

DRAFT- June 9, 2017

Sec. 114-1. Rules of construction and definitions.

Add the following definitions:

Electronic message sign (EMS) means a sign that utilizes computer-generated messages or some other electronic means of changing copy; these signs include displays using incandescent lamps, LEDs, LCDs or a flipper matrix.

Comment [NHT1]: Added definition

Identification sign means a sign that identifies only the activity, business, structure, building name, owner, or occupant of the premise to which the sign relates and/or the street address of said premises.

Comment [NHT2]: Changed resident to occupant

Off-premise sign means a sign, electronic or otherwise, which directs attention to a business, profession, person, activity, commodity, or service which is conducted, sold or offered at a location other than the premises on which the sign is located.

On-premise sign means a sign, electronic or otherwise, which directs attention to a business, profession, person, activity, commodity, or service located on a premise where the sign is installed and maintained.

Delete the following definitions:

~~Sign, political means any temporary sign which supports the candidacy of any candidate for public office or urges action on any other matter on the ballot of primary, general, or special elections.~~

~~Sign, advertising means a sign which directs attention to a business, commodity, service, or entertainment not exclusively related to the premises where such sign is located or to which it is affixed.~~

~~Sign, business means a sign which directs attention to a business or profession conducted, or to a commodity, service or entertainment sold or offered upon, the premises where such sign is located or affixed. Public service information promoting noncommercial items of general interest to the community may be included on a business sign.~~

~~Sec. 114-673.—Signs.~~

~~Signs advertising any adult entertainment uses shall conform to sections 114-1077 through 114-1081 in addition to the following conditions:~~

- ~~(1) No portable signs or outdoor advertising signs shall be permitted on the premises;~~
- ~~(2) Signs shall not depict illustrations or parts of the human body; and~~
- ~~(3) No flashing or traveling lights shall be located outside the building.~~

~~(Code 1973, § 16.05.040(d)(4))~~

Sec. 114-673. - Reserved.

## ARTICLE X. - SIGN REGULATIONS<sup>[27]</sup>

Footnotes:

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**Cross reference**— Buildings and building regulations, ch. 18; building code standards, § 18-26 et seq.; businesses, professions and occupations, ch. 22; subdivisions, ch. 86.

### DIVISION 1. - GENERALLY

Sec. 114-1026. ~~—Purpose.~~ Scope of article; compliance required.

Purpose. Exterior signing has a clear impact on the character and quality of the city. As a prominent part of the urban environment, signs may attract or repel the viewing public, affect the safety of pedestrian and vehicular traffic, and help set the tone and legibility of the neighborhood and the city. This sign ordinance establishes minimum standards to promote life, health, safety, welfare, convenience, and enjoyment of the public by regulating the design, quality of materials, construction, location, quantity, electrification and maintenance of all signs, bulletin boards, and advertising devices visible from public rights of way. The purpose of this sign ordinance is to allow adequate communication through signage while ensuring the protection of property values, the character of the various neighborhoods, the creation of a convenient, attractive and harmonious community, protection against destruction of or encroachment on historic properties, convenience to citizens and encouraging economic development. This article must be interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision of this Article is found to be unconstitutional or otherwise invalid, the validity of the remaining sections shall not be affected.

(a) ~~(a)~~ —Permit required. The regulations set forth in this article shall apply to and govern signs in all districts. No sign regulated by this article shall be erected until a permit for the erection of such sign has been issued by the city zoning administrator, unless otherwise permitted or regulated in this article. No sign shall be erected or maintained unless it is in compliance with the regulations governing location and bulk of structures for the district in which it is located, unless such sign is otherwise specifically regulated by conditional use provisions or provisions relating to variances.

(1) Application for permit and appeal. A completed application for a sign permit along with the permit fee as listed in the schedule of fees must be filed with the city zoning

administrator using the form provided. The city zoning administrator must process the application within 10 days and either approve an application that complies with all relevant provisions of the code or deny the application and give sufficient reasons for the denial. If the zoning administrator denies the application, the applicant may file a written appeal within 10 days of the denial to the Zoning Board of Appeals under sec. 114-903, which shall either affirm or reverse the decision of the zoning administrator. A written appeal under this subsection shall be deemed incomplete and will not be reviewed if it is not accompanied by the applicable fee as listed in the schedule of fees.

(2) Duration and revocation of permit. If a sign is not installed within 6 months following the issuance of a sign permit (or within 30 days of a temporary sign permit), the permit shall be void. The city zoning administrator may revoke a sign permit if it determines that the information in the application was materially false or misleading, the sign as installed does not conform to the sign permit application, the sign violates any provisions in the code of ordinances, or the sign is not being properly maintained or has been abandoned.

(3) Any person who may be adversely impacted by any regulations set forth in this article may apply for a variance pursuant to the procedures outlined in Sec. 114-903 of the code. For signs requiring a conditional use permit, exceptions to the code may be granted pursuant to the procedures and standards outlined in Article III of this Chapter.

(b) ~~(b)~~—Nonconformity and modification. Any sign lawfully in existence on the date the provisions of this article were first adopted, which do not conform to the provisions of this article now but were in compliance with the applicable regulations at the time they were constructed, erected or affixed must be regarded as nonconforming. Provided, however, a sign constructed during the period of time following June 18, 2015 and the date the provisions of this article were first advertised for adoption must not be considered a non-conforming sign unless it conformed to the regulations in effect on the day immediately preceding June 18, 2015. Signs which were unlawful under the prior ordinance and which do not conform to this article must be removed immediately. Any sign already established on the effective date of the ordinance from which this article derived, and which sign is rendered nonconforming by the provisions in this article, and any sign which, as a result of subsequent amendments to this article, shall be rendered nonconforming, shall be subject to the regulations of article IV of this chapter; nonconforming buildings, structures and uses, and to the specific provisions of this article.

(c) Notwithstanding any other provisions of this article or of related standards referenced in this article, applications will be reviewed only with respect to sign structure, placement, time, place, and manner; administration of the article shall be done without regard to content or message of the sign.

Comment [NHT3]: Added subsection (a)(3)

Comment [NHT4]: Added subsection(c)

(Code 1973, § 16.10.010(a) *Clyde Reed, et al., v. Town of Gilbert, Arizona, et al.*, 135 S. Ct. 2218 (U.S. 2015))

Sec. 114-1027. - Exceptions to article.

The provisions of this article shall not apply to the following:

- (a) Signs not visible beyond the boundaries of the lot or parcel upon which they are situated, or from any public thoroughfare or right-of-way, and signs oriented inward upon a lot and intended solely for the information of employees, students, faculty, and visitors.
- (b) Signs erected, maintained or otherwise posted, owned or leased by, on behalf of, or as specifically directed or ordered by federal, state or local governments and government agencies, in furtherance of authorized government functions or activities within the public right of way. Miscellaneous traffic and other official signs of any public or governmental agency, such as railroad crossing signs, trespassing signs, signs indicating danger, or signs used as aids to service or safety.
- (c) Flags made of any fabric or bunting with a maximum area of 24 60: -square feet, which is attached along only one edge to a pole or permanent structure, and used solely as an identifier of a government or institution. Any identification or display of any official court or public office, notices thereof, or any flag, emblem or insignia of a nation, political unit, school, or religious group.
- (d) Any sign which is located completely within an enclosed building, and which sign is not visible from outside the building and is not legible nor is it intended to be legible from the right of way.
- (5) Tablets, grave markers, headstones, statuary, or remembrances of persons or events that are noncommercial in nature.
- (6) Works of fine art when not displayed in conjunction with a commercial enterprise, which enterprise may benefit direct commercial gain from such display.
- (7) Temporary decorations or displays celebrating the occasion of traditionally accepted patriotic or religious holidays.
- (e)(8) — Signs on a truck, bus, trailer, or other vehicle while operated in the normal course of a business which is not primarily the display of such signs.

Comment [NHT5]: Added this section

(Code 1973, § 16.10.010(b)(1); Ord. No. 11-04, pt. 1, 4-7-04)

Sec. 114-1028. - Location of signs.

- (a) No sign shall be erected in a location prohibited by this chapter. No sign shall be erected so as to prevent free ingress to or egress from any door or window, or any other exitway required by the building code of the city and amendments thereto, or by fire department regulations.
- (b) No sign shall be attached to a standpipe, gutter drain, or fire escape, nor shall any sign be erected so to impair access to a roof.

- (c) No ~~advertising-off-premise~~ sign shall be permitted within 75 feet of any residence district boundary line unless the sign is completely screened from such residence district by a building, solid fence, or an evergreen planting, which planting shall be not more than two feet shorter than the height of the sign at the time such evergreens are planted; evergreens shall be spaced not more than one-half the height of the tree for regular varieties and one-third the height of the tree for columnar varieties of trees; such evergreen planting shall be continuously maintained; or such sign is facing away from the residence district and the back is screened as provided in section 114-1031.
- (d) All ~~outdoor advertising structures, post signs, accessory signs, or advertising statuary signs~~ which are declared to be a traffic hazard by the zoning administrator after a recommendation from the traffic engineer, and which do not conform to the provisions of this article, shall be relocated or rearranged in accordance with safety standards. A sign in the direct line of vision of any traffic signal shall not have red, green, or amber illumination. Signs may not be located in such a manner as to obscure, or otherwise physically interfere with, the effectiveness of an official traffic sign, signal or device, or obstruct or physically interfere with the driver's view of approaching, merging or intersecting traffic.
- (e) Unless otherwise permitted in this section, no sign shall be located on, or project above the parapet line of, any roof except upon the granting of a conditional use permit by the common council. All such signs shall appear as an architectural blade, or penthouse, and be finished in such a manner that they appear to be part of the building from all sides.
- (f) All signs which project into any public way or other accessway shall maintain a vertical clearance of not less than eight feet above grade. This minimum vertical clearance may be increased in accordance with the requirements of each zoning district.
- (g) Any single-face wall sign located on the exterior of a building shall not project more than 12 inches from the building, and the bottom of such sign shall not be lower than eight feet. However, wall signs projecting not more than four inches from the face of the wall shall be allowed at any height.
- (h) No sign shall be located on a truck, bus, trailer, boat, or other vehicle which is used primarily to display such sign.
- (i) In an area bounded by the Root River to the north and west, Sam's River Road to the east, and Water Street to the south, roof signs may be permitted but are subject to the following allowances:
  1. One ~~identificationsuch~~ sign per building by right, ~~and only displaying one name (i.e., the name of the major tenant, or the development or building name).~~ The applicant shall submit an application and supporting materials to the downtown area design review commission for review and approval, which shall be granted, provided the sign adheres to the design standards set forth in the applicable design guidelines and development plans of that district.
  2. Two such signs may be permitted per building if a conditional use permit is first obtained. Prior to the review of the plan commission, the applicant shall submit an application and supporting materials to the downtown area design review commission for review and recommendation, which shall be granted, provided the sign adheres to

Comment [NHT6]: New line added

the design standards set forth in the applicable design guidelines and development plans of that district.-

Comment [NHT7]: New line added

3. Roof signs shall be composed of individual letters, internally or externally illuminated. No flashing, traveling, animation, scrolling, pulsing, or intermittence of the message or figures is permitted.
4. Roof signs shall not extend more than ten feet above the average height of the roof surface.
5. Total roof sign square footage shall be calculated in accordance with the standards of the zoning district in which it is located. The total square footage of all roof signage on a building shall not exceed this number.
6. Roof signage described in subsection 114-1028(i) shall be calculated independently of signage which is otherwise permitted in the zoning district.

(Code 1973, § 16.10.010(b)(2); Ord. No. 12-91, pt. 1, 4-3-91; Ord. No. 11-14, pts. 1, 2, 9-23-14)

Sec. 114-1029. - Obsolete and nonconforming signs.

- (a) Every owner of a building or structure or land upon which ~~a sign an advertising sign or business sign~~ is located shall remove such sign within 60 days after the cessation of the time, event or purpose ordinary course of business to which such sign relates, or within 60 days after the building or structure or land becomes vacant, unoccupied or sold.-
- (b) No nonconforming ~~business sign or advertising device~~ shall be altered or reconstructed unless the alteration or reconstruction is in compliance with the provisions of this article. For the purpose of this section only, the term "altered or reconstructed" shall not include normal maintenance; changing of surface sign space, ornamental moulding, frames, trellises, or ornamental features or landscaping below the base line; or the addition, construction, installation, or changing of electrical wiring or electrical devices, backgrounds, letters, figures or characters, ~~or other embellishments.~~

Comment [NHT8]: Changed both to 60 days

Comment [NHT9]: Deleted

(Code 1973, § 16.10.010(b)(5))

Sec. 114-1030. - Construction and maintenance.

The construction, installation, erection, anchorage, wiring, and maintenance of all signs shall be subject to the regulations of the city building codes or supplementary sign regulations. No sign shall be erected or maintained in an unsafe condition or in substantial disrepair. Signs shall be of a professional design or constructed in a professional like manner, and shall be sufficiently durable so as to withstand strong wind gusts or environmental factors.

Comment [NHT10]: Added last sentence

(Code 1973, § 16.10.010(b)(6))

Sec. 114-1031. - Mounting of signs.

All signs shall be mounted in one of the following manners:

- (a) Flat against a building or wall.
- (b) Back to back in pairs, so that the backs of signs will be screened from public view.
- (c) In clusters in an arrangement which will screen the backs of the signs from public view.
- (d) Or as otherwise mounted so that the backs of all signs or structures showing to public view shall be painted and maintained a neutral color or a color that blends with the surrounding environment.

(Code 1973, § 16.10.010(b)(7))

Sec. 114-1032. - Limitation on number.

In those districts within which a reduction in total sign area is applied as the number of signs increases, the following exemption is offered. If more than four establishments occupy a single zoning lot, the 20 percent reduction in total sign area shall not apply if all signs are grouped in a single location or are part of a common sign for the entire zoning lot. In such instances, each establishment shall be permitted an additional wall-mounted sign of not more than 16 square feet in area and projecting not more than four inches from the face of the wall or structure of the building.

(Code 1973, § 16.10.010(b)(8))

Sec. 114-1033. - Electronic message signs.

(a) ~~LED Electronic signs~~ Electronic message signs in office or institutional educational facilities. For purposes of this section, an office or institutional facility means a property which is utilized for office or institutional purposes, such as those uses listed under sec. 114-427, but is not necessarily located in an office/institutional zoning district. For purposes of this section, educational facility shall be defined as a primary, secondary, or technical school (public, private, or parochial) involved in the instruction of students as its primary function. This definition shall not include community centers, religious institutions without a K-8th grade school, job training facilities, or other similar organizations providing student instruction.

- (1) *Standards.* All electronic signage for ~~educational~~ the above facilities shall be constructed as set forth in this part and shall comply with the following standards:
  - a. *Zone districts.* Allowed as a conditional use in any zone district in which the ~~facility~~ school is located.
  - b. *Sign area.*
    1. One electronic monument sign is allowed per site. The sign may have an electronic face on both sides of the sign.
    2. The maximum size of the sign may not exceed 60 square feet, including borders, trim, etc. A maximum of 50 percent of the total sign area may be electronic.

3. Height may not exceed six feet, as measured from average finished grade to the highest point on the sign cabinet.
  4. The electronic monument sign is allowed in addition to all other signage as allowed per this article.
- c. *Setback and location.*
1. Minimum setback from any property line is 25 feet.
  2. May not be located within 200 feet of a residential zone or use, and may not directly face a residential zone or use.
- d. *Electronic message restrictions.*
1. ~~Messages are limited to advertisements of school activities and functions. No commercial advertising is allowed. No off-premises signs allowed.~~
  2. The sign lighting may be on between the hours of 7:00 a.m. and 10:00 p.m., ~~Monday through Friday or during the hours of operation, whichever is longer.~~
  3. Maximum of four lines of electronic message are allowed per sign face. Lettering height will be determined by the posted speed limit on the adjacent street:
    - i. 0—30 mph: Four inches in height maximum.
    - ii. 31—45 mph: Six inches in height maximum.
    - iii. 46+ mph: Ten inches in height.
  4. The use of scrolling, flashing, blinking, chasing, traveling, or similar animation is prohibited.
  5. Each message change shall be accomplished in one second or less, and each message shall remain in a fixed position for a minimum of ~~2060~~ seconds.
  6. No additional electronic signage will be permitted in addition to, or in lieu of, an electronic monument sign.
  7. No electronic monument signage shall interfere with or be in conflict with any traffic control devices. This shall be determined by the commissioner of public works.
  8. Traveling message and animated signs are not permitted.
- e. *Design standards.*
1. The sign design must be architecturally compatible with the principal structure design, utilizing similar materials and established style as found in the principal structure.
  2. A landscape plan shall be submitted as part of the conditional use. The landscaping shall address the area within six feet of the sign, utilizing plantings that are complimentary to the sign base, appearance, and location of the sign.

**Comment [NHT11]:** Deleted days and added hours of operation

**Comment [NHT12]:** Added subsection(8)

The landscape plan is subject to review and approval of the director of city development.

(b) ~~LED~~ Electronic message signs; in (nonresidential districts) ~~uses~~ excepting office/institutional uses as provided in subsection (a) above. Electronic message signs are allowed as conditional uses in the ~~O-1 office institutional~~, B2 community shopping, B3 general commercial, B4 central business, B5 central service, I-1 restricted industrial and I-2 general/industrial zoning districts and are subject to the following requirements and other conditions of approval:

Comment [NHT13]: Deleted office/institutional

(1) ~~No such off-premise signs shall be~~ located in the ~~O-1, B4 and B5 districts, shall provide only public service information.~~

Comment [NHT14]: Deleted office/institutional

(2) Such signs shall use a maximum of 25 percent of the total allowable sign area of a zoning lot.

(3) No such sign shall project higher than 15 feet above curb level.

(4) ~~A message may not be repeated in intervals of less than four seconds nor last longer than ten seconds. Single phrase messages may last longer than ten seconds. Each message change shall be accomplished in one second or less, and each message shall remain in a fixed position for a minimum of 4 seconds.~~

Comment [NHT15]: Replaced subsection(4)

(5) No such sign shall be illuminated to a degree of brightness greater than necessary for adequate visibility. Signs found to be too bright will be adjusted.

(6) Traveling message and animated signs are not permitted.

(7) No such sign shall ~~not use the colors red, amber, or green or otherwise~~ interfere with the visibility of a traffic signal.

Comment [NHT16]: Deleted colors

(8) No electronic message sign shall use characters larger than 24 inches high or be longer than 18 feet in length.

(e) High resolution electronic signs.

(1) Definition: A high resolution, digitalized picture displayed on a sign or surface which has the capability of what appears to be constant motion. For purposes of this section, high resolution electronic signs are not LED signs.

(2) Zones:

a. High resolution electronic signs are allowed as a conditional use in the B-2 and B-3 zoning districts.

b. High resolution electronic signs are not allowed in the B-1, O, O1, I-1, I-2, I-P, B-4 and B-5 zones, educational facilities or in any residential zone or where there is a residential use on the premises.

(3) Height: Maximum height of any high resolution electronic sign allowed is 15 feet from existing grade. This includes the cabinet and any decorative top structures on the sign.

(4) Motion:

a. No more than 25 percent of the total allowable sign area allowed may be used as a high resolution electronic sign.

~~b. Constant animation is not allowed. There must be a minimum 30 seconds between image changes.~~

~~(5) Number and spacing:~~

~~a. One high resolution electronic sign is allowed per zoning lot or development.~~

~~b. Signs must be spaced a minimum of 500 linear feet apart.~~

~~c. High resolution electronic signs are not allowed if within a 200 foot radius of a residential property, use or zone.~~

~~d. Signs may not encroach into the city right of way.~~

~~e. The above standards do not apply to off-premises signs (i.e.: billboards).~~

~~(6) Safety:~~

~~a. Signs may not interfere with any traffic signals.~~

~~b. If determined by the city to be a detriment to public safety, the city retains the right to require the sign be removed within 60 days of notification to the sign owner. Findings of detriment to public safety are to be determined by the city traffic engineer with the concurrence of the director of city development. Such a determination may be appealable to the plan commission who will file a recommendation with the common council.~~

~~c. High resolution signs be equipped with photosensitive equipment which automatically adjust the brightness and contrast of the sign in direct relation to the ambient outdoor illumination.~~

**Comment [NHT17]:** Deleted subsection(c) and recreated it as follows

(Code 1973, § 16.10.010(b)(10); Ord. No. 11-09, pts. 1, 2, 5-6-09; Ord. No. 5-10, pts. 1, 2, 5-4-10; Ord. No. 13-13, pt. 1, 9-17-13)

Sec. 114-1034. - ~~Political signs.~~ Temporary signs.

(a) Authorized temporary signs: generally.

1. For purposes of this section, a temporary sign means any banner, pennant, poster or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and that appear to be intended, or is determined by the city zoning administrator to be displayed, for a limited period of time.

2. A property owner may, at any time, place one sign with a sign face no larger than 12 square feet on the property in a residential zoning district or 32 square feet in a business or industrial zoning district. Such signs may not project higher than 6

feet above ground level in any residential district or 15 feet above ground level in any commercial or industrial district.

3. A sign permitted under this section may not contain any electrical, mechanical or audio auxiliaries.
4. A sign permitted under this section may not be displayed in excess of 30 days within a 12 month period, unless otherwise allowed in this section. Obsolete signs must be removed within 72 hours after the cessation of the time, event or purpose to which such sign relates.
5. On corner lots or through lots where a temporary sign is permitted, a property owner may place multiple signs on the property with one facing each street or combine the total permitted square footage into one sign.
6. For properties larger than .25 acres, each principal building shall be considered a separate property for purposes of this section.
7. Any signs permitted under this section do not require a permit.

**Comment [NHT18]:** Added subsection(6)

(b) Other temporary signs permitted in addition the general sign allowed in subsection(a) above.

**Comment [NHT19]:** Added clarifying language

1. One additional sign per street frontage may be located on the owner's property for a period of 60 days prior to an election involving candidates for a federal, state or local office that represents the district in which the property is located or adjacent to, or involves an issue on the ballot of an election within the district where the property is located or adjacent to per issue and per candidate.
2. One additional sign per street frontage may be located on the property during the time in which the owner consents and the property is being offered for sale through a licensed real estate agent or is being offered for sale by the owner.
3. One additional sign per street frontage may be located on the property during the time in which the owner consents and the property is being offered for rent by the owner.
4. One additional sign per street frontage may be located on a residential district property during the time in which the property is under construction or undergoing work performed by a contractor, but must be removed no later than one day after work ceases.
5. One additional sign per street frontage may be located on the owner's property during the time in which the property owner is opening the property to the public, and within 48 hours in advance of the opening.

**Comment [NHT20]:** Changes made to remove the limitation on number of occasions

(c) Total number of temporary signs allowed. A person exercising the right to place temporary signs on his or her property as described in this section must limit the total number of signs on the property at any one time to 4.

(d) For purposes of this section, a lessee of a property is considered the property owner, so long as the lessee holds the right to use exclusive of others or the sole right to occupy.

(e) Nothing in this section shall be construed to eliminate or otherwise affect other requirements of a specific district or zone in which the property is located.

~~(b) In addition to signs authorized to be placed by subsection (a) of this section, political signs may be placed on nonresidential property if such signs conform to the requirements of subsection (a) of this section, excepting the restriction on size, and if such signs conform to all sign regulations applicable to the property's zoning district or use.~~

(Code 1973, § 16.10.010(b)(4))

Sec. 114-1035. - Marquee signs, awnings and canopies.

(a) Where limitations are imposed by this chapter on the projection of signs from the face of the wall of any building or structure, such limitations shall ~~not apply to identification, canopy or marquee signs indicating only the name of the building or the name of the principal occupant of the building or the principal product available therein on any marquees or canopies,~~ provided that any ~~identification~~ sign located on a marquee, awning or canopy ~~signs~~ shall be affixed flat to the vertical face thereof, and provided further that all ~~marquee, awning signs and canopy signs~~ shall maintain the following clearances:

Comment [NHT21]: Changes made

(1) *Height.*

- a. All marquee signs shall maintain a vertical clearance of not less than 12 feet above grade.
- b. All ~~identification~~ canopies shall maintain a vertical clearance of not less than eight feet above grade.
- c. The maximum height shall not exceed 15 feet above curb level.

Comment [NHT22]: Deleted

(2) *Projection.*

- a. No marquee sign shall project closer to a curb than two feet.
- b. No ~~identification~~ awning or canopy shall project closer to a curb than 12 inches.

(3) *Illumination.* Unless otherwise under the jurisdiction of a specific design or development review authority as assigned by this chapter, or applicable restrictive covenants, awnings and canopies may be internally illuminated to the extent that letters, numbers and logo cut-outs may be translucent. All other surfaces of the awning or canopy shall be opaque except the soffit portion, if the soffit portion is to be used for down lighting or accent lighting.

(4) *General regulations.* See article VII, division 6, for general regulations pertaining to marquees, awnings and canopies.

(b) Signs on awnings [and] canopies shall be exempt from the limitations imposed by this chapter on the projection of signs from the face of the wall of any building or structure, provided that any sign located on the awning [or] canopy shall be affixed flat to the surface thereof ~~and~~ shall be nonilluminated, ~~and shall indicate only the name and/or address of the establishment. By conditional use permit, a sign logo and/or graphic~~ may be displayed on

an awning [or] canopy provided that the ~~logo and/or graphics~~ sign is no larger than four square feet in total area, and occupies in total area no more than one-third of the awning [or] canopy face. All signs on awnings [and] canopies shall meet all other requirements of article X. No such sign shall extend vertically or horizontally beyond the limits of such awning [or] canopy; and provided further, that all awnings [and] canopies shall maintain the following clearances:

Comment [NHT23]: Various changes made

(1) *Height.* All awnings [and] canopies shall maintain a vertical clearance of not less than ~~seven feet six inches~~ 8 feet above grade. Maximum height shall not exceed 15 feet above curb level.

Comment [NHT24]: changed

(2) *Projection.* No awning [or] canopy shall project closer to a curbline than 24 inches.

(c) Marquee signs may be permitted only by conditional use permit and in compliance with article X of this chapter.

(Code 1973, § 16.10.010(b)(3); Ord. No. 15-04, pts. 6—9, 4-19-04; Ord. No. 13-13, pts. 2, 3, 9-17-13)

~~Sec. 114-1036. — Portable signs.~~

~~Permits for portable signs shall be good for a maximum of 30 days.~~

(Code 1973, § 16.10.010(b)(9); Ord. No. 3-01, pt. 1, 2-6-01)

Sec. 114-1037. - Sandwich board type sign.

One sandwich board type sign per business, regardless of corner lot or interior lot status, may be displayed in the sidewalk area adjacent to the business and shall not require review by a special design review body exercising jurisdiction in a specific area, subject to the following:

~~(a)~~ The sign shall be submitted to the chief building inspector for review and approval.

~~(b)~~ The sign shall be an on-premise sign, advertise only goods and services offered by the business whose frontage the sign occupies. Off-premise signs prohibited.

~~(c)~~ The sign message shall be intended for viewing by pedestrian traffic only.

~~(d)~~ The sign shall have no moving parts.

~~(e)~~ The sign shall not be artificially illuminated.

~~(f)~~ The sign may have no more than two sides.

~~(g)~~ The sign and supporting structure's overall dimensions shall not exceed a height of four feet or a width of three feet, and the sign's advertising surface space shall not exceed eight square feet.

~~(h)~~ The sign shall not block pedestrian or vehicular traffic.

~~(i)~~ The sign shall not hinder the ability of persons to exit or enter vehicles parked along the curb and shall not hinder exit from or entry to a building.

~~(j)~~ The sign shall be constructed of finished all-weather materials.

(~~k~~4) The sign shall not be secured, tethered, or installed on traffic devices, utility equipment, street trees, street furniture, street lights, parking meters, or any other public fixture.

(~~l~~2) The sign may be on display only while the business is open to the public.

(~~m~~3) The sign shall be well maintained.

(~~n~~4) Applicant shall execute a hold harmless agreement with the city and obtain approval of the agreement by the City Attorney's Office.

~~(15) All appropriate approvals and permits shall be obtained.~~

(~~o~~6) Sandwich board type signs permitted by this section are not to be considered when determining other signage allowed by article X of this chapter.

(Ord. No. 10-03, pt. 1, 5-6-03)

Sec. 114-1038. - Window signage.

(a) *Window signage shall be permitted as follows:*

- (1) Allowance of window signage is over and above signage allocated for any building (such as wall, freestanding pole, monument, etc.). Window signage shall not count against allowable square footage for permanent signage; therefore, a window sign permit is not required.
- (2) All signage shall be maintained in good repair by the property owner. Damaged, faded torn, burnt-out, and unkempt signage is not allowed.
- (3) Reciprocal signs: an owner of a business property may themselves, or give permission for a tenant, to enter into reciprocal product or service agreements with other businesses to host window signage advertising a guest businesses name, goods or services not offered by the host business. As a hypothetical, "Tom's Gas and Snacks" on Douglas Avenue enters into an agreement with "Gold Touch Brakes and Mufflers" on Green Bay Road to display a window sign announcing "Buy \$30 of snacks at Tom's and get a free brake system analysis at Gold Touch." For the purpose of this article, reciprocal signs as permitted in this section shall not be considered off-premise advertising signs as defined in subsection 114-1(b) or as regulated by division 3 of this article.
- (4) No window sign shall advertise any use or substance considered to be unlawful or illegal per the City of Racine Code of Ordinances, state statutes, or federal regulations.
- (5) Neon colored paint, use of markers, paper, hand-drawn lettering, etc., are not to be used in the creation of a window signs.
- (6) Window signage may be illuminated; however, the window signage shall not blink, flash, scroll, or produce any other movement, or have the appearance of movement.
- (7) A seasonal business, as defined in subsection 114-1(b) of this chapter, operating at their current location prior to August 19, 2014, shall be exempt from compliance with section 114-1038.

(b) *Location.*

- (1) Any sign attached to the interior of a window or attached to a product or other device located within six feet of the interior of a window shall be considered window signage. This includes displays, cardboard, advertisements, banners, flags, and the like.
  - (2) Window signage shall not be placed in view of a residential use or residentially zoned property unless authorized by the plan[ning] commission.
- (c) *Measuring and allowable signage.*
- (1) No more than an aggregate area equaling 50 percent of all street level street facade windows may be covered by window signage.
  - (2) A window section is the area of a window divided by a window frame, architectural feature, or the point where an interior tenant wall separates the interior space of a building. If there is no separation, the window section is the entire window.
  - (3) To calculate the amount of window signage allowed, measure the area of all the street level street facade window sections and multiply by 0.50. This calculation will provide the amount of window signage allowed. (For example: two street level street facade windows measuring ten feet by ten feet would equal 200 square feet of window area. Multiply 200 by 0.50, and the allowed window signage could total up to 100 square feet. This amount of signage may be applied to both windows, or one window, as long as the total amount of window signage does not exceed 100 square feet).
  - (4) ~~"Open/Closed" and "Hours of Operation" signs~~ Each building is allowed two small window signs which are less than four square feet total and do not count towards signage allowances. If larger than four square feet, the difference shall be counted towards the total window signage allowance.
  - (5) Signage allocations shall not be calculated by including other building elevations or facades that are not street level street facade. Signage allocations shall not be shared or transferred between businesses occupying separate tenant spaces or buildings.

(Ord. No. 04-13, pt. 1, 2-20-13; Ord. No. 11-14, pts. 3—5, 8, 9, 9-23-14)

Sec. 114-1039. Original art display.

Original art displays are permitted without a permit provided they meet the following requirements:

- (a) For purposes of this section, an original art display is defined as a hand-painted or hand-drawn work of visual art that is either affixed to or painted directly on the exterior wall of a structure with the permission of the property owner.
- (b) Shall not be placed on top of dwellings.
- (c) Shall not extend more than 6 inches from the plane of the wall upon which it is painted or to which it is affixed.
- (d) Shall not be internally illuminated.
- (e) Shall not exceed 64 square feet in size, per lot or parcel.

(f) A property owner may apply for exceptions from this section by appealing to the applicable design review authority of the district in which the property is located.

Sec. 114-1040. Prohibited signs.

The following signs or lights are prohibited:

- (a) Signs of a size, location, movement, coloring or manner of illumination which may be confused with or construed as a traffic control device or which hide from view any traffic or street sign or signal;
- (b) Signs which contain and consist of banners, posters, inflatables, pennants, ribbons, streamers, balloons, strings of light bulbs, spinners, or other similarly moving devices or signs which may move or swing as a result of wind pressure. These devices when not part of any sign are similarly prohibited, unless they are permitted specifically through a conditional use permit or by other legislation;
- (c) Signs which have blinking, flashing or fluttering lights or other illuminating devices which exhibit movement, except electronic sign messages allowed in this article;
- (d) Signs which would be an original art display but does not have the permission of the owner of the property on which it is located or is graffiti;
- (e) Signs which are portable signs that do not comply with the location, size or use restrictions of this article; or
- (f) Signs which are not expressly permitted by this Article.

Secs. 114-1041—114-1045. - Reserved.

DIVISION 2. - DISTRICT REGULATIONS

Subdivision I. - Generally

Sec. 114-1046. - Compliance with division required.

All signs permitted in the city shall be erected and maintained in accordance with the specifications by district or types of districts in this division, in addition to the general sign requirements under Division I of this Article.

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(Code 1973, § 16.10.020)

Secs. 114-1047—114-1055. - Reserved.

Subdivision II. - Residence Districts

Sec. 114-1056. - Scope.

The signs set out in this subdivision shall be permitted in all residence districts, unless otherwise specified, subject to the conditions specified.

(Code 1973, § 16.10.020(a))

~~Sec. 114-1057. Nameplate and identification signs.~~

~~Nameplate and identification signs shall be permitted in all residence districts, subject to the following:~~

- ~~(1) *Area and content, residential.* There shall be not more than one nameplate, attached to the structure, not exceeding one square foot in area, for each dwelling unit, indicating the name or address of the occupant. On a corner lot, two such nameplates for each dwelling unit, one facing each street, shall be permitted.~~
- ~~(2) *Area and content, nonresidential.* For nonresidential buildings, a single identification sign, not exceeding 12 square feet in area and indicating only the name and address of the building, may be displayed. On a corner lot, two such signs, one facing each street, shall be permitted.~~
- ~~(3) *Location.* No nameplate or identification signs shall project beyond the property line into the public way, nor shall they be permitted on public utility easements.~~
- ~~(4) *Height.* No nameplate or identification sign shall project higher than one story or 15 feet above curb level, whichever is lower.~~

Comment [NHT25]: Deleted

(Code 1973, § 16.10.020(a)(1))

~~Sec. 114-1058. - For sale and for rent signs.~~

~~For sale and for rent signs shall be permitted in all residence districts, subject to the following:~~

- ~~(1) *Area and number.* There shall be not more than one such sign per zoning lot, except that on a corner zoning lot two signs, one facing each street, shall be permitted. No sign shall exceed 12 square feet.~~
- ~~(2) *Height.* No such sign shall project higher than one story or 15 feet above curb level, whichever is lower.~~
- ~~(3) *Location.* No such sign shall be placed within a street, alley, or pedestrian walk right of way.~~

(Code 1973, § 16.10.020(a)(2))

~~Sec. 114-1057—114-1058. - Reserved.~~

Sec. 114-1059. - Signs accessory to parking areas.

Signs accessory to parking areas shall be permitted in all residence districts, subject to the following:

- (a1) *Area and number.* ~~Signs designating parking area entrances or exits are limited to one sign permitted for each such exit or entrance to a parking lot, and up to a maximum size of two square feet each. One additional sign permitted per parking area, designating the conditions of use or identity of such parking area and limited up to a maximum size of nine square feet, shall be permitted.~~ On a corner lot, two such signs, one facing each street, shall be permitted.
- (b2) *Projection.* No such sign shall project beyond the property line into the public way.
- (c3) *Height.* No such sign shall project higher than ten feet above curb level.

(Code 1973, § 16.10.020(a)(3))

Sec. 114-1060. - Signs accessory to roadside stands.

Signs accessory to roadside stands shall be permitted in all residence districts, subject to the following:

- (1) *Content.* ~~Such signs shall be only for the purpose of identification of the roadside stand and advertising the agricultural products for sale therein. No off-premise signs allowed.~~
- (a2) *Area and number.* Such signs shall be on the same zoning lot as the roadside stand and shall be limited to one sign per lot. No sign shall exceed 12 square feet in area nor be closer than 75 feet from any other zoning lot.
- (b3) *Location.* No such sign shall be located less than eight feet from any property line.
- (c4) *Height.* No such sign shall project higher than 15 feet above curb level.

(Code 1973, § 16.10.020(a)(4))

Sec. 114-1061. - Temporary signs for subdivisions and improvements.

Temporary signs accessory to subdivision developments or other permitted improvements in ~~residential districts~~ all districts shall be permitted, subject to the following:

- (a1) *Content.* ~~The signs shall be only for the purpose of identification of homes for sale or rent in the subdivision under construction, or for the identification of other nonresidential uses under construction.~~ Type. Identification signs only.
- (b2) *Area, number and setback.* Such signs shall not exceed two in number for each subdivision or development, or one for each entrance to the subdivision, nor ~~200-64~~ square feet each in area. They shall observe the front yard requirement of the principal use and shall be located at least 50 feet from all other boundaries of the site.
- (c3) *Height.* No such sign shall project higher than 15 feet above curb level.

(d4) *Time limitation.* Such sign or signs shall be removed by the applicant or property owner within two years of the date of the issuance of the zoning certificate.

(Code 1973, § 16.10.020(a)(5))

Sec. 114-1062. - Institutional or estate identification signs.

Institutional, subdivision, mobile home park or estate indirectly illuminated, nonflashing ~~identification~~ signs shall be permitted in all residence districts, subject to the following:

(a1) ~~Content. Such signs shall bear only the name of the subdivision, park or estate.~~ Identification signs only.

(b2) *Area and number.* There shall be not more than one sign located at each entrance to the institution, subdivision, park or estate. No such sign shall exceed 60 square feet in area.

(c3) *Height.* No such sign shall project higher than 15 feet above curb level.

(Code 1973, § 16.10.020(a)(6))

Sec. 114-1063. - ~~Church or~~ Civic bulletin boards.

Illuminated nonflashing ~~church and~~ civic building bulletin boards shall be permitted in all residence districts, subject to the following:

(a4) *Area and number.* There shall be not more than one such sign per lot, except that on a corner lot, two signs, one facing each street, shall be permitted. No sign shall exceed 24 square feet in area.

(b2) *Location.* No such sign shall be located less than ten feet from any property line.

(c3) *Height.* No such sign shall project higher than eight feet above curb level.

(Code 1973, § 16.10.020(a)(7))

Sec. 114-1064. - Signs permitted in R4, R5, and R6 districts.

In the R4, R5 and R6 general residence districts, the sign regulations in this subdivision shall be applicable, and in addition, the following identification signs shall be permitted for multiple-family dwellings, apartment hotels, and nonresidential buildings:

(a4) *Area and type and content.* A single identification sign, not exceeding 16 square feet in area ~~and indicating only the name and address of the building and the name of the management, and the names of each of the tenants,~~ may be displayed. On a corner zoning lot, two such signs, one facing each street, shall be permitted.

(b2) *Location.* No identification sign shall be located less than ten feet from any property line.

(c3) *Height.* No sign shall exceed six feet in height from curb level.

(Code 1973, § 16.10.020(b); Ord. No. 13-13, pt. 4, 9-17-13)

Secs. 114-1065—114-1075. - Reserved.

Subdivision III. - O Restricted Office and O-I Office/Institutional Districts

Sec. 114-1076. - Signs permitted in O and O-I districts.

In the O restricted office and O-I office/institutional districts, the sign regulations established for the residence district shall apply, and in addition, in the O-I office/institutional district, the following indirectly illuminated, nonflashing identification signs shall be permitted:

- (a) ~~Area and type and content.~~ A single identification sign, not exceeding 60 square feet in area, ~~and indicating only the name and address of the building, the name of the management, and the names of each of the tenants,~~ may be displayed. On a corner zoning lot, two such signs, one facing each street, shall be permitted.
- (b) ~~Projection.~~ No such sign shall project into the public way, nor more than 18 inches from the face of the wall of the building.
- (c) ~~Height.~~ No sign shall exceed 15 feet in height from curb level.

(Code 1973, § 16.10.030; Ord. No. 13-13, pt. 5, 9-17-13)

Sec. 114-1077. - Signs permitted in the B1 district.

Illuminated, nonflashing ~~business-on-premise~~ signs are permitted in the B1 neighborhood convenience district, subject to the following conditions:

- (a) ~~Area.~~ The gross area in square feet of all signs on a zoning lot shall not exceed one square foot for each lineal foot of building frontage or one-half square foot for each lineal foot of lot frontage, whichever results in the larger sign area; however, the maximum total area of all permitted signs for any establishment shall not exceed 120 square feet. Where more than two signs are located on any zoning lot, the third such sign and each succeeding sign, respectively, shall reduce the total allowable sign area by 20 percent.
- (b) ~~Projection.~~ One projecting sign per building, to project no more than five feet horizontally from the building to be non-internally illuminated, and such sign must have a minimum clearance of eight feet above the public sidewalk and 15 feet above driveways or alleys.
- (c) ~~Height.~~ No such sign shall project higher than 15 feet above curb level.

(Code 1973, § 16.10.040(a); Ord. No. 31-03, pt. 1, 12-16-03; Ord. No. 13-13, pt. 6, 9-17-13)

Sec. 114-1078. - Signs permitted in the B2 district.

Illuminated, non-flashing identification, and business-on-premise signs are permitted in the B2 community shopping district, subject to the following conditions:

(a+) *General application.*

1a. *Area.* The gross area in square feet of all signs on a zoning lot shall not exceed two square feet for each lineal foot of building frontage or one square foot for each lineal foot of lot frontage, whichever results in the larger sign area; however, the maximum total area of all permitted signs for any establishment shall not exceed 300 square feet. Where more than four signs are located on any zoning lot, the fifth such sign and each succeeding sign, respectively, shall reduce the total allowable sign area by 20 percent.

2b. *Projection.* One projecting sign per building, to project no more than five feet horizontally from the building; and such sign must have a minimum clearance of eight feet above a public sidewalk and 15 feet above driveways or alleys.

3e. *Height.* No sign shall project higher than 15 feet above curb level.

4d. Reserved.

(b2) *Shopping centers.* For shopping centers in single ownership or under unified control, or individual uses with a minimum frontage of 150 feet, one additional sign on each street frontage, other than those regulated in subsection (1) of this section, shall be permitted, subject to the following:

1a. *Type. Content.* ~~Such sign shall advertise only the name and location of such center or individual use and/or the name and type of business of each occupant of the center. Identification signs only.~~

2b. *Area.* The gross area in square feet permitted for the additional sign on a zoning lot shall not exceed one-half square foot for each lineal foot of frontage of such zoning lot.

3e. *Setback.* Such sign shall be set back a minimum of 25 feet from the front lot line of such center or individual use.

4d. *Height.* No such sign shall project higher than 15 feet above curb level.

(Code of 1973, § 16.10.040(b); Ord. No. 23-96, pts. 1, 2, 11-6-96; Ord. No. 05-13, pt. 3, 2-20-13; Ord. No. 15-13, pts. 1—4, 10-23-13; Ord. No. 13-13, pt. 7, 9-17-13)

Sec. 114-1079. - Signs permitted in the B3 district.

Illuminated nonflashing ~~business~~ signs are permitted in the B3 general commercial district, subject to the same conditions and regulations specified for the B2 district and the following regulations:- Advertising-Off-premise signs are permitted subject to the following regulations:

(a+) *Area.* The area of an advertising an off-premise sign shall not exceed 300 square feet.

(b2) *Height.* The height of an off-premiseny advertising sign shall not exceed 15 feet above curb level.

(c3) [Conditional uses.] ~~Advertising signs~~ Off-premise signs shall be conditional uses subject to the terms of this chapter and such additional conditions deemed necessary by the common council to safeguard public health, safety, and welfare.

**Comment [NHT26]:** Changed all advertising signs to off-premise signs

(Code 1973, § 16.10.040(c); Ord. No. 23-96, pt. 3, 11-6-96; Ord. No. 10-12, pts. 6, 7, 11-20-12; Ord. No. 13-13, pt. 8, 9-17-13)

Sec. 114-1080. - Signs permitted in the B4 district.

Nonflashing ~~business-on-premise~~ signs are permitted in the B4 central business district, subject to the following conditions:

(a+) *Area.* The gross area in square feet of all signs (including alley and interior block signs) on a zoning lot shall not exceed two square feet for each lineal foot of building frontage or one square foot for each lineal foot of lot frontage, whichever results in the larger sign area; however, the maximum total area of all permitted signs for any establishment shall not exceed 200 square feet. Where more than four signs are located on any zoning lot, the fifth such sign and each succeeding sign, respectively, shall reduce the total allowable sign area by 20 percent.

(b2) *Projecting signs* ~~on. By conditional use only,~~ One projecting sign or one banner per 20 feet of frontage per establishment may be authorized, subject to the following:

**Comment [NHT27]:** Changed projection to projecting and abolishing conditional use permit requirement

1a. The area of the sign/banner shall not exceed nine square feet.

2b. Signs shall not have an internally illuminated light box with single or multiple faces that are fully translucent.

3e. The sign/banner shall not project more than five feet horizontally from the building.

4d. The sign/banner must have a minimum clearance of eight feet above a public sidewalk and 15 feet above driveways or alleys.

5e. The sign/banner shall not project higher than 15 feet above curb level.

6f. ~~The sign/banner shall convey the use of the establishment and shall not be an advertisement device.~~ No off-premise signs allowed.

7g. The sign/banner shall be professionally made.

(c3) ~~Uses subject to conditions~~ Design standards. On alley side or interior block side of a use, the following signs are allowed:

**Comment [NHT28]:** Changing heading

1a. One 12 square foot identification sign is permitted subject to the following conditions:

a+. The sign shall not have an internally illuminated light box with single or multiple faces that are fully translucent.

b2. The sign shall have a maximum height of ten feet above grade.

c3. ~~The sign shall present only the name of the use.~~ The sign shall be an identification sign.

d4. The sign shall be located so that it does not block any portion of windows or doors.

2b. On the alley side or interior block side of a use, all other signage shall be by conditional use only, or referred to the downtown area design review commission or other similar design or development review authority having jurisdiction for review and approval.

(d4) *Prohibitions*. The following signs shall be prohibited:

1a. Murals and wall graphics, except original art displays as allowed under section 114-1039 of the code.

2b. Signs having an internally illuminated light box with single or multiple faces that are fully translucent.

3e. Pole or pylon signs exceeding four feet in height.

4d. Signs projecting above the building's parapet line.

5e. Portable signs.

6f. Signs on non-opaque internally illuminated awnings or canopies.

7g. Window signs having an area greater than 50+5 percent of the total window area.

8h. ~~Advertising signs.~~ Off-premise signs.

(e5) *Exemptions*. Projecting signs or banners shall not require conditional use approval if subject to review by the downtown area design review commission. The downtown area design review commission, in applying division 12 of this chapter, shall require that section 114-1080 be complied with except as follows:

1a. More than one projecting sign or banner per 20 feet of building frontage may be allowed.

2b. More than four signs per property may be allowed without consideration being given to a 20 percent reduction factor, if the total square feet of all signs does not exceed that which is permitted by this section.

3e. Signs and banners greater than nine square feet in area may be allowed.

4d. Signs and banners extending higher than 20 feet above curb level may be allowed.

(Code 1973, § 16.10.040(d); Ord. No. 15-99, pt. 1, 12-7-99; Ord. No. 14-02, pt. 1, 8-20-02; Ord. No. 24-03, pt. 1, 11-18-03; Ord. No. 18-04, pt. 1, 7-6-04; Ord. No. 27-04, pt. 1, 8-17-04; Ord. No. 10-12, pt. 8, 11-20-12; Ord. No. 13-13, pt. 9, 9-17-13)

Sec. 114-1081. - Signs permitted in the B5 district.

Nonflashing business-on-premise signs are permitted in the B5 central business district, subject to the following conditions:

(a4) *Area*. The gross area in square feet of all signs (including alley and interior block signs) on a zoning lot shall not exceed two square feet for each lineal foot of building frontage

or one square foot for each lineal foot of lot frontage, whichever results in the larger sign area; however, the maximum total area of all permitted signs for any establishment shall not exceed 200 square feet. Where more than four signs are located on any zoning lot, the fifth such sign and each succeeding sign, respectively, shall reduce the total allowable sign area by 20 percent.

(b2) ~~Projecting signs. By conditional use only, one~~ projecting sign or one banner per 20 feet of frontage per establishment may be authorized, subject to the following:

**Comment [NHT29]:** Projection changed to projecting, abolishing CUP requirement

- 1a. The area of the sign/banner shall not exceed nine square feet.
- 2b. Signs shall not have an internally illuminated light box with single or multiple faces that are fully translucent.
- 3e. The sign/banner shall not project more than five feet horizontally from the building.
- 4d. The sign/banner must have a minimum clearance of eight feet above a public sidewalk and 15 feet above driveways or alleys.
- 5e. The sign/banner shall not project higher than 15 feet above curb level.
- 6f. ~~The sign/banner shall convey the use of the establishment and shall not be an advertisement device. The sign shall be an identification sign.~~
- 7g. The sign/banner shall be professionally made.

(c3) ~~Uses subject to conditions~~ Design standards. On alley side or interior block side of a use, the following signs are allowed:

- 1a. One 12 square foot identification sign is permitted subject to the following conditions:
  - a1. The sign shall not have an internally illuminated light box with single or multiple faces that are fully translucent.
  - b2. The sign shall have a maximum height of ten feet above grade.
  - c3. ~~The sign shall present only the name of the use. The sign shall be an identification sign.~~
  - d4. The sign shall be located so that it does not block any portion of windows or doors.
- 2b. On the alley side or interior block side of a use, all other signage shall be by conditional use only, or referred to the downtown area design review commission or other similar design or development review authority having jurisdiction for review and approval.

(d4) Prohibitions. The following signs shall be prohibited:

- 1a. Murals and wall graphics.
- 2b. Signs having an internally illuminated light box with single or multiple faces that are fully translucent.
- 3e. Pole or pylon signs exceeding four feet in height.

- ~~4d.~~ Signs projecting above the building's parapet line.
- ~~5e.~~ Portable signs.
- ~~6f.~~ Signs on non-opaque internally illuminated awnings or canopies.
- ~~7g.~~ Window signs having an area greater than five percent of the total window area.
- ~~8h. Advertising signs. Off-premise signs.~~

(~~e5~~) *Exemptions.* Projecting signs or banners shall not require conditional use approval if subject to review by the downtown area design review commission. The downtown area design review commission, in applying division 12 of this chapter, shall require that section 114-1081 be complied with except as follows:

- ~~1a.~~ More than one projecting sign or banner per 20 feet of building frontage may be allowed.
- ~~2b.~~ More than four signs per property may be allowed without consideration being given to a 20 percent reduction factor, if the total square feet of all signs does not exceed that which is permitted by this section.
- ~~3e.~~ Signs and banners greater than nine square feet in area may be allowed.
- ~~4d.~~ Signs and banners extending higher than 15 feet above curb level may be allowed.

(Code 1973, § 16.10.040(e); Ord. No. 15-99, pt. 2, 12-7-99; Ord. No. 14-02, pt. 2, 8-20-02; Ord. No. 24-03, pt. 2, 11-18-03; Ord. No. 27-04, pt. 2, 8-17-04; Ord. No. 10-12, pt. 9, 11-20-12; Ord. No. 13-13, pts. 10, 11, 9-17-13)

Secs. 114-1082—114-1090. - Reserved.

Subdivision IV. - Industrial Districts

Sec. 114-1091. - Signs permitted in the I-1 district.

Illuminated nonflashing ~~business-on-premise~~ signs are permitted in the I-1 restricted industrial district, subject to the following conditions:

(~~a+~~) *General application.*

- ~~A1.~~ *Area.* The gross area in square feet of all signs on a zoning lot shall not exceed one square foot for each lineal foot of building frontage or one-half square foot for each lineal foot of lot frontage, whichever results in the larger sign area. Where more than two signs are located on any zoning lot, the third such sign and each succeeding sign, respectively, shall reduce the total allowable sign area by 20 percent.
- ~~2b.~~ *Location.* Signs need not be set back from any property line except for transitional yards and vision clearance requirements.

~~3e.~~ *Height.* No sign shall project higher than 15 feet above curb level, except as may be provided by conditional use.

~~(b2)~~ *Industrial parks.* For industrial parks, one additional sign on each frontage other than those regulated in subsection (1) of this section shall be permitted, subject to the following:

~~1a.~~ *Content.* ~~Such sign shall advertise only the name and location of such industrial park and the name and type of business of each occupant of the park.~~ *Type.* Identification signs only

~~2b.~~ *Area.* The gross area in square feet of the additional sign on a zoning lot shall not exceed one-half times the lineal feet of frontage of such zoning lot; however, the gross surface area of such additional sign shall in no case exceed 200 square feet.

~~3e.~~ *Setback.* Such sign shall be setback a minimum of 15 feet from the front lot line of such industrial park.

~~4d.~~ *Height.* No such sign shall project higher than 15 feet above curb level, except as may be provided by conditional use.

~~(c3)~~ *Advertising signs*~~Off-premise signs.~~ Such Advertising signs shall be allowed in the I-1 district by conditional use only, and shall be subject to the following conditions:

~~1a.~~ *Area.* Advertising signs shall not exceed 300 square feet in area.

~~2b.~~ *Height.* Advertising signs shall not exceed 25 feet in height.

(Code 1973, § 16.10.050(a); Ord. No. 23-96, pts. 4—6, 11-6-96; Ord. No. 10-12, pt. 10, 11-20-12; Ord. No. 13-13, pts. 12, 13, 9-17-13)

Sec. 114-1092. - Signs permitted in the I-2 district.

The regulations of the I-1 district shall apply to signs permitted in the I-2 district, with the exception of the following:

~~(a1)~~ *Setbacks.* Signs need not be set back from any property line except for transitional yards and vision clearance requirements.

~~(b2)~~ *Area.* Advertising signs~~Off-premise signs~~ may be no larger than 300 square feet in area.

~~(c3)~~ *Prohibited.* No advertising off-premise signs, murals or wall graphics shall be permitted in the I-2 zoned area of the B4 central business district. For the purposes of this section, the central business district is defined as that area of the city bounded by Lake Michigan on the east, Eight Street and its extension on the south, Grand Avenue and its extension on the west and the Root River on the northwest and north.

(Code 1973, § 16.10.050(b); Ord. No. 10-12, pts. 11, 12, 11-20-12)

Secs. 114-1093—114-1105. - Reserved.

~~DIVISION 3. - ADVERTISING SIGNS~~OFF-PREMISE SIGNS

Sec. 114-1106. - Size.

- | (a) No ~~off-premise advertising~~ sign shall have a length greater than 60 feet or a height greater than 25 feet, inclusive of any border and trim, but excluding the base or apron, supports, and other structural members.
- | (b) In no case shall there be more than two ~~advertising-off-premise~~ signs per facing.

(Code 1973, § 16.10.060(a), (c); Ord. No. 10-12, pt. 13, 11-20-12)

Sec. 114-1107. - Spacing; setback.

- | (a) No ~~advertising-off-premise~~ signs shall be spaced less than 1,500 linear feet apart. Existing ~~off-premise advertising~~ signs not meeting this requirement at the date of this amendment shall be considered legal nonconforming structures.
- | (b) ~~Advertising Off-premise~~ signs shall be set back a distance equal to an average measurement of the existing setback of buildings on either side of the sign site if such buildings are within 300 feet of the sign site. Such 300 feet shall be measured along the edge of the street right-of-way.

(Code 1973, § 16.10.060(b); Ord. No. 10-12, pt. 14, 11-20-12)

Secs. 114-1108—114-1130. - Reserved.