangle shall be located along the street that is not a state controlled route and the adjoining side of the triangle shall be located 660 feet from the state controlled route right-of-way.

(v) Any sign permitted under this article may contain ideological or non-commercial copy in lieu of any other copy.

(4) *Exempt signs.* The following signs do not require a sign permit, but must conform to all other sign regulations and the building code. These signs are allowed in all zoning districts in addition to all other signs allowed under this article.

(a) *Political signs.*

1. The maximum effective area allowed in a non-business area shall be six square feet. For purposes of this section, non-business areas are properties zoned residential (R-SF, R-TH, R-LD, R-MD, R-HD, R-MHC WC3 or PD with areas designated as residential uses). A premises that has 250 feet or more frontage along one street or five acres or more, may have a sign up to 34 square feet in size.
2. The maximum effective area allowed in a business area shall be 34 square feet. Business areas are those properties with zoning other than residential.
3. Signs are prohibited in the city's right-of-way.
4. Sign illumination is prohibited.
5. Signs shall not be located within the required sight triangles.
6. Signs must be removed within 48 hours after the election to which they were directed.

(b) *Directional signs.* Detached directional signs shall not exceed five square feet in effective area. No part of the sign shall exceed four feet in height above street grade. If the grade level at the base of the sign is greater than 12 inches above the street grade, the sign shall not exceed four feet in height. Any logo, business name, product, or service identification, or other advertising shall not exceed 20 percent of the effective area.

(c) *Flag.* Flags may be displayed to show allegiance, respect, or patriotism to the particular symbol or person displayed on the flag. They may not be displayed for advertising or to attract attention of the public to a particular site.

(d) *Government signs.* Any sign erected or maintained by or for any agency for any governmental function or required or authorized by law, ordinance, or governmental regulation.

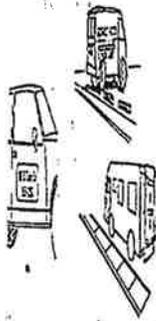
(e) *Internal signs.* Any premises sign, the copy of which is not legible from a street right-of-way or adjoining residential property, but excluding mall signs as covered by the building codes. The sign copy shall be considered legible if the sign content exceeds one inch per 30 feet of distance from the public right-of-way.

(f) *Real estate sale, lessee, and construction signs.* A non-illuminated, temporary, sign pertaining to the construction, sale, or lease, of that premises is allowed as follows:

1. The sign shall not exceed 34 square feet in effective area in all zoning districts except the residential, single-family zoning district (R-SF).
2. The sign shall not exceed six square feet in effective area in the residential, single-family zoning district (R-SF).
3. All signs shall be removed within 14 days after the closing of the sale or lease or within 30 days after the issuance of an occupancy permit or erection of a permanent sign, whichever occurs first.
4. The sign must be located on the premises of the sale, lessee or construction.

(g) *[Now hiring signs.]* "Now hiring" signs shall not exceed six square feet in size.

(h) *Vehicular signs.* Vehicular signs must not contain any flashing or blinking lights, nor any animation. The sign may not increase the size of the surface area or alter the shape of the motor vehicle, except that a roof sign not to exceed two square feet in effective area shall be allowed. This exemption shall not include signs in transit to a site of permanent use. Provided, however, nothing in this section shall limit the use, size, or shape of political signs on vehicles.



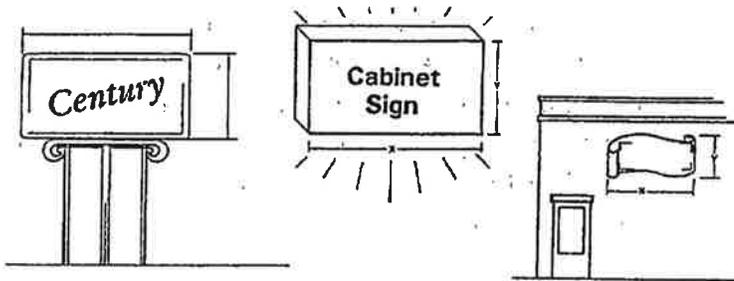
- (l) *Machinery and equipment signs.* A sign located on machinery or equipment that is necessary or customary to the business, including such devices as gasoline pumps or vending machines, which devices do not increase the size of the surface area or alter the shape of the machine or equipment. Such signage shall advertise products sold on the premises where the machines are located.
 - (j) *Parking lot light pole banners.* Parking lot light pole banners shall be located a minimum of 50 feet from any public right-of-way, and not exceed a total of ten square feet in effective area. The bottom of the banner shall be a minimum of ten feet above the parking lot grade.
 - (k) *City park sign.* A sign on facilities located in city parks that provides information incidental to a sponsored activity, such as scoreboards, time clocks, benches, or signs in concessions stands.
 - (l) *Special event, temporary sign.* A temporary sign not exceeding ten square feet (residential districts) and 34 square feet (commercial districts) in background area advertising drives, grand openings, or events of a civic, philanthropic, educational, religious, political or similar nature, provided that said sign is posted only during said drive or event for no more than 30 days per year and is removed within 24 hours after an event.
 - (m) *Attached, incidental signs.* Signs that pertain to goods, products, services, or facilities available on the premises where the sign is located, but only tangentially related to the main activities or purposes of the business. These signs may not exceed a total of four square feet in effective area per business.
 - (n) *Window signs.* Lettering on the exterior face of a window stating the days and times that the business is open.
- (5) *Temporary signs.*
- (a) *Temporary signs in non-business areas—General provisions.* Any premises in a non-business area may display one non-illuminated, temporary sign of up to four square feet in effective area for up to two consecutive days twice each calendar year. No permit is required for this sign. No other temporary signs may be used in non-business areas except those specifically allowed under subsection 36-454(4).
 - (b) *Temporary signs in business areas—General provisions.*
 1. Any premises in a business area may use a banner sign composed of highly flexible, lightweight material, up to four square feet in effective area for not more than 30 days per calendar year, without obtaining a permit.
 2. Except for exempt signs under subsection (4), a permit is required for each temporary sign. A permit allows a temporary sign to be displayed for 15 or 30 days. Each premises containing more than one business, and each business, may have up to six permits each calendar year.
 3. Each business may display one temporary sign of no more than 35 square feet in effective area.
 4. All temporary signs shall either be attached to a building as an attached sign or be attached at each side or corner within the supports of the sign structure for a permanent sign.
 5. No person shall erect, maintain, or display an inflatable-display object with or without sign copy outdoors for commercial purposes at the same site in any three month period for more than seven days. The inflatable display object shall be located on grade and appropriately anchored. A temporary sign permit is required.
 - (c) *Temporary signs in business areas—Unusual situations.*
 1. In business areas, a temporary business with a valid business license and a temporary building permit may

apply for and obtain a special permit to allow the use of a temporary sign for the period of the building permit. Such sign must be attached to a temporary or permanent structure.

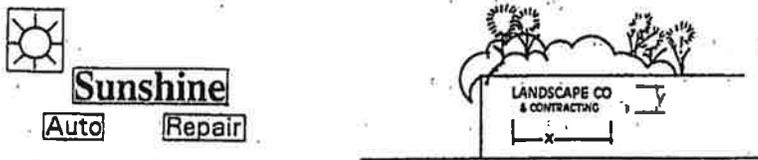
2. In business areas, a temporary business with a valid business license but no structure may apply for and obtain a special permit to allow the use of a temporary sign. Such sign must be attached to a nearby temporary or permanent structure, or attached to the business' vehicle. This attachment to the permanent sign structure or to the vehicle must be done in a workmanlike manner, with adequate bolting, welding, and strapping to support the sign with clearance from grade so that the support is totally gained from the permanent structure or from the vehicle.
3. In the event a sign or business is substantially damaged through fire, flood, act of God, insurrection, riot, or similar emergency beyond the control of the business owner or occupant, a temporary sign shall be allowed for a period of time not to exceed 60 days, unless the time period is extended by the director of building development services for a continuing hardship.
4. In business areas, a temporary business located on a temporary vendor site may have temporary signs when the vendor is on the site. The signs must be located on the temporary vendor site. No permit will be required for these signs.

(6) *Sign measurement effective area criteria.* These criteria may be subject to the specific type of sign and location restrictions.

- (a) Sign copy mounted, affixed or painted on a background panel or area distinctively painted, textured, or constructed as a background for the sign copy, is measured as that area contained within the sum of the smallest rectangle(s) that will enclose both the sign copy and the background, excluding the frame material that secures the copy panel. A registered trademark element that is not a part of the sign copy panel shall be considered as copy.



- (b) Sign copy mounted as individual letters or graphics against a wall, fascia, mansard, or parapet of a building or surface of another structure, that has not been painted, textured, or otherwise altered to provide a distinctive background for a sign copy, is measured as a sum of the smallest rectangle(s) that will enclose each word and each graphic in the total sign.

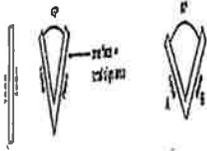


- (c) Sign copy mounted, affixed, or painted on an illuminated surface or illuminated element of a building or structure, is measured as the entire illuminated surface or illuminated element which contains copy. Such elements may include, but are not limited to, lit canopy fascia signs, spanner board signs, and/or interior lit awnings.

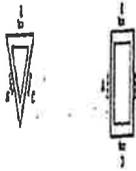


(d) Multi-face signs are measured as follows:

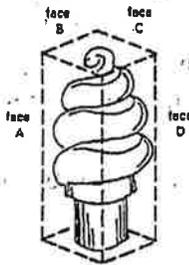
1. If the interior angle between the two sign faces is 45 degrees or less, the sign area has only one face. If the angle of the two sign faces is over 45 degrees, the sign area is the sum of the areas of the two sign faces.



2. For three or four face signs, the sign area shall be calculated at 50 percent of all sign faces.

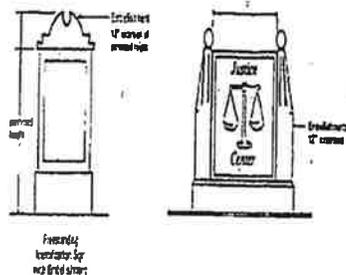


3. Spherical, free-form, sculptural, or other non-planar sign area is 50 percent of the sum of the areas using only the four vertical sides of the smallest four-sided polyhedron that will encompass the sign structure. Signs with greater than four faces are prohibited.



(7) *Sign height criteria.* These criteria may be subject to sign and location restrictions.

- (a) Sign height is the distance measured from grade at the base of a sign to the topmost portion of a sign excluding decorative embellishments as permitted in subsection 36-454(7)(e). The height of any monument sign base or other structure erected to support or adorn the sign shall be measured as part of the sign height.
- (b) Exit and entrance ramps from a freeway or expressway are part of a freeway or expressway. For purposes of determining the sign height, the elevation of the right-of-way line nearest to the sign shall be utilized.
- (c) The minimum height to the bottom of a detached sign over an on-site drive aisle or required parking space shall be 16 feet above the finished pavement.
- (d) No part of a detached sign or sign structure shall exceed the height shown below as determined by the street classification from the grade of the highest paved portion of right-of-way adjacent to the property where the sign is installed or located. Where the natural grade of the sign structure location is more than 20 feet higher than the adjacent street grade, no part of the sign or sign structure shall exceed a height of 20 feet from natural grade.
 - Local, collector and secondary arterial25 feet
 - Primary arterial, expressway and freeway40 feet
- (e) A detached sign may extend above the allowable height and the design width for the purposes of sign structure enhancement or embellishment only if such extension does not exceed 12 inches on any side.



(8) *Sign illumination.* Illuminated signs shall be designed, located, and constructed to eliminate or significantly reduce glare.

(a) *Provisions for non-business areas.*

1. Electronic message center signs fronting on a local or collector street shall be subject to a conditional use permit for nonresidential uses, subject to the following limitations:
 - a. Such signs shall be limited to static images only. Such static images shall hold on the display for a period of at least eight seconds before transitioning to another static image. The uses of frame effects and animation are prohibited.
 - b. The use of flashing is specifically prohibited in all locations.
 - c. Such signs shall come equipped with automatic dimming technology that automatically adjusts the sign's brightness in direct correlation with ambient light conditions.
 - d. No such signs shall exceed a brightness level of 0.3 foot-candles above ambient light as measured using a foot-candle meter at a preset distance depending on sign size. The measuring distance shall be determined using the following equation: the square root of the product of the sign copy area and 100. (Example using a 12-square-foot sign: square root of the product 12×100 equals 34.6 feet measuring distance.)
 - e. The electronic message center portion of the detached sign shall not exceed 40 percent of the proposed sign copy area.

(b) *Provisions for signs in business areas.*

1. Electronic message center signs shall be permitted in all business areas subject to all applicable provisions of this ordinance as well as the following provisions:
 - a. Animated, electronic message center signs shall be limited to at least ten feet above street grade and shall not be utilized within 125 linear feet of a non-business area.
 - b. Electronic message center signs within 100 linear feet of a non-business area shall display static copy that stays on the display for at least three seconds per copy frame, but may utilize frame effects to transition from one static image to the next. Transitions shall last no longer than two seconds.
 - c. All electronic message center signs placed less than ten feet above street grade shall be limited to static images only. Such static images shall hold on the display for a period of at least eight seconds before transitioning to another static image. The uses of frame effect and animation are prohibited.
 - d. The use of flashing is specifically prohibited in all locations.
 - e. All electronic message center signs shall come equipped with automatic dimming technology that automatically adjusts the sign's brightness in direct correlation with ambient light conditions.
 - f. No electronic message center sign shall exceed a brightness level of 0.3 foot-candles above ambient light as measured using a foot candle meter at a preset distance depending on sign size. The measuring distance shall be determined using the following equation: the product of the square root of the sign copy area times 100.

(9) *Sign maintenance.* No person shall maintain or allow to be maintained on any premises owned or controlled by that person, any dangerous or defective sign.

- (a) All signs, together with all their supports, braces, connections, or anchors, shall be kept in good repair.

- (b) Unsafe signs, damaged, or deteriorated signs, or signs in danger of breaking apart or falling, shall be removed or repair owner.
 - (c) Any fading, chipping, peeling, or flaking of paint, plastic, or glass; or any mechanical, electrical, or structural defect shall be corrected upon written notice by the director of building development services.
 - (d) Abandoned or discontinued, which occurs whenever:
 - 1. A detached sign and sign structure is not removed within six months of the removal of the structure and a new building permit has not been issued.
 - 2. The sign faces have been removed for a period of six months.
- (10) *Legal nonconforming signs.*
- (a) Any sign which was lawfully erected or affixed prior to such time as it came within the purview of this article and which sign complied with all regulations in force at the time it was erected or affixed, but which fails to conform to all applicable regulations and restrictions of this article, shall be considered a legal nonconforming sign. A legal nonconforming sign may be continued and shall be maintained in good condition, but shall not be:
 - 1. Structurally altered (except to meet safety requirements) to prolong the life of the sign. Sign composition materials may not be changed after the date the sign becomes a nonconforming sign;
 - 2. Altered so as to increase the degree of nonconformity of the sign;
 - 3. Expanded in size or effective area;
 - 4. Relocated;
 - 5. Repaired if materials and labor repair costs in any continuous 12-month period would exceed 75 percent of the depreciated value of the sign. Upon written request, the sign owner must submit to the director of building development services specified substantiating information or documentation sufficient for the director of building development services to determine the percentage of value expended for repair;
 - 6. Signs that are nonconforming because of their illumination shall be brought into compliance with this article within 60 days after the effective date of this article. Nonconforming, temporary signs shall also be brought into compliance within 60 days.
 - 7. A legal nonconforming sign may be structurally altered if the:
 - a. Height of the sign is reduced to meet the requirements of section 36-454, which will make it a conforming sign.
 - b. If the nonconformity is the size of the effective area of the sign, the effective area shall be reduced in size to meet the requirements of section 36-454. If this is done, the sign shall be classified as a conforming sign.
 - c. If the nonconformity is the spacing between signs, number of signs on the premises, or location of the sign, the sign shall be relocated to meet the requirements of section 36-454 or the effective area shall be reduced to 75 percent of the allowable effective area of a conforming sign, or shall be reduced by 30 percent of the current sign's effective area, whichever is greater. If the effective area of the sign is reduced to 75 percent of the allowable effective area of a conforming sign, or 30 percent of the current sign's effective area, the sign continues to be classified as a nonconforming sign, but structural alterations shall be permitted. All structural alterations must meet the requirements of section 36-454.
- (11) *Signs at street intersections and driveways.* Standards for sight triangles at street intersections shall reflect the street classification as identified in the major thoroughfare plan. The conditions below indicate the minimum requirements for sight triangles as measured along the required right-of-way. The city traffic engineer may require additional triangle area for clear sight and safety as determined by a traffic study or special condition.

With the approval of said engineer, signs may be erected in the:

- (a) Street Intersection sight triangles only if such sign is at least ten feet above street grade, except for supports, which may not exceed one foot in width or diameter or be spaced less than ten feet apart from any other stationary object;

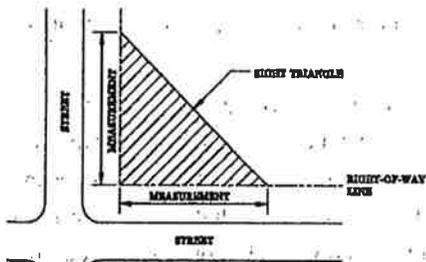
- (b) Street/driveway sight triangles. Any sign must be at least ten feet above street grade except for supports, which may not exceed one foot in width or diameter or be spaced less than ten feet apart from any other stationary object.

Sight Triangle Requirements

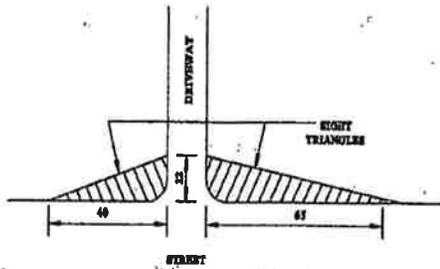
Intersecting Street	Expressway	Primary Arterial	Secondary Arterial	Major Collector	Residential Collector	Commercial/Industrial Local	Residential Local
Expressway	A	A	A	B	B	B	B
Primary arterial	A	A	A	B	B	B	C
Secondary arterial	A	A	B	B	C	C	C
Collector	B	B	B	C	C	C	C
Commercial/industrial local	B	B	C	C	C	C	C
Residential local	B	C	C	C	C	C	C

Key: A - 100' x 100' Sight Triangle
 B - 30' x 30' Sight Triangle
 C - 10' x 10' Sight Triangle

- (c) *Exit and entrance ramps.* Exit and entrance ramps from a freeway or expressway shall be treated as part of a freeway or expressway. For purposes of determining the elevation, the elevation of the right-of-way line which is nearest to the sign shall be utilized.



- (d) On the right side of a driveway a street/driveway-sight triangle has these three sides:
1. The edge of the pavement, curb, roadway, or projection extending 40 feet down the street from the right edge of the driveway when facing the street;
 2. The edge of the driveway moving 12 feet towards the house from the same spot as one; and
 3. A third, imaginary line connecting the extremities of the other two without overlaying the pavement.
- (e) On the left side of a driveway, the triangle has the same three sides, except the side along the street is 65 feet.



- (12) **Historic landmark signs.** One free-standing or façade-mounted sign identifying a premises of historical significance located in any locally or nationally designated historic district in the City of Springfield and at any duly-designated historic site, historic landmark or interior landmark located elsewhere within the City of Springfield. All such signs shall, at a minimum, identify the original owner, the current owner, and circa the year the house was built. No such sign may be more or less than two square feet in sign area. Lettering styles, logos, and design motifs should be black on a white background and in keeping with the character of the era in which the building was constructed.
- All signage illumination must be provided from the exterior, and the lighting should be done in a manner which does not result in any glare (either directly from the light fixture or indirectly off the sign), and which minimizes the visibility of the light fixture used to illuminate the subject sign.
 - Façade-mounted signs must be in harmony with the design of the corresponding façade and should not obscure any significant architectural elements. Such signs shall not extend completely to the edge of any façade.
 - Free-standing signs are only permitted for structures having a front yard setback of 20 feet or more. Such signs must have a minimum setback of two feet from the public right-of-way line or any lot line, may not interfere with sight distances at street intersections, and may not have a height greater than 30 inches.
- (13) **Neighborhood identification signs.** A neighborhood identification sign shall be a detached sign, masonry wall, landscaping or similar material or features that are combined to form a display for neighborhood or tract identification, provided that the legend of such display shall identify the neighborhood, tract or historic district.
- These signs may only be located in R-SF and R-TH zoning districts.
 - The maximum effective area of the sign shall be 50 square feet.
 - The maximum height of the sign shall be five feet. The maximum height may exceed five feet if the sign is mounted on a wall being used as a retaining wall for the site.
- (14) **Directional signs.** Detached, directional signs in excess of five square feet of effective area shall be allowed in any area, provided such signs do not name or advertise any product, service, or business, and the total allowable effective area of detached signs on the premises is not exceeded. A site plan locating all detached signs, including existing and proposed directional or instructional signs, shall be required prior to issuance of a sign permit.
- (15) **Landscape wall signs.** A landscape wall sign shall consist of individual letters mounted on a screen or perimeter wall which may be attached or detached from a building, but which is architecturally integrated with the overall development.

Multiple signs are permitted, however, the percentage of wall surface area occupied by the sign or signs, shall not exceed 40 percent of the background area provided on the landscape wall. All such signs are counted in the aggregate, building-mounted-wall signs allowed.



- (16) **Provisions for non-business areas.**
- General provisions.** These provisions shall apply to permanent signs in non-business areas:

1. Dwelling units in the R-SF and R-TH zoning districts shall be allowed to utilize any non-business sign described in s but shall not be allowed to display any other sign.
2. Flashing lights and animation are not allowed.

(b) *Detached signs.* Detached signs are allowed in non-business areas as follows:

1. Each premises containing a multifamily use, permitted nonresidential use, or legal nonconforming use shall be allowed one detached sign.
 - a. Premises which are used as a church or school with more than 425 feet of frontage along a single public street may have one additional detached sign.
 - b. A minimum of 300 feet of separation, measured radially, shall be maintained between signs.
 - c. A minimum setback of 25 feet from adjacent property line shall be maintained for all signs.
 - d. No sign shall exceed 25 feet in height above street grade.
2. The size of the detached sign shall be based on one square foot of effective area per linear foot of street frontage on which the sign is located, with the following limitations: the maximum permitted size shall be as designated by the city's major thoroughfare plan:
 - a. One hundred square feet on local and collector streets;
 - b. Two hundred square feet on secondary arterial streets;
 - c. Two hundred fifty square feet on primary arterial streets.
 - d. In the case where the street adjacent to the sign is a frontage street between the site and a freeway, as designated by the city's major thoroughfare plan, the maximum size sign permitted shall be 250 square feet.

(c) *Attached signs.* Attached signs are allowed in non-business areas as follows:

Each premises containing a multifamily use, permitted nonresidential use, or a legal nonconforming use shall be allowed one wall sign per wall.

1. The sign may contain the name and logo of the establishment, business, or use and nothing else.
2. The sign shall project no further than 18 inches from the wall.
3. A wall sign shall not project beyond the wall edge.
4. When the premises has no detached sign, the total effective area of all wall signs shall not exceed two square feet per linear foot of the wall length along the street or streets upon which the business fronts.
5. When the premises has a detached sign, the total effective area of all wall signs shall not exceed one square foot per linear foot of the wall length along the street or streets upon which the business fronts.
6. Roof signs shall be prohibited.

(17) *Provisions for signs in business areas.*

(a) *General provisions.* These provisions shall apply to all permanent signs in business areas as defined in the article.

1. A sign in a business area that does not require a state permit shall conform to regulations for a sign in a non-business area if any part of the sign or sign structure is within 25 feet of a non-business area.
2. Animation or flashing lights shall be located a minimum of ten feet above street grade.
3. Sign regulations enforced by the Missouri Highways and Transportation Commission along the Interstate and primary highway system in the city shall take precedence over any less restrictive requirements of this article.
4. Each premises with frontage on any street shall be allowed at least one permanent detached sign.
5. Premises which have more than 425 feet of frontage along a primary arterial, expressway or freeway street, where the first sign is located, may have one additional detached sign for each additional 425 feet of frontage, provided a minimum of 300 feet of separation is maintained between all detached signs on a given premises. Each sign shall be located a minimum of 25 feet from the adjacent property line. The 300-foot spacing of all detached signs on a given premises shall be measured radially from the center of the sign.

6. A premises with frontage along both an expressway and an arterial, an expressway and a freeway, a freeway and two expressways, two freeways or two arterials as designated by the major thoroughfare plan, shall be allowed one detached sign provided such location meets the separation requirements of subsection (17)(a)5 above. In the event a second detached sign is permitted by the application of subsection (17)(a)5 above, this subsection shall not be construed to allow any additional detached signs.
7. All sign illumination shall conform to subsection (8), sign illumination.
8. In the center city (CC) and Commercial Street (COM1) zoning districts and along College Street between Grant and Nettleton Avenue, each premises which has multiple businesses located on the ground floor with direct exterior public access shall be allowed a projecting sign not to exceed ten square feet in size per business, provided it meets the provisions of subsection (3)(b) regardless of detached signs that are allowed on the premises. If the premises consist of only one business located on the ground floor with direct public access, a projection sign not to exceed 30 square feet in size may be permitted. The minimum clearance shall be ten feet above the highest level of the ground below the sign.
9. Signs that are located on a designated historic building or are located in a designated historic district must be approved by building development services before submittal and approval by the landmarks board.
10. One- and two-family dwelling units located in a business area shall be allowed to utilize any non-business sign described in subsection (4), but shall not be allowed to display any other sign.

- (b) *Detached signs.* Detached signs are allowed in business areas, based upon the classification of the street they front upon as designated in the major thoroughfare plan, as follows:
1. A premises fronting on a local, collector, or secondary arterial street shall be allowed a detached sign with an effective area determined by adding 50 square feet to a ratio of one square foot of effective area per lineal foot of frontage along the local, or collector or secondary arterial street. In the case of a double-frontage premises, only the frontage on which the sign is placed shall be used in calculating the effective area.
 2. A premises fronting on a primary arterial, expressway, or freeway shall be allowed a detached sign with an effective area determined by adding 100 square feet to a ratio of two square feet of effective area per lineal foot of frontage along the arterial expressway or freeway. In the case of a double-frontage lot, only the frontage on which the sign is placed shall be used in calculating the effective area.
 3. If the premises is a corner lot and the sign is located an equal distance from the edges of two intersecting streets, the street with the highest classification as defined by the major thoroughfare plan shall be used to size the effective area of the sign. If the streets are of the same classification, the street with the longest frontage shall be used to size the effective area of the sign.
 4. The maximum effective area, based on the street classification, for any detached business sign shall be as follows:
 - Local, collector, or secondary arterial: 250 square feet.
 - Primary arterial, expressway, or freeway: 400 square feet.
 5. A tract identification sign shall be considered the same as a detached sign.
 6. If the premises is located on a state-controlled route and contains a state-allowed, detached, off-premises sign or signs, as defined by the state and as originally permitted; one additional detached sign advertising the on-site businesses shall be permitted.
 - a. The sign shall be located a minimum of 100 feet from the off-premises sign.
 - b. The maximum height shall be 25 feet.
 - c. The maximum effective area shall be 250 feet.
 7. If the premises is located on a non-state-controlled route and contains an existing legal, nonconforming, detached off-premises sign or signs, as originally permitted as a state defined off-premises sign, one additional detached sign advertising the on-site businesses shall be permitted.
 - a. The sign shall be located a minimum of 100 feet from the off-premise sign or signs.
 - b. The maximum height shall be 25 feet.

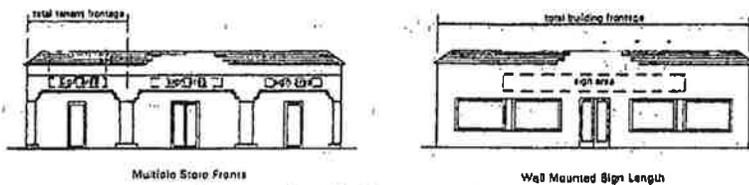
c. The maximum effective area shall be 250 feet.

(c) *Attached signs.* Attached signs are allowed in business areas in accordance with the following provisions:

1. Each business shall be allowed wall signs on any wall. In the event the business does not front on a street, it shall be allowed signage as if it fronted on a local street.
 - a. These signs shall extend no further than 18 inches from the wall.
 - b. A wall sign shall not extend beyond the wall edge.
 - c. Wall signs do not include signs on the inside of windows.
 - d. Wall signs on the exterior face of windows are not permitted. Lettering on the exterior face of a window stating the days and times that the business is open is permitted.

[2.] [Reserved.]

3. The total effective area of all wall signs allowed for a business shall be calculated based upon the lineal footage of each wall having frontage on a public or private street. The effective area shall not exceed three square feet per lineal foot of the wall length.



4. Individual channel letters located along a roof edge, which is not the primary roof of a structure, shall be considered a wall sign. If a sign bar is utilized it shall be located at the base of the letters and shall not exceed six inches in height. The maximum allowable height of the individual letters shall not exceed 12 inches.
5. A premises may have a roof sign only if it does not have a detached or projecting sign. A roof sign is any sign erected upon, against or directly above a roof. Roof signs shall be set back from the outside walls of the building no less than four feet and no part of the sign shall extend beyond any roof edge. The methodology used to determine the effective area allowed for detached signs shall be used to calculate the effective area allowed for roof signs. All roof signage shall comply with appendix H of the adopted edition of the International Building Code.
6. A business may have a projecting sign only if it does not have a roof sign or a maximum number of allowable detached signs for that premises. A projecting sign is a sign which is attached to and projects from a surface or building face. Where a premises frontage would allow the use of two or more detached signs, a projecting sign may be substituted for one of the detached signs. Projecting signs shall have a minimum clearance of ten feet above the highest level of the ground under the sign at the sign's lowest point and shall not exceed 20 square feet in effective area.
7. A sign mounted on the lower one-third of a mansard roof shall be considered a wall sign. The sign shall not project above the top of the roof feature on which it is placed.



(d) *Suspended signs.* A sign attached to the underside of a lintel, arch or other overhead spanning member of a porch or walkway, and which is hung either perpendicular or parallel to a vertical wall surface shall have a minimum clearance of seven feet above the walking surface.

(18) *Relocating signs due to public improvement projects.* Detached signs that must be removed because of a public-improvement project may be relocated provided that a permit is issued at the discretion of the administrative review.

committee (ARC) upon a finding that the requirements of this section are met. If the detached sign is located in a business area, the sign may be considered for relocation whether the sign is currently a conforming or nonconforming sign. If the detached sign is located in a non-business area, the sign may only be considered for relocation if it is a conforming sign. Relocation of a detached sign may only be approved if:

- (a) The sign will be relocated on the same lot of record; and
- (b) Its effective area is altered only to conform to the requirements of this section; and
- (c) No electronic or digital media is included as a part of the sign, other than that existing at the time of relocation; and
- (d) The sign is lighted only with lighting that existed prior to the relocation; and
- (e) Any lighting from the sign in the relocated site does not create a nuisance for any residentially zoned properties; and
- (f) The sign pole is replaced only if ARC determines that to be necessary in order to accomplish sign relocation; and
- (g) The relocated sign height does not exceed the originally located sign height in relation to the roadway grade, as measured from the roadway the sign is oriented towards. The height is to be determined from the roadway as rebuilt or the state or city's approved, engineered design for a roadway under construction, if such roadway is not already in place at the time of relocation; and
- (h) There has been no determination by the city that the sign in question is a dangerous structure or should be removed due to blighting of adjacent properties, unrelated to the public improvement project.

The administrative review committee (ARC) shall review all proposed sign relocations for conformance with this subsection. A conforming sign may become legal nonconforming as a result of such relocation. The creation of any additional nonconformity on the lot of record as a result of such relocation, such as reduced parking or perimeter landscaping, should be minimized to the greatest extent practical in the determination of the ARC. A relocated sign shall be considered legal nonconforming if it does not conform to the provisions of this section. If the ARC determines that it is in the best interest of the community that the sign should not be relocated under this subsection, the sign shall not be relocated without approval of the planning and zoning commission. The decision of the planning and zoning commission shall be final, subject only to city council review. If the sign is allowed to be relocated, the provision of subsection 36-454(21) shall not apply to the sign, except as provided in this subsection. This subsection does not accrue property rights for individual property owners or owners of signs affected by the public-improvement project to require relocation of any sign, but shall only provide an opportunity for review and possible relocation if, in the discretion of the ARC, or planning and zoning commission, or city council, when the issue is before one of those bodies, the requirements of this subsection are met.

(19) *Interstate highway commercial sign district.*

- (a) *Purpose.* The purpose of the "interstate highway commercial sign district" is to permit detached signs in proximity to the intersection of qualifying major commercial streets with an interstate highway. Larger and taller detached signs are deemed appropriate in these areas due to the orientation of the commercial activity located at these intersections.
- (b) *General provisions.* All signs located in interstate highway commercial sign districts shall conform to subsection (17) except for the following:
 - 1. The maximum effective area for any detached sign in a business area shall be 600 square feet.
 - 2. The maximum height for any detached sign in a business area shall be 70 feet in height above street grade of the closest street to the sign.
 - 3. Any premises in the "Glenstone Avenue interstate highway commercial sign district" created under subsection (19)(c)2. may erect two detached signs, provided one sign is over 50 feet in height and the other is not more than 25 feet in height. The total effective area permitted for the premises shall not be considered in reviewing the shorter sign, which may have an effective area up to 100 square feet.
 - 4. Any premises having frontage along Schoolcraft Freeway, in the "Schoolcraft Freeway/I-44 interstate highway commercial sign district" created under subsection (19)(c)3, is permitted to erect:
 - a. One detached sign with a maximum effective area of 450 square feet and a maximum height of 60 feet

above adjacent street grade; and

- b. One additional detached sign with a maximum height of 60 feet above adjacent street grade.

This provision shall not apply to any additional premises or lot created as the result of any subdivision action taken after the passage of General Ordinance No. 5777.

(c) *Location.* The following areas are designated as "interstate highway commercial sign districts:"

1. Property within a 660-foot radius from the intersection of the rights-of-way of:
 - a. Interstate 44 and Kansas Expressway;
 - b. Kearney Street and Schoolcraft Freeway (U.S. 65);
 - c. Sunshine Street and Schoolcraft Freeway (U.S. 65); and
 - d. The southwest quadrant of Chestnut Expressway and Schoolcraft Freeway.
2. Property with frontage on Glenstone Avenue between the northern right-of-way of Kearney Street and 100 feet north of the northern right-of-way of McClernon Street, plus property within a 1,800-foot radius from the center of the intersection of the rights-of-way of Interstate 44 and Glenstone Avenue.
3. Property at the southwest quadrant of Interstate Highway 44 and U.S. Highway 65 within a 1,800-foot radius from the center of the intersection of the rights-of-way of these two highways.

(20) *Scenic corridor overlay district.*

(a) *Purpose.* The scenic corridor overlay district is intended to promote the health, safety, and general welfare of the public by encouraging the conservation, preservation and enhancement of the scenic qualities and landscape of scenic roadway areas. The purposes of this district are to:

1. Preserve the scenic character of designated roadways and, where possible, preserve scenic views from the roadways and to implement the parkway concept as set forth in the city's comprehensive plan;
2. Maintain the natural beauty of the landscape as it currently exists along designated roadways;
3. Encourage development this is compatible with and, where possible, enhances such natural beauty; and
4. Encourage safe and efficient traffic flow along designated scenic roadways for all modes of travel.

(b) *General provisions.* Off-premises signs located within a scenic overlay district shall conform to the standards and regulations set forth in subsections (17)(a) and (d) unless such regulations are in conflict with the regulations set forth in this section. In the event of a conflict in regulations, the regulations contained in this section shall control. No off-premises advertising shall be oriented toward James River Expressway.

(c) *Location.* These regulations shall apply to any property within 660 feet off the nearest edge of the right-of-way of the designated scenic roadway, notwithstanding any other provision of this article. Off-premises detached signs that would be oriented towards streets other than the designated scenic corridor are permitted only if the signs surface containing copy is not visible or oriented towards the designated scenic corridor. The ARC, in consultation with the Missouri Highway and Transportation Department, shall publish a map showing those properties falling within the 660 feet of the right-of-way within the scenic corridors.

1. No off-premises sign along any scenic corridor shall be closer than 2,500 feet from any other off-premises sign including those outside the scenic corridor overlay district as measured radially from the nearest portion of the signs or sign structures.
2. The maximum effective area of the sign shall be 128 square feet.
3. The maximum height of the sign and sign structure along any designated scenic corridor shall be 20 feet above the highest paved portion of right-of-way adjacent to the property where the sign is installed.
4. These roadways where the city is mandated by state law to allow off-premises signs shall be included in the "scenic corridor overlay district:"
 - a. James River Freeway and U.S. 60;
 - b. West By-Pass and U.S. 160; and

c. Kansas Expressway north of the nearest paved area of I-44 and south of the nearest paved area of the James

(d) *Exceptions.*

1. Off-premises signs oriented towards streets not within the "scenic corridor overlay district" shall be permitted within any scenic corridor overlay district. The administrative review committee shall review all proposed off-premises detached signs within the "scenic corridor overlay district" to determine whether the requirements of this section are met. An off-premises detached sign shall be permitted if it is oriented generally perpendicular to a street not within the "scenic corridor overlay district" and the sign cannot be read from a roadway within the "scenic corridor overlay district" down its length for an extended distance.
2. The city shall have the option to allow the relocation of existing off premises detached signs impacted by a state or city highway improvement project within the "scenic corridor overlay district," Irrespective of the provisions of subsection (21), based on the requirements of subsection (18). If the sign is allowed to be relocated, the provisions of subsection (21) shall not apply to the sign, except as provided in subsection (17).

(21) *Master sign plans.*

(a) *Purpose.* A master sign plan application may be approved for the purpose of establishing consistent, logical, and equitable signage for:

1. Multiple uses on a single property;
2. A building group of a single use or multiple uses that may involve multiple properties; or
3. A large tract that contains a single use with multiple services.

The main intent of a master sign plan is to provide clarity of communication regarding tenants and services to users of the premises or building group. A master sign plan is not intended to provide special or additional signage allowance in terms of total effective area than would otherwise be permitted by this section 36-454, signs.

(b) *General provisions.*

1. The planning and zoning commission may, by resolution, approve the establishment of a master sign plan for:
 - a. Two or more commercial, office, or industrial uses on a single property;
 - b. An identifiable building group, such as a medical, university or college campus, industrial or office park, or shopping center; or
 - c. Any other site containing at least five acres of land area.
2. Except for specifically permitted variations from the spacing and number of signs in the approved master sign plan, all other signs within the area defined within the plan shall comply with all provisions of this article.
3. Master sign plans shall prescribe the size, number, and types of signage permitted. No other signs shall be permitted, except exempt signs, which are listed under subsection (4).
4. No detached sign shall exceed the maximum effective area permitted by this section 36-454, signs, nor shall the total effective area of detached, projecting, and roof signs exceed what this section 36-454, signs, would otherwise permit.
5. No sign shall exceed the maximum 40-foot height permitted by this section 36-454, signs. If signs are spaced closer than 300 feet, the first sign may be up to 40 feet high and additional signs must comply with this table:

# of signs	Maximum height in feet
1	20
2	15
3	10

4

8

No more than five additional signs are permitted within a distance of 300 feet.

6. The provisions of this subsection only apply to signs relating to activities within the area that the master sign plan is to serve.
 7. The support structure for detached signs shall be constructed of similar materials or be of a similar design if the construction materials are coordinated with the buildings the signs serve. Detached signs supported by a pole are not permitted unless the pole is concealed. Different types of signs, as identified by the specific master sign plan (development identification, tenant identification, directional, etc.), may be constructed of different materials.
 8. Any electronic message center sign shall be subject to all applicable provisions for the area in which it is placed.
- (c) *Contents of application.* All applications shall be filed at least 31 days prior to a regularly scheduled, public meeting where the application will be reviewed by the planning and zoning commission. The application shall contain the following information as well as such additional information as may be described by rule of the planning and zoning commission or the director of planning and development:
1. The applicant's name and address and his legal interest in the subject property;
 2. The owner's name and address, including trustees, and, if different than the applicant, the owner's signed consent to the filing of the application and authorization for the applicant to act in his behalf;
 3. The street address(es) (or common description) and a copy of the deed of record or legal description(s) of the property as prepared by a certified land surveyor or attorney;
 4. The zoning classification(s) of the subject property(ies);
 5. The current and proposed use of the subject property(ies);
 6. A statement from the applicant describing how the proposed master sign plan:
 - a. Addresses the eight review criteria listed in paragraph (d), below; and
 - b. Provides more consistent, logical, and equitable signage than would be permitted by applying the sign requirements of this section 36-454, signs.
 7. A scaled site plan showing:
 - a. Location of the buildings, parking lots, property lines, easements, driveways and landscaped areas on the subject property(ies);
 - b. Any additional information necessary to address the eight review criteria listed in paragraph (d), such as significant natural topographic or physical features of the site; and
 - c. The proposed location of each current and proposed sign of type.
 8. The standards of consistency among all signs with regard to:
 - a. General location of each sign on buildings and structures;
 - b. Effective area limitations, which may be based on length of street frontage, area of building, or some other form of calculation; and
 - c. Materials to be used for detached, sign support structures.
- (d) *Review of master sign plan application.* The planning and zoning commission shall review and either approve, deny, or amend all applications for master sign plans. No review of a master sign plan application shall be done by the planning and zoning commission unless the director of planning and development, or his duly designated delegate, has certified to the planning and zoning commission that the application is complete (based on the information

required by paragraph (c), above) and does not contain or reveal violations of this article or other applicable regulations. The planning and zoning commission in considering whether or not to approve, deny or amend an application for a master sign plan shall be guided by the general purpose of this section and the following:

1. The proposed master sign plan will be consistent with the adopted policies of the Springfield Comprehensive Plan;
2. The proposed master sign plan has the potential to improve the safety and convenience of the motoring public and of pedestrians using the property and the area immediately surrounding the property;
3. The location, lighting and type of signs proposed and the relationship of signs to traffic control is appropriate for the property;
4. The proposed signs will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations;
5. The proposed signs, as shown by the application, will not destroy, damage, detrimentally modify, or interfere with the enjoyment or function of any significant natural topographic or physical features of the site;
6. The proposed signs will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance;
7. The proposed signs, as shown by the application, will not interfere with any easements, roadways, rail lines, utilities, and public or private rights-of-way;
8. The proposed signs will not have any substantial or undue adverse effect upon, or will not lack amenity or be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety, and general welfare; and,
9. Review and approval by building development services must be granted before review by the planning and zoning commission.

(e) *Conditions and restrictions.* In approving a master sign plan application, the planning and zoning commission may impose conditions and safeguards to comply with the requirements of this article or to avoid, minimize, or mitigate any potentially adverse or injurious effect of such master sign plan upon other property in the neighborhood, and to carry out the general purpose and intent of this article. Such conditions shall be set out in the resolution approving the master sign plan application.

(f) *Decisions and records.* The planning and zoning commission shall, within 30 days after the public hearing is concluded, approve by resolution, or deny, an application for a master sign plan. If the application is denied, the planning and zoning commission shall state the reasons for denial in writing to the applicant and shall also make suggestions in regard to appropriate changes. In the event that an application is denied, the applicant may:

1. Resubmit a revised application within ten working days of denial by the commission for reconsideration by the commission; or
2. File an appeal to the city council within 15 days of the denial by the planning and zoning commission.

The secretary of the planning and zoning commission shall maintain complete records of all actions of the commission with respect to applications for master sign plans.

(g) *Effect of approval of a master sign plan application.*

1. After approval of a master sign plan application, no sign shall be erected, placed, reconstructed, structurally altered, or moved except in conformance with the master sign plan.
2. ARC may approve new signs not specifically identified on the master sign plan provided the new signs comply with all standards established by the master sign plan. If a new sign involves expansion of a master sign plan to include additional property, the master sign plan must first be amended as prescribed below.
3. The approval of a master sign plan application shall not authorize the erection, placement, reconstruction, structural alteration, or moving of any sign, but shall merely authorize the preparation, filing, and processing of

applications for any permits or approvals, which may be required by the codes and ordinances of the city, including, but not limited to, a building or sign permit. Each sign shall be required to have a separate permit.

4. In case of any conflict between the provisions of a master sign plan and any other provisions of this article, the article shall prevail.
- (h) A master sign plan may be amended by filing a new master sign plan application that conforms to all requirements of this article.

(22) *Sign permits and inspection.*

(a) *Permits required.*

1. Except as otherwise provided in this code, it shall be unlawful for any person to erect, repair, improve, maintain or convert, any sign, or cause the same to be done, without first obtaining a sign permit for each such sign from the director of building development services. No sign permit shall be issued except to a person licensed to do business in the City of Springfield or to a person exempt from the city licensing provisions.
2. Every sign permit issued by the director of building development services shall become null and void if work on the sign is not commenced within 180 days from the date of such permit. If work authorized by such permit is suspended or abandoned for 90 days after the work is commenced, the sign shall be considered abandoned unless a new permit shall be first obtained to proceed with the work on the sign, and the fee will be one-half of the original fee, provided that no changes have been made in the original plans.

(b) *License.* No person shall perform any work or service for any person or for any government entity in connection with the erection, repair, improvement, maintenance, or conversion, of any sign in the city, or any work or service in connection with causing any such work to be done, unless such person shall first have obtained a business license and paid the license fees provided for by the city, or shall be represented by a duly-licensed person.

(c) *Application for permit.* Application for a permit shall be made to the director of building development services upon a form provided by the director of building development services, and shall be accompanied by such information as may be required to insure compliance with all appropriate laws and regulations of the city.

The director of building development services shall issue a permit for work to be done on a sign when an application therefore has been properly made and the sign complies with all appropriate laws and regulations of the city.

(d) *Denial or revocation.* The director of building development services may, in writing, suspend, deny, or revoke a permit issued under provisions of this section whenever the permit is issued on the basis of a misstatement of fact, fraud, or noncompliance with this article.

When a sign permit is denied by the director of building development services, he shall give written notice of the denial to the applicant, together with a brief written statement of the reason for the denial. Such denials shall refer to the section of the sign code or other pertinent code used as the basis of denial.

(e) *Exempt operations.* The following operations shall not require the issuance of a sign permit:

1. Changing of the copy describing products or services on an existing permitted sign which is specifically designed for the use of manually or automatically changeable copy including billboard panels and posters; but, not including changes in the structure, size, placement, or location of the sign.
2. Maintenance, including repainting, cleaning, or other normal repair of a sign not involving structural changes. Maintenance includes all face changes, but does not include changes in the structure, size, placement, materials, or location of the sign.

(Zoning Ord., § 5-1400; G.O. 4592, 4-1-96; G.O. 6120, 5-12-14; G.O. 6502, § 2, 2-11-19; G.O. 6543, § 3, 8-12-19)