

## **ARTICLE 8 - SIGN REGULATIONS**

These regulations are intended to apply to all zoning districts. However, these regulations may not be pertinent to all uses and situations.

### **8.1 DEFINITIONS**

**ABANDONED SIGN** shall mean a sign, including sign face and supporting structure, which refers to a discontinued business, profession, commodity, service, or other activity or use formerly occupying the site; or which contains no sign copy on all sign faces for a continuous period of six (6) months.

**ADVERTISING SIGN** shall mean a sign which directs attention to any product, activity, or service; provided, however, that such sign shall not be related or make reference to the primary use, business activity, or service conducted on the premises.

**ARCHITECTURAL CANOPY SIGN** shall mean an enclosed, illuminated (backlit awning) or non-illuminated structure that is attached to the wall of a building with the face of the sign approximately parallel to the wall and with the sign's area integrated into its surface.

**AUDIBLE SIGN** shall mean any sign that conveys either a written message supported by an audible noise including music, spoken message, and/or sounds to attract attention to the sign. Audible signs also include signs conveying only the audible noise including music, spoken message, and/or sounds to attract attention.

**AWNING, CANOPY OR MARQUEE SIGN** shall mean a sign that is mounted, painted, or attached to an awning, canopy, or marquee that is otherwise permitted by the Zoning Regulations.

**BILLBOARD** shall mean a free-standing sign that identifies or communicates a commercial or noncommercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located.

**BUILDING SIGN** shall mean any sign supported by, painted on or otherwise attached to any building or structure.

**BUSINESS SIGN** shall mean an on-site sign which identifies or directs attention to an object; product, place, activity, business, person or persons, service or interest situated on the same premises as such sign.

**CENTER IDENTIFICATION SIGN** shall mean a sign which identifies a building or group of commercial buildings in single ownership or control, sharing parking and access.

**DESTINATION SIGN** shall mean a sign used to inform and direct the public to important public places and buildings, landmarks, and historical sites in the most simple, direct, and concise manner possible.

**DIRECTIONAL SIGN** shall mean a sign which serves only to designate the location or direction of any area or place.

**DOUBLE-FACED SIGN** shall mean a sign consisting of no more than two parallel or near

parallel faces supported by a single structure. The angle created by the two (2) faces of a double-faced sign shall not exceed fifteen (15) degrees.

**ELECTRONIC INFORMATION SIGNS** shall mean on-premises signs which use an array of electronically illuminated lights, generally controlled by a computer or other electronic programming device, to display information or supporting graphics. Information may include news, events or information about businesses or attractions.

**ELECTRONIC CHANGEABLE MESSAGE SIGN (ECMS)** shall mean an outdoor advertising sign that changes the message, advertisement, or copy on the sign face by electronic or mechanical device or process, either automated or remote, regardless of the process used. Blinking, flashing, rotating, revolving, spinning, fluttering lighting or animation is not allowed. Transition between messages is permitted, but such transitions may only fade, scroll, travel or reveal.

**FLASHING SIGN** shall mean a sign designed to give an electrical light flash intermittently or a revolving beacon light.

**FREESTANDING SIGN** shall mean any sign supported by uprights or braces placed on or in the ground, which is used principally for advertising or identification purposes and is not supported by any building.

**FRONTAGE** shall mean the length of a property line of any one premises abutting and parallel to a public street, road, highway, or court.

**GROUND MONUMENT (LOW PROFILE) SIGN** shall mean a sign mounted directly to the ground with a maximum height not to exceed ten (10) feet.

**ILLUMINATED SIGN** shall mean a sign illuminated in any manner by an artificial light source.

**MOVING SIGN** shall mean a sign which conveys its message through rotating, changing, or animated elements.

**NIT** shall mean a unit of luminous intensity equal to one candela per square meter (1 cd/m<sup>2</sup>)

**NUMERIC DISPLAY SIGNS** shall mean on premise signs which display numeric information only. Typical examples include time and temperature displays and fuel price displays. The numeric information may be changed electronically or manually.

**OFF-PREMISES SIGN** shall mean a sign, display, or device advertising activities conducted somewhere other than the site where the sign is located. This definition may also include the definition of billboard when the advertising message is off-premises.

**ON-PREMISES SIGN** shall mean a sign, display, or device advertising activities conducted on the property on which such sign is located. This definition may also include billboards used for on-premises advertising.

**OPEN SIGN** shall mean a sign attached to or hung from a marquee, canopy, or other covered structure, projecting from and supported by the building and extending beyond the building wall, building line, or street lot line.

**POLE SIGN** shall mean an on-premises sign built on a freestanding frame, mast, or pole(s) with

a clearance of greater than three feet.

**PORTABLE SIGN** shall mean a sign, usually of a temporary nature, not securely anchored to the ground or to a building or structure and which obtains some or all of its structural stability with respect to wind or other normally applied forces by means of its geometry or character.

**PREMISES** shall mean a tract of one or more lots or sites which are contiguous and under common ownership or control.

**PROJECTING SIGN** shall mean a sign suspended from or attached to a building and extending outward therefrom.

**RESIDENTIAL SIGN** shall mean a small detached or attached sign located on residential premises, conveying a message communicated by the owner of the property.

**ROOF SIGN** shall mean a sign identifying the name of a business, enterprise, or the product sold on the premises and erected on the roof of the building.

**SIGN AREA** shall mean the entire area including the background of a sign on which copy can be placed but not including the minimal supporting framework or bracing. The area of individually painted letter signs, individual letter signs or directly or indirectly illuminated individual letter signs, shall be calculated on the basis of the smallest geometric figure that will enclose the entire copy area of the sign. Any such calculation shall include the areas between the letters and lines, as well as the areas of any devices, illuminated or non-illuminated.

**SIGN FACE** shall mean the surface of the sign upon, against, or through which the message of the sign is exhibited.

**SIGN SETBACK** shall mean the horizontal distance from the property line to the nearest projection of the existing or proposed sign.

**SIGN SURFACE** shall mean the entire area within a single continuous perimeter enclosing all elements of a sign which are intended to be part of the visual image of the sign.

**STREET FAÇADE** shall mean any separate external face of a building, including parapet walls and omitted wall lines, oriented to and facing a public street, road, highway or court (excluding alleys). Separate faces oriented in the same direction or within forty-five (45) degrees of one another are considered a part of the same street façade.

**SUBDIVISION SIGN** shall mean a sign erected on a subdivision identification lot which identifies the platted subdivision where the sign is located.

**TEMPORARY SIGN** shall mean a sign constructed of cloth, fabric, or other material with or without a structural frame intended for a limited period of display, including displays for holidays or public demonstrations. Temporary signs shall include portable signs as defined in this section.

**VIDEO SIGN** shall mean any on-premises or off-premises sign that convey either a commercial or non-commercial message, including a business or organization name, through means of a television or other video screen.

**WALL SIGN** shall mean a sign attached to or erected against the wall of a building with the exposed face of the sign in a plane parallel to the wall of the building and not projecting more than

twelve (12) inches from the face of the building wall and not extending above the parapet or eave of the building.

**WINDOW SIGN** shall mean a sign painted, stenciled, or affixed on a window, which is visible from a right-of-way.

## **8.2 GENERAL**

1. All signs and sign structures shall be kept in good repair and in proper state of presentation. Signs which are abandoned shall be removed within thirty (30) days following abandonment and restored to a condition free from refuse and rubbish.
2. Any sign, by definition, shall be a structure. No land, building, or structure shall be used for sign purposes except in conformance with these regulations including any applicable zoning district.
3. No sign shall be erected, enlarged, or otherwise modified until a zoning permit for same has been issued, except as specified in this Section.
4. No flashing, animated, electronic information, changeable information, neon for time, date, temperature, or weather signs are allowed unless it is first determined by the Zoning Administrator that the sign will in no way create a traffic hazard or confusion with traffic lights or with lights on emergency vehicles.
5. If any non-conforming sign is damaged and the damage exceeds two-thirds of its replacement value, it shall not be rebuilt; provided, however, that nothing herein contained shall prevent maintenance of non-conforming signs.
6. Signs located within the Neighborhood Residential District shall be based on the use of the lot/property or of the structure, whichever applies.

## **8.3 STANDARD OF MEASUREMENT**

1. The total area of all signs permitted on a lot shall include:
  - A. Sign area includes the entire area within the perimeter enclosing the extreme limits of the sign, excluding any structure essential for support or service of the sign, or architectural elements of the building.
  - B. The area of double-faced signs is calculated on the largest face only.
  - C. The sign area for ground signs, monument signs, and architectural sign bands is calculated as the area enclosing the extreme limits of the copy only.
  - D. In the case of individual letters mounted to a wall, the area of the extreme limits of the copy is considered to be the sign area.
2. The height of a sign is measured from the average grade level below the sign to the topmost point of the sign or sign structure.

3. The setback of a sign is measured from the property line to the line projected to the ground plane of the nearest portion of the sign.
4. The maximum permitted sign area for a premise is set forth as a numerical limit or as a function of the frontage of the premises on a street or private way. For properties with frontage on more than one public street or private street (excluding alleys), the total frontage shall be calculated as the longest frontage plus one-half (½) the length of all additional frontages. A premise with a lawful billboard shall not include the area of the billboard in the maximum sign area for the premise.

## **8.4 SIGNS AND REGULATIONS FOR COMMERCIAL, BUSINESS, ELEVATOR AND INDUSTRIAL DISTRICTS**

- 8.4.01 **BUSINESS:** No more than three (3) business signs shall be permitted on any lot in a commercial, business, elevator or industrial zoning district, except that when the principal business building is located on a corner lot and has vehicular entrances to both streets/roads or when the principal business building has public entrances to both a front and rear of the building, one additional sign shall be permitted.
- 8.4.02 **WALL:** The maximum sign face area for wall mounted business signs shall be limited to twenty percent (20%) of the area of the building façade which faces a public street or road up to a maximum three hundred (300) square feet. Such signs shall be limited to one wall sign per street frontage.
- 8.4.03 **BILLBOARD:** Billboards, signboards, and other similar advertising signs subject to the same height and location requirements as other structures in the district and also subject to the following conditions and restrictions.
  1. No billboard, signboard, or similar advertising signs shall be located at intersections so as to obstruct vision, hearing, or interfere with pedestrian or vehicular safety. No billboard shall be located within two hundred fifty (250) feet from the right-of-way line of any road intersection measured in any direction from the right-of-way line provided this restriction shall not apply to the intersection of frontage roads with State highways.
  2. No billboard, signboard, or similar advertising signs shall be located within three hundred (300) feet of any lot in a residential district.
  3. Billboards may be single or double faced but no billboard shall have more than one face per side of the structure and the sign face shall not exceed two hundred (200) square feet in area. Double-stack billboards are prohibited.
  4. No billboard, signboard, or similar advertising signs shall be so constructed or located where it will unreasonably interfere with the use and enjoyment of adjoining property and not within 1,500 feet to another billboard.
  5. Each billboard shall be setback at least fifty (50) feet from the street/road right-of-way line.
  6. There shall be no more than two (2) billboards per mile, measured from section line to section line regardless of which side of the roadway the billboards are located.

7. No billboard shall be located within one thousand (1,000) feet of the property line of a school, church, hospital, a care facility, cemetery, public building, park or playground, or National Register site.
8. No billboard shall be erected or maintained upon or immediately above the roof of any building.
9. Billboards shall have either a monopole or pedestal support.
10. No billboard shall exceed thirty-five (35) feet in height measured from the average grade of the surrounding area to the highest point of the billboard.
11. Lighting on any billboard shall be shielded to light the sign face only. Light trespass from the sign face is prohibited.
12. Attention attracting devices are prohibited except for lighted message signs displaying time, date, temperature or weather or alert information. Lighted message sign displaying other information or advertising shall be prohibited.
13. Any billboard structure existing as of the effective date of this resolution may be restored at its current location provided that any restored billboard shall not exceed the size, height, and other limits of the existing structure. Any billboard existing as of the effective date of this resolution may be replaced at the same location, provide such requirements (c) and (h)-(l) herein are met.
14. Any billboard that is allowed to deteriorate to the point of being a public nuisance or a threat to the public safety, health or welfare because it has become so damaged, decayed, dilapidated, structurally unsafe or of such unstable condition that partial or complete collapse is possible, shall be caused to be removed. The owner shall remove the billboard and structure within thirty (30) days of receiving notice that the City has declared the billboard a public nuisance or dangerous structure. Failure to remove such sign and structure shall be considered a violation to these regulations and punishable as such.

8.4.04 **LOW PROFILE OR GROUND MONUMENT:** Ground signs at least ten (10) feet from any lot line or right-of-way line with a maximum height of ten (10) feet. Ground signs shall not exceed three hundred (300) square feet per sign face.

8.4.05 **PROJECTING OR POLE:** One (1) free standing or projecting sign for each enterprise on the premises of not more than fifty (50) square feet per sign face, at a setback of at least ten feet from any lot line or right-of-way line, and not exceed the maximum height of forty-five (45) feet from the established grade level. The lowest horizontal projecting feature of any post or pole mounted sign shall be eight feet above the established grade level.

8.4.06 **SUBDIVISION:** Not more than one sign per entrance into the subdivision. No sign shall be greater than fifty (50) square feet in size and shall not be higher than forty-two (42) inches in height. All signs shall be set back a minimum of ten feet from any right-of-way line unless a greater set back is required to maintain street intersection visibility.

8.4.07 **CANOPY AND AWNING SIGNS:** Canopy and Awning signs shall be no closer than eighty (80) inches from the bottom edge of the sign to grade below and shall not extend

more than nine (9) feet from the building façade to which they are mounted. Such signs shall count towards wall sign area.

8.4.08 ELECTRONIC INFORMATION AND CHANGEABLE MESSAGE SIGNS: One (1) per premises and not exceeding two hundred (200) square feet in area. Such signs shall be classified as either a monument, ground, wall mount or pole sign and constructed accordingly and shall not be programmed in a way that suggests or resembles a traffic control device. Electronic information signs shall be programmed in a way that no sign shall flash or blink and the image, message or lighting pattern shall hold for a minimum of four seconds, however, full animation video is allowable provided such video does not flash or blink. The surface/face illumination of any sign shall not exceed 1,250 Nits after dusk or 7,500 Nits during daylight hours. Such illuminated sign shall be equipped with a sensor and/or timer or other device to automatically adjust the day/night light intensity levels in accordance with the standard set herein.

## **8.5 SIGNS AND REGULATIONS FOR AGRICULTURE AND RESIDENTIAL DISTRICTS**

8.5.01 RESIDENTIAL SIGNS: Limited to one (1) sign per premises, which exceeds four (4) square feet and shall not be illuminated, either directly or indirectly.

8.5.02 CIVIC USES: Permitted or conditional uses in the Agricultural and Residential districts shall be limited to a total of two (2) ground, pole or monument signs per frontage.

8.5.03 NON-RESIDENTIAL, NON-CIVIC USES: Two (2) non-illuminated ground, pole or monument signs are permitted for any permitted use in the Agriculture district with each sign limited to fifty (50) square feet and a maximum height of ten (10) feet.

8.5.04 WALL: The maximum sign face area for wall mounted business signs in a commercial or industrial zoning district shall be limited to ten percent (10%) of the area of the building façade which faces a public street or road up to a maximum of two hundred (200) square feet in these districts. Such signs shall be limited to one (1) wall sign per street frontage.

8.5.05 LOW PROFILE OR GROUND MOUNUMENT: Ground signs shall be at least ten (10) feet from any lot line or right-of-way line with a maximum height of ten (10) feet in these districts. Ground signs shall not exceed fifty (50) square feet per sign face.

8.5.06 PROJECTING OR POLE: One (1) freestanding or projecting sign shall be allowed for each enterprise on the premises in these districts of not more than fifty (50) square feet per sign face in Agriculture Districts and of not more than thirty-five (35) square feet in Residential Districts, at a setback of at least ten (10) feet from any lot line or right-of-way line, and not exceed the maximum height of twenty-five (25) feet in Agriculture Districts and twelve (12) feet in Residential Districts from the established grade level. The lowest horizontal projecting feature of any post or pole mounted sign shall be eight (8) feet above the established grade level.

8.5.07 SUBDIVISION: Not more than one sign per entrance into the subdivision. No sign shall be greater than fifty (50) square feet in size and shall not be higher than forty-two (42) inches in height. All signs shall be set back a minimum of ten (10) feet from any right-of-way line unless a greater set back is required to maintain street intersection visibility.

8.5.08 CANOPY AND AWNING SIGNS: Canopy and Awning signs shall be no closer than eighty (80) inches from the bottom edge of the sign to grade below and shall not extend more than nine (9) feet from the building façade to which they are mounted. Such signs shall count towards wall sign area.

8.5.09 ELECTRONIC INFORMATION AND CHANGEABLE MESSAGE SIGNS: One (1) per premise and not exceeding fifty (50) square feet in area. Such signs shall be classified as either a monument, ground or pole sign and constructed accordingly and shall not be programmed in a way that suggests or resembles a traffic control device. Electronic information signs shall be programmed in a way that no sign shall flash or blink and the image, message or lighting pattern shall hold for a minimum of four (4) seconds, however, full animation video is allowable provided such video does not flash or blink. The surface/face illumination of any sign shall not exceed 1,250 Nits after dusk or 7,500 Nits during daylight hours. Such illuminated sign shall be equipped with a sensor and/or timer or other device to automatically adjust the day/night light intensity levels in accordance with the standard set herein.

## 8.6 SIGN SCHEDULE

Signs shall be permitted in the various districts according to the following schedule:

Zoning District	AGR	R-1	R-2	R-3	R-M	NR	B-1	HC	I-1	I-2	E-1
Sign Type											
Real Estate	+	+	+	+	+	+	+	+	+	+	+
Business	+	+	+	-	-	C	+	+	+	+	+
Wall	+	+	+	-	-	-	+	+	+	+	+
Name Plate	+	+	+	+	+	+	+	+	+	+	+
Billboard	-	-	-	-	-	-	-	C	C	C	-
Subdivision	-	-	C	C	C	-	C	+	+	+	-
Projecting	-	-	-	-	-	-	+	+	+	+	-
Pole	-	-	-	-	-	-	+	+	+	+	C
Canopy or Awning	-	-	-	-	-	-	+	+	+	+	+
Ground or Low Profile	-	-	-	+	-	C	+	+	+	+	+

(+) permitted, (C) conditional use, (-) not permitted unless civic uses or non-residential

## 8.7 EXEMPTIONS

The following signs shall be exempt from these regulations so long as they are located outside of the public right of way.

1. Real estate "For Sale" signs not exceeding six square feet in residential districts and thirty-two (32) square feet in agriculture, commercial and industrial districts provided such signs are removed within seven (7) days after the disposition of the premises. In no case shall these signs obstruct the visibility at any intersection or driveway. Limited to two (2) per lot.
2. Construction signs. Non-illuminated signs not to exceed fifty (50) square feet in total shall be permitted per frontage and such signs shall be removed within one week following completion of construction.

3. Election signs not exceeding three (3) feet in height or width shall be exempt so long as they do not interfere with the safety and well-being of the public.
4. Public signs.
5. Integral signs including signs for churches, names and addresses of buildings, dates of erection, and other permanent signs constructed and made as an integral part of the structure in which they are attached.
6. Nameplates not exceeding two (2) square feet per dwelling.
7. Signs located inside buildings and structures.
8. Residential signs under four (4) square feet in size.
9. Directional signs provided they do not exceed six (6) square feet and/or three (3) feet in maximum height.
10. Hand-held signs.
11. Temporary signs under fifty (50) square feet and not more than two (2) per lot for a maximum period of ninety (90) days.

## **8.8 SIGN PERMITS AND APPROVAL**

All signs shall require a zoning permit from the Zoning Administrator prior to installing any new sign, unless otherwise exempted. All signs located adjacent to controlled highways must meet the Nebraska Department of Roads Outdoor Advertising Rules and Regulations as well as any applicable county regulations.