

MCCOOK CITY COUNCIL

REGULAR MEETING

**Monday, June 8, 2026
5:15 PM - City Council Chambers**

Call to Order and Roll Call.

Open Meetings Act Announcement.

Items

1. Approve the minutes of the May 11, 2026 regular Planning Commission meeting.
2. Public Hearings and Regular Agenda.
 - A. Review and discuss the proposed Article 24 of the zoning update, specifically Signs in Article 22.

Adjournment.

CITY MANAGER'S REPORT
JUNE 8, 2026 PLANNING COMMISSION MEETING

ITEM: 1.

RECOMMENDATION:

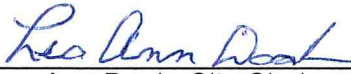
Approve the minutes of the May 11, 2026 regular McCook Planning Commission meeting.

BACKGROUND:

Receive and approve the minutes.

**FISCAL
IMPACT:** None.

APPROVALS:



Lea Ann Doak, City Clerk

June 2, 2026

McCook Planning Commission
May 11, 2026
5:15 P.M.

A MEETING OF THE PLANNING COMMISSION OF THE CITY OF MCCOOK, NEBRASKA convened in open, regular, and public session at 5:15 o'clock P.M. in the City Council Chambers.

Present: Chair Chad Lyons; Vice Chair Tammie Hilker; Commissioners Kelly Hammerlun, Jamie Mockry, Jesse Stevens,

Absent: Commissioners Camy Bradley, Matt Davidson, Kurt Vosburg, Bobby Gaulke.

City Officials present: City Manager Nate Schneider, Assistant City Manager Tera Koetter, City Attorney Nate Mustion, City Clerk Lea Ann Doak, Building Official Barry Mooney.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on May 7, 2026, the designated method of giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to all members of the Planning Commission. Availability of the agenda was communicated in the advance notice. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Chair Lyons announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review.

1. Approve the minutes of the April 13, 2026 regular Planning Commission meeting.

Motion to approve the minutes of the April 13, 2026 regular Planning Commission meeting. This motion, made by Chad Lyons and seconded by Tammie Hilker, passed.

Camy Bradley: ABSENT, Matt Davidson: ABSENT, Bobby Gaulke: ABSENT, Kelly Hammerlun: YEA, Tammie Hilker: YEA, Chad Lyons: YEA, Jamie Mockry: YEA, Jesse Stevens: YEA, Kurt Vosburg: ABSENT

YEA: 5, NAY: 0, ABSENT: 4

2. Public Hearings and Regular Agenda.

- 2.A. Review and discuss the proposed Article 24 of the zoning update, specifically Telecommunication Towers and Adult-Oriented Businesses from Article 21, Supplemental Regulations.

Review and discussion was held regarding proposed Article 24 of the zoning update - Telecommunication Towers.

City Attorney Mustion reviewed his memorandum regarding Adult-Oriented Businesses, further discussion was held by the commission.

Review of sign regulations will be held at the June 8, 2026 meeting. Miller & Associates representatives Craig Bennett and Jason Combs will be present at the July 13, 2026 meeting for review of solar, wind, and data centers.

Adjournment.

With no further business, Chair Lyons declared the Planning Commission meeting adjourned at 6:31 P.M.

Lea Ann Doak, City Clerk-Treasurer
Recording Secretary

Footnotes:

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Editor's note— Ord. No. 2344, § 1, adopted April 22, 2014, repealed the former chapter 109, §§ 109-1—109-13, and enacted a new chapter 109 as set out herein. The former chapter 109 pertained to similar subject matter. See Code Comparative Table for complete derivation.

Sec. 109-1. - Purpose of sign regulations.

The purpose of this chapter is to provide guidance in regulating signs in a manner that promotes vitality and public safety in the City of Lexington.

(Ord. No. 2344, 1, 4-22-2014)

Sec. 109-2. - Applicability.

These sign regulations apply to the construction, maintenance and use of all signs; as defined in section 109-4 below.

(Ord. No. 2344, 1, 4-22-2014)

Sec. 109-3. - Prohibited and exempt signs.

(1) The following signs shall not be allowed pursuant to the terms of these regulations:

- a. Abandoned signs;
- b. Snipe signs or signs attached to trees, telephone poles, streetlights, or placed on any public property or public right-of-way; and
- c. Signs placed on vehicles or trailers that are parked and/or located for the primary purpose of displaying that sign.

(2) The following signs shall be exempt from the provisions of these regulations and construction will be permitted without a permit:

- a. Holiday or special events signs;
- b. Nameplates of two square feet or less;
- c. Temporary signs for a period not to exceed three months announcing a campaign;
- d. Public signs or notices;
- e. Sign face changes of legally conforming signs; and
- f. Community banners or light pole signs.

(Ord. No. 2344, 1, 4-22-2014)

Sec. 109-4. - Definitions.

Abandoned sign means a sign whose message describes the availability of goods or services at a location where such goods and services are no longer available and have ceased to be available for a period of at least 60 days or, in the alternative, a sign which is non-commercial in nature and the content of the sign pertains to a time, event or purpose which has elapsed or expired in the preceding 60 days. Such abandonment should include intentional conduct, such as failure to pay taxes or permit fees, or to maintain the sign, or a negligent failure to do so.

Animated sign means a sign depicting action, motion, light, or color changes through electrical or mechanical means. Although technologically similar to flashing signs, the animated sign emphasizes graphics and artistic display

Awning sign means a building mounted sign that provides additional functionality as shelter.

Banner means a sign made of fabric or other non-rigid material with no enclosing framework.

Billboard means an outdoor sign, whose message directs attention to a specific business, product, service, entertainment event or activity, or other commercial or noncommercial activity, or non-commercial message about something that is not sold, produced, manufactured, furnished, or conducted at the property upon which the sign is located. Also known as a third party sign, billboard, or outdoor advertising.

Changeable-copy sign means a sign or portion thereof on which the copy or symbols change either automatically through electrical or electronic means (for example, time and temperature units), or manually through placement of letters or symbols on a panel mounted in or on a track system.

Complying sign means a sign that is legally installed in accordance with federal, state, and local permit requirements and laws.

Copy means the words and/or message displayed on a sign.

Copy area means that area which displays the actual copy on a sign.

Development sign means a temporary construction sign denoting the architect, engineer, contractor, subcontractor, financier or sponsor of a residential or commercial development which may also designate the future occupant or use of the development.

Directional sign means signs designed to provide direction to pedestrian and vehicular traffic.

Dissolve/appear means a mode of message transition on an electronic message center accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.

Electronic message center means a sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

Event sign means a temporary sign, other than a commercial sign, posted to advertise an event sponsored by a public agency, school, church or religious institution, civic-fraternal or other organization.

Fade/appear means a mode of message transition on an electronic message center accomplished by varying the light intensity where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

Fascia sign means a building mounted sign.

Freestanding sign means a sign that is not attached to a building, including pole, pylon and ground signs.

Ground sign means a freestanding sign with a visible support structure.

Inflatable device means a sign that is a cold air inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device. Inflatable devices are restrained, attached, or held in place by a cord, rope, cable or similar method.

Internally illuminated sign means a sign having the light source enclosed within it so the source is not visible to the eye.

Illuminated sign means a sign with electrical equipment installed for illumination, either internally illuminated through its sign face by a light source contained inside the sign or externally illuminated by reflection of a light source aimed at its surface.

Legibility means the physical attributes of a sign that allow for differentiation of its letters, words, numbers, or graphics, which directly relate to an observer's visual acuity.

Luminance means an objective measurement of the brightness of illumination, including illumination emitted by an electronic sign, measured in candles per square foot (cd/sq. ft.).

Marquee sign means a sign mounted on a permanent canopy.

Multi-tenant sign means a freestanding sign used to advertise businesses that occupy a shopping center or complex with multiple tenants.

Noncomplying sign means a sign that was legally erected and maintained but does not currently comply with sign restrictions because such restrictions were enacted after the sign was originally permitted and installed.

Off-premise sign. See billboard.

On-premise sign means a sign whose message and design relates to an individual business, profession, product, service, event, point of view, or other commercial or non-commercial activity sold, offered, or conducted on the same property where the sign is located.

Organization means an entity, including a natural person, which owns or operates the premises where an on-premise sign is displayed.

Pennant means a triangular or irregular piece of fabric or other material, commonly attached in strings or strands, or supported on small poles intended to flap in the wind.

Permanent sign means a sign attached to a building or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and whose intended use appears to be indefinite.

Pole sign means a freestanding sign with visible support structure.

Primary copy means the words or message on a sign meant to be read by passersby travelling at the posted speed limit.

Projecting sign means a building mounted sign with the faces of the sign projecting 12 inches or more from and generally perpendicular to the building fascia, excepting signs located on a canopy, awning, or marquee.

Pylon sign means a freestanding sign with a visible support structure, which may or may not be enclosed by a pole cover.

Readability means that which enables the observer to correctly perceive that information content of letters, numbers or symbols grouped together in words, sentences, or other meaningful relationships on the sign. Readability is the character of a sign which leads to the observer's comprehension of its intended message, and depends on legibility and other considerations of contents and time restraints.

Real estate sign means a temporary sign advertising the real property upon which the sign is located for rent, for lease, or for sale and providing the name and location of the owner or his agent.

Roof sign means a building-mounted sign erected upon, against, or over the roof of the building.

Rotating sign means sign faces or portions of a sign face which mechanically revolves around a central axis as opposed to revolving around an imaginary axis created by a pattern of alternating lights which convey an appearance of rotation.

Scroll means a mode of message transition on an electronic message center where the message appears to move vertically across the display surface.

Secondary copy means the words or messages on a sign which are meant to be read by automobiles that are idling or parked along a road way.

Sign means any device, structure, fixture, painting, or visual image using words, graphics, symbols, numbers, or letters designed and uses for the purpose of communicating a message or attracting attention.

Signage means a community's inventory of signs used to communicate information or attract attention, including signature building, product displays, and dispensers, as well as traditional projecting, wall, roof, and freestanding signs. (See signature building.)

Signature building means a building architecturally designed and/or painted or decorated to reinforce individual recognition of a traditional sign's message, the identity of its speaker or sponsor of a display; it also reinforces major media advertising programs.

Snipe sign means a temporary or permanent sign tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, or other objects.

Temporary sign means any sign intended to remain in use for a short period of time which is not permanently installed.

Transition means a visual effect used on an electronic message center to allow one message to disappear while it is simultaneously being replaced by another.

Visibility means the physical attributes of a sign and its contents that allow for detection at a given distance, although legibility may be uncertain.

Wall sign means a building-mounted sign which is either attached to, displayed, or painted on an exterior wall in a manner parallel with the wall surface, and not projecting more than 16 inches from such surface (See fascia sign).

Window sign means a sign that is painted on, attached to, or suspended directly behind or in front of a window or the glass portion of a door.

(Ord. No. 2344, 1, 4-22-2014)

Sec. 109-5. - Permitting.

Applicants who wish to erect new permanent or temporary signs, or those seeking to significantly modify (exceeds costs of 50 percent or more than the replacement cost of the original sign) existing signs must obtain a sign permit from the City of Lexington prior to installation/modification of the signs.

(Ord. No. 2344, 1, 4-22-2014)

Sec. 109-6. - Size regulations.

- (1) Permanent signs include but are not limited to the following types of signs: wall signs, roof signs, projecting signs, ground and pole signs, multi-tenant signs, awning signs, electronic message centers, and billboard signs. Additionally, temporary signs including political signs, garage sale signs, real estate signs, construction signs, and grand opening signs, are all controlled by the following:

- a. All signs shall be constructed of material approved by the building official.
- b. Sign size and number shall be determined as follows:

Function of sign	Nature of sign	Area per sign (sq. ft.)	Number of signs	Front line setback (ft.)	Side and rear setback (ft.)	Height (ft.) (freestanding sign)	Height (ft.) (wall sign)

Residential identification and/or identification of a home occupation in a single-family house or mobile home	permanent	2	1	15	15	6	10
Residential identification and/or identification of a home occupation in a duplex (2-family) house	permanent	2	1 per dwelling unit	15	15	6	10
Apartment complex or mobile home park identification sign, 3-12 units	permanent	12	1 per complex	15	15	6	10
Apartment complex or mobile home park identification sign, over 12 units	permanent	32	1 per entrance, maximum of 2 per parcel	15	15	6	10

Private schools, houses of worship, meeting halls, private clubs or other similar uses	permanent	64	2, 1 of which may be freestanding	15	15	15	10
Cemetery identification	permanent	32	1 per entrance	15	15	6	not permitted
Not-for-profit fundraising events	temporary, not to exceed 30 days	32	1	15	15	6	10

Campaign signs (may not be erected until 90 days before an election and must be removed within 7 days after election):

Campaign headquarters	temporary, must be removed within 7 days after election	80	1 per political party, plus 1 per candidate	15	15	20	15
Lawn signs	temporary, must be removed within 7 days after election	5	unlimited	private property	private property	3	NA
Garage sale signs	temporary	5	unlimited	private property	private property	4	not permitted

Real estate for sale or for-rent signs:

Residential use, 1- and 2-family homes	temporary	6	1 per parcel	10	15	6	10
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Commercial property, including apartment	temporary	32	1 per parcel	15	15	6	10
Construction project identification	temporary, 1 year, renewable	64	2 per parcel	15	15	10	10
Grand opening identification	temporary, 30 days maximum	64	1	15	15	6	10
<i>Commercial or industrial use, single or double tenant site:</i>							
Freestanding sign	permanent	300	1 freestanding per site	15	15	60	-
Wall sign	permanent	300	1 wall/tenant	-	-	-	20
Projecting sign	permanent	150	1 projecting/site	-	-	-	-
Awning sign	permanent	80	1 awning sign/business	-	-	-	-
Roof sign	permanent	80	1 roof sign/building	-	-	6-foot above roof	-
<i>Commercial or industrial complex, more than 2 tenants</i>							
Freestanding sign, primary	permanent	300	1	15	15	60	-
Freestanding sign, secondary	permanent	40	1 per entrance, maximum of 2 per parcel	15	15	20	-

Wall sign	permanent	300	1 per tenant having direct customer access to the out of doors; must be placed on storefront of the tenant identified by the sign	NA	NA	NA	20
Awning sign	permanent	80	1 awning sign/business	-	-	-	-
Roof sign	permanent	80	1 roof sign/building	-	-	6-foot above roof	-

Office, research, development, single or double:

Freestanding sign	permanent	300	1/site	15	15	20	
Wall sign	permanent	300	1/tenant having direct customer access to the out of doors; must be placed by the primary entrance				20
Awning sign	permanent	80	1 awning sign/business	-	-	-	-

Office, research, or development complex:

Complex identification	permanent	300	1	15	15	20	
Freestanding sign, individual building identification	permanent	40	1 freestanding/site	15	15	20	

Wall sign, individual building identification	permanent	300	1 wall/tenant having direct customer access to the out of doors; must be placed by the primary entrance				20
Awning sign	permanent	80	1 awning sign/business	-	-	-	-

Sports and recreation center:

Freestanding sign, single or double tenant	permanent	300	1 freestanding/site	15	15	20	
Wall sign, single or double tenant	permanent	300	1 wall/tenant				20
Wall sign, in complex	permanent	300	1/tenant				20
Awning sign	permanent	80	1 awning sign/business	-	-	-	-

Farm stand:

Freestanding sign	permanent	250	1 freestanding sign or 1 wall sign, or both, provided that the total sign area or	15	15	20	-
Wall sign	permanent	250		-	-	-	10

On site directional signs	permanent	5	per administrative	per administrative approval	per administrative approval	per administrative approval	per administrative approval
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(2) *Wall signs.*

- a. A permit may be obtained to erect multiple wall signs on each wall facing a street or public right-of-way, excluding those walls abutting single or multifamily residential land uses.
- b. Wall signs may be internally or externally illuminated.

(3) *Projecting signs.*

- a. One projecting sign shall be permitted for each structure with accessible street frontage in lieu of a freestanding and roof sign.
- b. Projecting signs may be illuminated. Those projecting over a public right-of-way must be internally illuminated.
- c. Projecting signs may revolve.
- d. Projecting signs must have a minimum clearance of eight feet from the bottom of the sign to the grade below.
- e. Projecting signs may be located no closer than ten feet to each other.

(4) *Freestanding signs.*

- a. One freestanding signs is permitted for each structure with accessible street frontage.
- b. Freestanding signs are permitted in lieu of roof and projecting signs.
- c. Freestanding signs may be internally or externally illuminated.
- d. Freestanding signs may revolve.

(5) *Roof signs.*

- a. An organization which inhabits a structure with accessible street frontage shall be permitted to erect one roof sign as a permanent sign.
- b. Roof signs may not be displayed on properties displaying freestanding or projecting signs.
- c. Roof signs may be internally or externally illuminated.
- d. Roof signs shall be set back a minimum of three feet from the edge of the exterior wall on which the sign is located.

(6) *Freestanding multi-tenant signs.*

- a. One multi-tenant commercial sign shall be permitted per business complex.
- b. Multi-tenant commercial signs shall be located within the business complex for which they advertise and only tenants of that business complex may advertise on the sign. Any business advertising on a multi-tenant commercial sign may not have a freestanding sign on its property located within the associated business complex.
- c. The maximum area expressed in square feet for a sign shall be calculated by multiplying the frontage by two.

(7) *Electronic message centers (EMCs).*

- a. Such displays may include messages that are static, messages that appear or disappear from the display through dissolve, fade, travel or scroll modes, or similar transitions and frame effects that have text, animated graphics or images that appear to move or change in size, or be revealed sequentially rather than all at once.
- b. Only static electronic message centers may be erected in residential areas. All types of electronic message centers shall be permitted in areas designated for commercial and industrial activities.
- c. All electronic message centers shall be equipped with automatic dimming capabilities.

(8) *Awning signs.*

- a. An organization which inhabits a structure with accessible street frontage shall be permitted to erect one awning sign.
- b. Awning signs may be illuminated.

(9) *Billboards.*

- a. Billboards signs are allowed only in the C-3 highway commercial district, which abuts Highway 30, 21, or 283. Billboard advertising signs shall be located so that a minimum distance of 600 feet exists between signs on the same side of a street.
- b. All signs shall be subject to the yard and setback standards of the district in which they are located. The supportive structure for the sign shall be erected a minimum of five feet behind the setback requirements. The maximum display area shall be 300 square feet for each face. Signs may not be stacked one on top of the other or side by side. The height shall not exceed that established for buildings in the C-3 district. No sign shall be erected or maintained on any sign or sign structure other than the principal sign for which the structure was designed or such additional single sign as may be compatible to the original design of the structure.
- c. The requirements of this section shall be in addition to any applicable local, state and federal rules and regulations.

(Ord. No. 2344, 1, 4-22-2014)

Sec. 109-7. - Temporary signs.

- (1) Temporary signs not specifically listed in the table included in section 109-6, may be displayed without obtaining a sign permit for a period of time not to exceed 14 days within any six month period. After the 14 day period, the owner must obtain a permanent sign permit to display the sign any further within the same six month period.
- (2) Temporary signs are signs not intended for permanent installation which are to be used for a limited amount of time. Types of temporary signs not listed in section 109-6 include, but are not limited to: banners, pennants, flags, and streamers, inflatable displays, special event signs, advertising vehicles and development signs.
- (3) Temporary signs shall be setback at least three feet from the public right-of-way and comply with all of the applicable regulations pertaining to size set forth in section 109-6.
- (4) The number of temporary signs shall not exceed three at any given period of time.

(Ord. No. 2344, 1, 4-22-2014)

Sec. 109-8. - Variances.

A variance may be sought from the board of adjustment for the construction of a sign, permanent or temporary, which does not comply with the requirements established in this chapter. A variance may be granted if the applicant can demonstrate the following criteria:

- (1) The application of these regulations would substantially limit the applicant's ability to put the property to its highest and best use;
- (2) Neighboring property owners would not be detrimentally harmed by the grant of the variance; and
- (3) The hardship suffered is unique to the property and was not created by the applicant for the variance.

The board of adjustment may impose conditions on the variance, as necessary, to further the purpose of these regulations.

(Ord. No. 2344, 1, 4-22-2014)

Sec. 109-9. - Sign maintenance.

All signs, including noncomplying and abandoned signs, must be maintained in a condition which is safe and with an appearance as originally permitted.

(Ord. No. 2344, 1, 4-22-2014)

Sec. 109-10. - Non-complying signs.

Any sign that is not in compliance with the provisions of this sign regulation upon its enactment shall be deemed a noncomplying sign. All noncomplying signs shall be allowed to continue until such time that the organization owning the property where the sign is located no longer owns or operates the noncomplying signs. All signs, including noncomplying signs, must be maintained in accordance with all state and local ordinances. If structural alteration or replacement is deemed necessary by the organization, the organization shall be required to obtain a permit to perform any type of maintenance, excluding normal replacement of sign faces, lamps, ballasts, and timers. Noncomplying sign faces shall be changed as needed so long as size and configuration remain as originally permitted. Any structure being structurally modified at a cost exceeding 50 percent of the replacement cost of the sign as to size, additions or configuration must be immediately brought into compliance with this chapter.

(Ord. No. 2344, 1, 4-22-2014)

Sec. 109-11—109-13. - Reserved.

519.02 Construction of new building in the C-2, Central Business District when such building does not replace any building or buildings existing in the area so zoned at the date of adoption of this ordinance or when the square footage contained in the new building exceeds the square footage of any building or buildings existing in the area so zoned at the date of adoption of this ordinance which are demolished, shall require development of additional off-street parking spaces in accordance with the requirements of Section 516 of this ordinance, provided that in the instance of where an existing building is demolished the off-street parking requirement shall be only for any floor area developed which is in excess of the floor area of the existing building or buildings which is/are removed.

519.03 Any or all of any off-street parking requirement for any new building or expansion of any existing use through construction of additional floor area in the C-2, Central Business District may be provided in one (1) or more off-site parking lots which collect and combine such off-street parking requirements for one or more uses in the C-2, Central Business District. Such off-site parking lots shall be developed in accordance with the following requirements:

1. An off-site parking lot may be located in any non-residential zoning district or in the R/O, Residential Office District within a distance of six hundred (600) feet of the use or uses served, measured along the nearest pedestrian walkway to the nearest point of said use or uses.
2. In order to encourage the development of additional off-site parking lots to serve the central business district, the number of off-street parking spaces per use utilizing such off-site parking lot may be reduced ten (10) percent below the off-street parking requirements applicable to such use or uses.
3. Off-site parking lots may be developed without yards, provided that a landscape buffer at least five (5) feet in depth shall be provided along all abutting streets and that a landscape screen shall be required in any side or rear yard which abuts a residential zoning district.
4. All off-site parking lots shall be surfaced with gravel or crushed rock or be paved with asphalt or concrete.
5. All parking spaces and drive aisles contained in any such off-site parking lot shall be developed in accordance with the design standards and marking requirements set forth in Section 516 of this ordinance.

Section 520. - Loading area requirements.

520.01 Except for uses located in the C-2, Central Business District and R/O, Residential Office District, every lot used for commercial purposes where a stock of goods is maintained, or industrial purposes shall be provided with an off-street loading area that will accommodate semi-tractors and trailers. Such loading area shall have access to a public street or alley and shall not interfere with the use of required off-street parking spaces or interfere with any sidewalk on the premises to maneuver or park any vehicles for loading or unloading. Such loading areas shall be surfaced with gravel or crushed rock or paved with asphalt or concrete.

520.02 Commercial uses located in the C-2, Central Business District and existing at the date of adoption of this ordinance shall not be required to meet the loading area requirements of this Section. Commercial uses located in the C-2, Central Business District which are developed after the date of adoption of this ordinance and so located that there is no alley abutting the location shall be required to establish an off-street loading area in accordance with the requirements of Subsection 520.01 above.

Section 521. - Signs.

521.01 Signs, generally: Any sign shall, by definition, be a structure. No land, building, or structure shall be used for sign purposes except in conformance with these regulations and those of the applicable zoning district. Signs shall only be permitted in zoning districts permitting said signs

and no sign shall be erected, enlarged, or otherwise modified until a Sign Permit has been issued, except as specified in Section 521.04 listing exemptions.

521.02 Legalizing existing signs: All signs legally existing at the date of adoption of this ordinance or applicable amendment thereto may remain in use under the conditions of legal non-conformance. Signs in legal non-conformance shall not be enlarged, moved, lighted, or reconstructed without compliance with this ordinance, provided that normal maintenance of such signs and the changing of the advertising display in the case of billboards shall not be restricted. Conversion of any non-conforming business sign to another business sign or product name may be done, provided such non-conforming sign is not an obsolete sign, as defined in Section 521.03 below. If such non-conforming sign is determined to be an obsolete sign, it shall not be converted to any other sign unless such conversion would bring such sign into conformance with these regulations.

521.03 Definitions:

1. Billboard: An off-site free-standing sign, unattached to any other structure, which directs attention to an object, product, place, activity, business, person or persons, service or interest not situated on the same premises as such billboard. See Section 521.10 below.
2. Business sign: 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 said sign.
3. Canopy: A structure, either detached from or attached to and extending from the enclosed portion of a building and used principally to provide shelter in connection with activities conducted in the principal building. This definition includes, but is not limited to fuel station, bank and pharmacy canopies. See Illustrative Definitions following this section.
4. Commercial complex: A building or a group of buildings that contain multiple independent business entities.
5. Sign: Any outdoor visual identification, description, display, drawing or illustration, message, placard, poster, billboard, insignia or information which is affixed to, painted on, or attached to a building, post, pole or other structure and which directs attention to an object, product, place, activity, business, person or persons, service or interest; provides direction, information, or advertisement; or otherwise provides a means of visually communicating with the general public.
6. Sign, animated: Any sign that uses movement or change of lighting to depict action or create a special effect or scene, appearance or optical illusion of movement, or appears to flash, undulate, pulse, blink, move closer to or move further from the viewer, expand or contract, bounce, rotate, twist or otherwise portray movement.
7. Sign, awning: An on-premises attached sign displayed, attached to, or incorporated into the surface of an architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of non-rigid materials, and/or fabric on a supporting framework that may be either permanent or retractable. See Illustrative Definitions following this section.
8. Sign, central identification: A sign erected to provide direction to a commercial complex or development including multiple uses and/or structures within the commercial complex or development. Central identification signs shall include the name of the commercial complex or development and may include, when permitted, the names of major tenants of the commercial complex or development.
9. Sign, digital billboard: An off-site sign capable of displaying multiple static images controlled by electronic communications.
10. Sign, electronic information: On-site signs capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

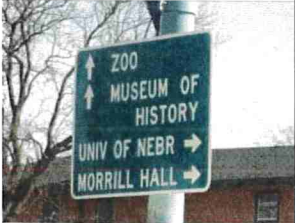
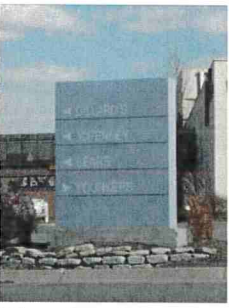
Signs whose information is limited to time and temperature are not considered electronic information signs.

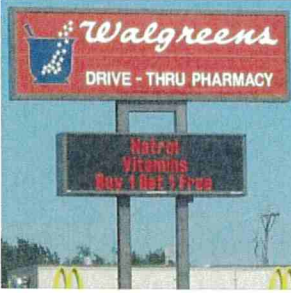
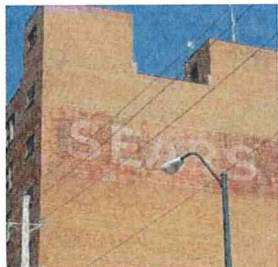
Sign, Electronic Message Board: A sign that uses changing lights to form a sign message or messages wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes (see also "Sign, animated").

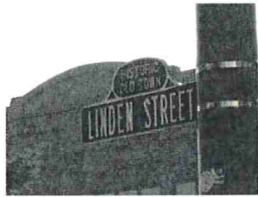
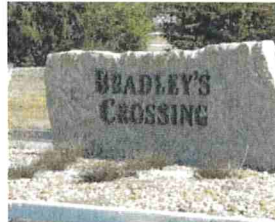
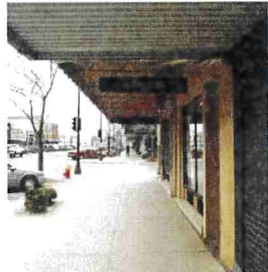
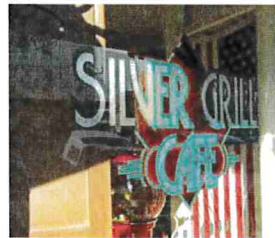
11. Sign face: The display surface of the sign upon, against, or through which the message is exhibited.
12. Sign, flashing: A sign that utilizes a pattern of changing light illumination where the sign illumination alternates suddenly between fully illuminated, fully non-illuminated, or varying light intensities for the purpose of drawing attention to the sign.
13. Sign, frame effect: A visual effect on an electronic information sign applied to a single frame to transition from one message to the next message.
14. Sign, free-standing: A sign attached to a self-supporting structure, which is unattached to any building or other structure.
15. Sign, height: The vertical distance from average grade (ground level) immediately below the sign to the top of the sign — including the supporting structure and any projecting design elements.
16. Sign, incidental: A nameplate, temporary sign, or on-site sign providing direction for entrances, exits, parking areas and similar uses, including real estate "for sale" and "for rent or lease" signs and elected officials or public issue campaign signs.
17. Sign, monument: A free-standing sign in which the sign face is immediately attached to the foundation of the sign without poles or posts visible above the ground level. See Illustrative Definitions following this section.
18. Sign, moving/vehicle: A sign that is physically mobile and able to move from one position to another position. It is also a sign that is mounted on a motor vehicle, trailer, or other framework that is not permanently attached to a pole, building or other stationary structure.
19. Sign, obsolete: Any sign which advertises an activity, business, product or service no longer conducted on the premises on which the sign is located for a period of twelve (12) months. The time frame for the calculation of an obsolete sign shall begin the day following the day that the business closes for the final time at that location.
20. Sign, pole: A mounted free-standing pole or other support so that the bottom edge of the sign face is eighteen (18) inches or more above ground level and the poles that are used to support the sign are visible to the public. See Illustrative Definitions following this section..* Flag poles are not considered to be a sign as defined herein.
21. Sign, political campaign: An outdoor sign of temporary nature, erected for the purpose of soliciting votes or support for, or in opposition to, any candidate or any political party under whose designation any candidate is seeking nomination or election, or for the purpose of endorsing or in opposition to a proposition or public question being placed on a ballot at an election held under the laws of the state. See Illustrative Definitions following this section..
22. Sign, projecting: A sign suspended from or supported by a building and extending outward in such a manner that its leading edge extends more than fifteen (15) inches beyond the surface of the building or wall to which it is attached. See Illustrative Definitions following this section.
23. Sign, real estate: Any temporary sign displayed for the purposes of offering for sale, lease, or rent the property on which such sign is erected, affixed, or otherwise established. See Illustrative Definitions following this section.
24. Sign, rotating: A sign that changes its message through rotating or changing elements.

25. Sign, sail (banner or flag): A wind device that contains a harpoon style pole or staff driven into the ground for support or mounted on a weighted portable base. Sail signs are generally used in connection with a commercial promotion or to advertise a commercial product, service, business, activity or person. All sail signs shall be considered temporary signs.
26. Sign, sponsorship: Public service, public equipment and public furnishing: An off-site sign that is attached to a public service, public equipment or public furnishing that advertises an activity, business, product or service as a sponsorship to obtain funding or in-kind support for public services, public equipment or public furnishings that may not otherwise be available.
27. Sign, wall: An on-premises sign affixed to or painted on the wall of any building and completely in contact with the building throughout its greatest dimension, which does not extend beyond the main wall of the building more than fifteen (15) inches except in accordance with these regulations. See Illustrative Definitions following this section.
28. Sign structure: The base, support or supports, uprights, bracing and framework, which supports the sign surface. In the case of a sign structure consisting of two (2) or more sign faces, where the angle formed between any of the faces, or projections thereof, exceeds fifteen (15) degrees, each side shall be considered a separate sign structure.
29. Sign surface: 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.
30. Sign, temporary: Any sign used to display information relating to a land use or event of limited duration which is not rigidly and permanently installed in the ground, attached to a building, or identified in this section. The use of said sign shall be limited to thirty (30) total days per calendar year, subject to the regulations provided in Subsection 521.05, Incidental signs. A business shall be limited to one (1) temporary on-site sign per event. This definition also includes any and all signs supported by human beings or animals.
31. Special event: A one-time or infrequently occurring event outside of normal programs or activities of the sponsoring or organizing body or business. For the purpose of this section, a special event shall be a business grand opening, business anniversary celebration, local community celebration or a specific organizational event.

Illustrative Definitions

 Animated Sign	 Announcement Sign	 Awning Sign	 Balloon Sign
 Banner/Flag Sign	 Banner Sign (Commercial)	 Building Marker Sign	 Canopy Sign
 Center Identification Sign	 Changeable Copy Sign	 Commemorative Sign	 Construction Sign
 Destination Sign	 Directional / Informational Sign	 Directory Sign	 Double-faced Sign

			
Electronic Message Sign	Freestanding Sign	Gas Station Price Sign	Identification Sign
			
Ground Monument Sign	Incidental Sign	Inflatable Sign	Kiosk Sign
			
Marquee Sign	Menu-Board Sign	Billboard Sign	Painted Ghost Wall Sign
			
Painted Wall Sign	Parapet Sign	Pennant Sign	Pole Sign

 Political Sign	 Projecting Sign	 Public/Traffic Information Sign	 Real Estate Sign
 Roof Sign	 Roof (integrated) Sign	 Sandwich Board Sign	 Sign, Digital
 Sign Stacking	 Subdivision Identification Sign	 Suspended Sign	 Wall Sign
 Warning Sign	 Window Sign	 Portable Sign	

521.04 Exemptions: The following signs shall be exempt from these regulations, subject to the conditions specified below:

1. Signs not exceeding two (2) square feet in area and bearing only property numbers, address numbers, names of occupants or premises, or other identification of the premises not denoting any business activity.
2. Flags and insignia of any governmental unit, civic, educational or religious organization, except where displayed in connection with a business promotion.
3. Legal notices, identification, informational, warning, no trespassing, directional or other similar signs erected, or required to be erected by any governmental unit, and informational or directional signs allowed by the city council to be placed in any public right-of-way.
4. Memorial plaques, historical markers, integral decorative or architectural features of a building, except trademarks, moving parts or moving lights.
5. One (1) real estate sign for each lot of frontage indicating "for sale" or "for rent or lease", provided any such sign shall be set back at least five (5) feet from any street right-of-way line.
6. Political campaign signs shall be limited to sixteen (16) square feet or less in all other areas. Campaign signs are allowed on private property with the consent of the property owner, but are prohibited on public property, including the rights-of-way. Political campaign yard signs, up to thirty-two (32) square feet in size are allowed adjacent to a state or business highway. (Refer to Chart 1.)

Such signs shall be set back at least five (5) feet from any street right-of-way line. Political campaign signs may be placed on private property no earlier than sixty (60) days prior to the election for which the sign is applicable and must be removed not later than the fifteenth (15th) day following the election. City personnel may remove and dispose of any sign placed on public property or within the rights-of-way.

7. Window signs, including pictures, symbols, writing or a combination thereof designed to promote an on-site activity that is placed inside a window and is visible from the exterior.

521.05 Incidental signs: The following incidental signs shall be permitted, subject to the listed requirements and limitations:

1. Signs directing and guiding traffic, identifying a parking or loading area, or designating building entrances on private property. Such signs shall not exceed four (4) square feet in area for each sign, shall not exceed a height of four (4) feet if free-standing, and shall be set back a minimum of five (5) feet from any right-of-way line.
2. Temporary signs, such as sail signs, in connection with a special event, provided such signs are limited in use to thirty (30) total days per calendar year, per premises, and are set back a minimum of five (5) feet from any right-of-way line.
3. Temporary signs in connection with buildings under construction, model homes and similar longer-term temporary signs which shall be removed when the work or sale is completed. Any sign reflecting a "coming soon" message must be removed when the work is completed. Work of this nature must have a building permit approving the work and run under the same time-line as building permits (six (6) months to begin the work and two (2) years to complete the work from the day that the permit is issued). Such signs shall be set back a minimum of five (5) feet from any right-of-way line.
4. A temporary or permanent subdivision identification sign for each street entrance into a subdivision. Such signs shall be installed by a certified sign installer. Street signs and subdivision signs shall not exceed two hundred fifty (250) square feet and shall be set back a minimum of ten (10) feet from any right-of-way line unless a greater setback is required to maintain street intersection visibility in accordance with Section 510 of the Zoning Regulations of Nebraska City.

5. Off-site signs identifying a church, school, public park, historic site, local service, benevolent organizations, public/quasi-public facilities, and other public facilities are subject to the following limitations:
 - a. Such signs shall be placed on private property and shall not be placed on any public property or public right-of-way unless so authorized by the city council.
 - b. Such signs shall be located no closer than five (5) feet to the right-of-way line of any adjacent street.
 - c. Such signs shall not have a sign surface exceeding sixteen (16) square feet and such signs shall not exceed ten (10) feet in height.
 - d. Not more than one (1) such sign may be placed on the same sign structure.
 - e. Such signs shall be located no closer than two hundred (200) feet to any other sign, excluding those signs listed as exempted signs in Section 521.04 of this ordinance.
 - f. Such signs may be lighted or may be an electronic information sign as defined in Section 521.03 and shall be subject to the electronic information sign standards and parameters referenced in Section 521.09 of this ordinance.
6. Off-site signs identifying hospital and emergency medical care facilities are subject to the following limitations:
 - a. Such signs may be placed on private property subject to the limitations in Subsection 5 above; or
 - b. Such signs may be placed on any public property or public right-of-way as authorized, with or without restrictions, by the city council; however, no sign shall be placed in the right-of-way of any federal-aid highway.

521.06 Maintenance and removal:

1. All signs shall be kept in good repair, including, but not limited to electrical wiring and fixtures, supports, faces, lighting, braces, guys and anchors, and must be structurally sound as determined by the building inspector.
2. Signs and sign structures which are obsolete, no longer functional, or abandoned shall be removed within sixty (60) days after written notification from the zoning administrator that such sign is deemed to be obsolete, non-functional, abandoned, or the sign face and/or structure is dilapidated.
3. If the sign is not taken down or removed within the sixty (60) day period, there may be a fine assessed to the property owner as defined in Section 1102: Penalties.

521.07 General provisions:

1. No sign or sign structure shall be placed on private property or public property without the consent of the owner of such property.
2. No sign or sign structure, other than official street or highway signs, shall be placed upon, over or in any street or highway right-of-way, except in the C-2 Central Business District or as otherwise authorized by the city council.
3. No sign or sign structure shall be erected at any location where it will interfere with, obstruct the view of pedestrians or on-coming vehicular or railroad traffic, or be confused with any authorized traffic control sign, signal or device. No rotating beam, beacon or flashing illumination resembling any emergency vehicle lights shall be used in connection with any sign.
4. It shall be unlawful to erect and maintain:
 - a. Any sign without previously submitting a sign permit to the office of the city clerk-treasurer. Said sign permit must be approved by the building inspector and the zoning

administrator before the sign is erected or changed. For any new sign that is not a wall sign, a building permit may be required in conjunction with the sign permit.

- b. Any sign which is not included under the types of signs permitted in this ordinance.
 - c. Any portable or movable sign, except as a temporary sign in accordance with the regulations set forth in this section.
 - d. A billboard and an on-site business sign on the same lot.
 - e. Any trailer, vehicle, semi-truck trailer or other movable vehicle shall not be used as a structure for any sign, except as a temporary sign in accordance with the regulations in this section.
- 5. Business signs and billboards may be illuminated except as otherwise restricted in this section. When such signs are directly lighted such light fixtures and reflectors shall not extend more than eight (8) feet from the sign face and shall not extend into any public right-of-way, except as authorized in the C-2 Central Business District.
 - 6. No sign or sign structure, except a projecting sign, shall extend more than fifteen (15) inches from the building wall or structure on which it is mounted.
 - 7. Not more than one (1) projecting sign shall be allowed for each lot or occupant thereof and the maximum sign surface area shall be fifty (50) square feet per side. In no case shall a projecting sign extend more than eight (8) feet beyond its supporting structure or be less than eighty (80) inches above ground level. See Illustrative Definitions for local examples. Projecting signs may be illuminated except as otherwise restricted in this section.
 - 8. Signs or sign structures shall be set back from any right-of-way line in accordance with the yard requirements of the applicable zoning district, except as otherwise specified in this section. In the case of an awning sign, a canopy sign, or a projecting sign, in the C-2 Central Business District, where the building wall or structure on which the sign is mounted is located closer than eight (8) feet to the setback line, such sign may extend up to six (6) feet into the required yard. See Illustrative Definitions for local examples.
 - 9. No sign shall be located in a site distance triangle, as set forth in Section 510 of the Zoning Regulations.

521.08 – intentionally blank

521.09 Business signs: The number and size of business signs for business uses permitted in the Residential/Office, any commercial, or industrial zoning district shall be limited as follows:

- 1. No more than one (1) business sign shall be permitted on any lot used for business purposes in the R/O Residential/Office Zoning District and no more than three (3) business signs shall be permitted on any lot in a commercial, or industrial zoning district, except that when the principal business building is located on a corner lot and has vehicular entrances to both streets or when the principal business building has public entrances to both a front and rear of the building, one (1) additional sign shall be permitted.
- 2. Business signs on any premises with frontage on Highway 2, Highway 75, including the business routes of these highways, with frontage on the J. Sterling Morton Beltway or located on any premises zoned C-2 Central Business District, may be wall-mounted, projecting, monument, or free-standing pole signs.
- 3. The maximum sign face area for wall mounted business signs in the R/O Residential/Office Zoning District shall be fifty (50) square feet for each street frontage. The maximum sign face area for wall mounted business signs in a commercial, or industrial zoning district shall not exceed 30% per architectural elevation and no wall sign shall exceed 500 square feet in sign area. See Illustrative Definitions for local examples. The construction of an electronic wall-mounted information sign shall be subject to the usage provisions below.

4. Any existing sign which may be legally modified to include electronic information capability as defined in Section 521.03 above shall complete a sign permit application and shall conform to the usage provisions set forth below.
5. In any commercial district, residential/office, or any industrial zoning district a ground monument business sign (See Illustrative Definitions for local examples.) or free-standing pole sign (See Illustrative Definitions for local examples.) may be located no closer than five (5) feet to a lot line, except in the C-2 Business District, where said sign may be placed on the lot line/right-of-way line. The placement of a monument or pole sign in any of the aforementioned Zoning Districts at a distance greater than five (5) feet from the lot line/right-of-way line shall follow the distance requirements set forth below:
 - a. At a distance of five (5) feet to nine (9) feet from the right-of-way, a monument or pole sign may have a maximum height of eight (8) feet and a maximum size of forty (40) square feet.
 - b. At a distance of ten (10) feet to fourteen (14) feet from the right-of-way, a monument or pole sign may have a maximum height of twelve (12) feet and a maximum size of eighty (80) square feet.
 - c. At a distance of fifteen (15) feet to twenty-four (24) feet from the right-of-way, a monument or pole sign may have a maximum height of twenty-four (24) feet and a maximum size of one hundred (100) square feet.
 - d. At a distance of twenty-five (25) feet or more the right-of-way, a monument or pole sign may have a maximum height of thirty (30) feet and a maximum size of two hundred (200) square feet.

Distance from ROW	Maximum Height	Size of Face
5 to 9 feet	8 feet	40 square feet
10 to 14 feet	12 feet	80 square feet
15 to 24 feet	24 feet	100 square feet
25 feet and up	30 feet	200 square feet

6. In any commercial district, residential/office, any industrial zoning, any residential, or agriculture districts such sign may be an electronic information sign or electronic message board sign as defined in Section 521.03 subject to the following conditions:
 - a. Such signs shall display static images for a period of at least five (5) seconds before transition to another static image. Frame effect signs are permitted; however, animated signs and flashing signs are prohibited.
 - b. Such signs in all zoning districts shall come equipped with automatic dimming technology which adjust the brightness of the sign based on ambient light levels.
 - c. Such signs may not exceed an illumination level of 0.3-foot candles above ambient light levels, as measured using a foot candle (lux) meter, at a distance of one hundred (100) feet from the sign.

- d. Such signs may not emit an audible sound.
 - e. Such sign may be illuminated or lighted, but shall not be flashing or animated.
7. For commercial complexes, including shopping centers, technology and industrial parks, one (1) central identification sign shall be permitted to identify each main tenant at the main entrance to such commercial complex, subject to the following requirements:
- a. Such sign shall be a monument or pole sign and shall indicate only the name and location of such commercial complex and the name and type of business of the occupants of such complex.
 - b. The setback, sign face surface area and height shall be as regulated in Section 521.09 above.
 - c. Such sign may be illuminated or lighted, but shall not be flashing or animated.
 - d. Such sign may be an electronic information sign as defined in Section 521.03 above subject to the provisions in Section 521.09 above.

521.10 Billboards:

- 1. It is the intent of this section to establish reasonable and uniform limitations, safeguards and controls for the location of billboards. Such regulations are deemed necessary in the public interest to protect the use and value of adjoining properties, as well as the best interest of the city.
- 2. The construction of a billboard in any zoning district shall be subject to the provisions of Section 521.07 of this ordinance and will require a conditional use permit and a sign permit before construction.
- 3. Billboards shall be permitted on a lot with one hundred (100) feet or more of frontage on a street classified in the city's major street plan as an arterial street and only in areas included in the C-3 General Commercial District, any Industrial Zoning District, or the AG Agriculture District. (Refer to Chart 1.)
- 4. A billboard shall not be less than fifty (50) feet from any other building or on-site sign or two hundred (200) feet from another billboard on the same side of the street.
- 5. Billboards shall not be permitted on the same lot as any commercial complex or shopping center.
- 6. The minimum front yard from any street or highway right-of-way shall be in accordance with the front yard requirements of the applicable zoning district.
- 7. The minimum side or rear yard shall be five (5) feet.
- 8. No billboard shall be permitted within one hundred (100) feet of a residential zoning district.
- 9. The sign face of a billboard shall not be greater than ten (10) feet in vertical dimension or greater than thirty (30) feet in horizontal dimension and the maximum sign face area shall not exceed three hundred (300) square feet.
- 10. The sign face of a billboard shall not be less than eight (8) feet in vertical dimension or less than twelve and one-half (12½) feet in horizontal dimension and the minimum sign face area shall not be less than one hundred (100) square feet.
- 11. A billboard shall not contain more than two (2) advertising signs per sign face.
- 12. A maximum of two (2) signs back-to-back shall be permitted per sign structure.
- 13. Double-decker sign faces are prohibited.
- 14. A moving sign as defined in Section 521.03 may be permitted.

15. The maximum height of a billboard shall be twenty (20) feet above ground level at the base of the sign.
16. The construction of an electronic billboard information sign or a digital billboard sign is subject to the following usage restrictions:
 - a. Such billboards shall display static images for period of at least ten (10) seconds before instantaneously transitioning to another static image.
 - b. Animation, flashing and frame effects are specifically prohibited.
 - c. Such billboards shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness based on ambient light conditions.
 - d. Such billboards shall not exceed an illumination level of 0.3-foot candles above ambient light as measured using a foot candle (lux) meter from a pre-set distance measuring as follows:
 - 0—100 square foot sign to be measured from one hundred (100) feet to the source,
 - 101—300 square foot sign to be measured one hundred fifty (150) feet from the source.

521.11 Public service, public equipment and public furnishing sponsorship signs:

1. It is the intent of this section to provide public services, public equipment and public furnishings to each and every citizen through the use of sponsorships. By utilizing sponsors, the City of Nebraska City may gain wanted public services, public equipment and public furnishings without expending tax dollars.
2. Public sponsorship signs shall be affixed to the sponsored public service, public equipment and/or public furnishing.
3. All public sponsorship signs shall be approved by the city council regarding subject matter and location prior to being located on public property.
4. Public services, public equipment and public furnishings that are permitted under this section shall be solely used for the good of the public.
5. No public sponsorship sign under this section shall contain subject matters referring to alcohol, tobacco, illegal or legal drugs, nudity, sexual contents, political messages, products for sale and/or other subject matters that are found by the city council not to be in the best interest of the community.
6. All public sponsorship signs shall have a lifespan of one thousand ninety-five (1,095) days, or three (3) years.

Section 522. - Radio, television, and wireless communication towers.

522.01 Intent: Based upon the Communications Act of 1934, as amended by the Telecommunications Act of 1996 (the Act) granted the Federal Communications Commission (FCC) exclusive jurisdiction over certain aspects of telecommunication services. This section is intended to regulate towers, telecommunications facilities and antennas in the city to be in conformance with the Act without prohibiting or tending to prohibit any person from providing wireless telecommunication services.

522.02 Definitions: All terms in this section which are not specifically defined herein shall be construed in accordance with the Communication Act of 1934, the Telecommunication Act of 1996 and the Rules and Regulations of the Federal Communications Commission (FCC). As used in this section, the following terms shall have the following meanings:

522.02.01 Antenna shall mean a device, designed and intended for transmitting or receiving television, radio, or microwave signals, direct satellite services (including direct-to-home satellite services), and/or video programming services via multi-point distribution services.

Wayne

CHAPTER 154: SIGNS

Section

- 154.01 Permit required
- 154.02 Where prohibited
- 154.03 Street decorations
- 154.04 Approval by state
- 154.05 Purpose
- 154.06 Definitions
- 154.07 General sign and street graphics regulations
- 154.08 Basic design elements for on-site and off-site premises signs
- 154.09 Other design elements
- 154.10 Repair or modification of non-conforming signs

§ 154.01 PERMIT REQUIRED.

It shall be unlawful for any person to erect or place any business sign or awning on, in or over any sidewalk, street or public property in the city without obtaining a permit from the Council. Such permit shall state the size and location of the sign. The application for the permit shall be made to the City Clerk, who shall refer it to the Council for its consideration. The Council shall have the power to regulate the size, materials used and general design of the sign and to approve or disapprove each application on its merits. Any permitted sign or awning shall be at least eight feet above any sidewalk, street or public property under the sign or awning.

(2002 Code, § 18-341) Penalty, see § 10.99

§ 154.02 WHERE PROHIBITED.

No person shall erect, construct, place or maintain, or cause to be erected, constructed, placed or maintained, any sign, structure or obstruction of any nature that in any manner interferes with pedestrian or vehicular traffic, including the visibility of such pedestrian or vehicular traffic.

(2002 Code, § 18-342) Penalty, see § 10.99

§ 154.03 STREET DECORATIONS.

No person, as principal, agent or otherwise, shall bring or suspend any street banner, flag, pennant or street decoration over and above any street or other public thoroughfare or cause such action to be

done unless application to do so has first been approved by the City Clerk and a permit in writing has been issued by the City Clerk; and such banner, flag, pennant or street decoration must be safely suspended not less than 20 feet above such public thoroughfares. Such sign shall not remain in place for a period longer than 30 days from the date of the permit given by the City Clerk.
(2002 Code, § 18-343) Penalty, see § 10.99

§ 154.04 APPROVAL BY STATE.

(A) As to any sign or awning that requires the approval of the state before the erection or replacing of any such sign or awning, approval of the state must be obtained by the person desiring to erect or replace such sign or awning before a permit for erecting or replacing such sign or awning will be granted by the city. Such approval of the state shall be filed with the application for a permit from the city.

(B) The requirements set forth in division (A) above shall be in addition to all presently existing requirements made by the city for such permits. The fact that the state has approved an application for erecting or replacing a sign or awning does not, in and of itself, bind the city to issue the city's permit for such sign or awning.
(2002 Code, § 18-344)

§ 154.05 PURPOSE.

The sign regulations provide standards for communicating information in the environment of the city and its jurisdiction. The regulations recognize the need to protect public health, safety and welfare; to maintain the city's attractive appearance; to provide for adequate business identification, advertising and communication of information; and to encourage the fair enforcement of sign regulations.
(2002 Code, § 18-345) (Ord. 2001-4, passed 6-12-2001)

§ 154.06 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. The following definitions shall be used for terms contained in this article that are not otherwise defined in Ch. 152 of this code.

ABANDONED/DISCONTINUED SIGN. 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 12 months.

AT GRADE. For purposes of sign definition, shall be any height or clearance less than six feet of immediate ground elevation to bottom most edge of sign.

ATTACHED SIGN. A sign that is structurally connected to a building or depends upon that building for support.

AWNING and **AWNING SIGN.** A temporary or movable shelter supported entirely from the exterior wall of a building and composed of non-rigid materials, except for a supporting framework. An **AWNING SIGN** is a message printed on such a shelter.

BANNER. Any sign of lightweight fabric or similar material with a printed message or graphic attached secured or mounted temporary or permanently from a structure in such a way as to allow wind movement.

BILLBOARD. Shall be any freestanding or attached structure with a face larger than 150 square feet, that advertise the sale or lease of property or advertise goods and/or services for sale on- or off-site shall be considered a **BILLBOARD** and shall only be allowed in an area outside the corporate limits of the city.

BUSINESS CENTER IDENTIFICATION SIGN. A sign that identifies a building or group of commercial buildings in single ownership or control, sharing parking and access.

BUSINESS IDENTIFICATION SIGN. A sign that identifies a business located on the same premises upon which the sign is located.

CANOPY. A projecting non-movable structure cantilevered or suspended from a building, supported by the main structural members to which it is attached and used as a protective cover over a door, window, entrance or outdoor service area,

CANOPY SIGN. A sign that is attached or made an integral part of a canopy.

CLEARANCE. The distance from the bottom most edge of a sign face perpendicular to the grade below.

DETACHED SIGN. A sign that is self-supporting and structurally independent from any building.

DIRECTIONAL SIGN. A sign that serves solely to designate the location or direction of any area or place.

DOUBLE-FACED SIGN. A sign consisting of no more than two faces, no more than 42 inches apart at its widest point and supported by a single structure.

FREESTANDING SIGN. Any sign erected on a support structure other than a building. All freestanding and incidental signs greater than 20 square feet are subject to a plan submittal to the Building Official and/or a building permit.

FRONTAGE. The length of a property line of any one legal description abutting and parallel to a public street.

GARAGE SALE. A sale of used household items, clothing and/or personal property held at the home of the seller.

ILLUMINATION. Lighting sources installed for the primary purpose of lighting a specific sign or group of signs.

INCIDENTAL SIGN. A sign that is incidental to and aids these functioning of a use, but which does not provide primary identification for the use. Examples of **INCIDENTAL SIGNS** include entrance and exit signs, directions to traffic, ATM or reader board, of which two **INCIDENTAL SIGNS** shall be allowed per primary sign structure. **INCIDENTAL SIGNS** to be attached to existing primary sign poles shall have in writing by reputable licensed sign company, verification of adequacy of pole and footings to support additional signage.

LEGAL NON-CONFORMING. Any sign or sign face already erected or standing that exceeds this chapter in size, height or dimension, shall be considered a **LEGAL NON-CONFORMING SIGN**; providing, it was compliant to all ordinances in place when constructed or erected.

MARQUEE. A permanent roofed structure attached to and supported by a building and extending over public right-of-way.

MAXIMUM PERMITTED SIGN AREA. The maximum permitted combined area of all signs allowed on a specific property.

MONUMENT SIGN. An on-premises freestanding sign with the appearance of a solid base.

MOVING SIGN. A sign that conveys its message through rotating, changing or animated elements

NON-CONFORMING SIGN. Any non-conforming sign in each residential, commercial, industrial or agricultural zone, that has been increased in size, had lights added or had its location changed shall lose its legal non-conforming rights and the city shall require the sign to be removed or reconstructed to meet current zoning regulations. A sign that was legally erected prior to the adoption of this section, but which violates the regulations of this chapter shall be considered as legal **NON-CONFORMING**.

ON-SITE. A sign which advertises the sale or lease of property upon which the sign is located or that advertises the sale of goods and services available on that property.

OFF-SITE. A sign that advertises a service or product obtainable at a location other than the premises that the sign is located on and shall only be allowed outside the city limits.

POLE SIGN. A sign built on a freestanding frame, mast or pole(s) with a ground clearance greater than six feet.

PORTABLE SIGN. Any sign supported by frames or posts rigidly attached to bases not permanently attached to the ground or a building and capable of being moved from place to place.

PREMISES IDENTIFICATION SIGN. Any sign which pertains to the non-residential use of a premises and which contains information about the owner or operator of that use; the type of business being conducted or the principal brand name of a commodity sold on the premise; and other information relative to the conduct of the use.

PREMISES. A tract of one or more lots or sites that are contiguous and under common ownership or control.

PRIMARY SIGN. Any business, premises or other identification sign, located on-site, that advertises goods, services or other items for sale, rent or lease, of which there shall only be one primary sign allowed per premises and/or business establishment.

PROJECTING SIGN. A sign other than a wall sign that is attached to and projects from a building face.

READER BOARD. Display sign face with changeable alphanumeric characters and shall be no greater than 32 square feet.

RESIDENTIAL SIGN (HOME OCCUPATION SIGN). A small wall sign mounted flat against the wall of the principle residential structure, conveying a message lawfully communicated by the owner of the property or used to identify home occupations, block parents, the name of the premises or the occupants thereof. **RESIDENTIAL SIGNS** are non-illuminated and non-reflecting signs and shall not exceed six square feet in area.

SIGN. A symbolic, visual device fixed upon a building, vehicle, structure or parcel of land which is intended to convey information about a product, business, activity, place, person, institution, candidate or political idea.

SIGN TYPE. A functional description of the use of an individual sign. Includes owner identification, advertising, directional, electronic message and temporary.

TEMPORARY SIGNS. A sign, flag, banner, pennant or valance constructed of lightweight materials which is not permanently attached to building or land, and which is intended for display for a period of time of no more than 14 days.

WALL SIGN. A sign attached to and parallel with the side of a building.
(2002 Code, § 18-346) (Ord. 2001-4, passed 6-12-2001)

§ 154.07 GENERAL SIGN AND STREET GRAPHICS REGULATIONS.

(A) *Compliance.* Each sign or part of a sign erected within the zoning jurisdiction of the city must comply with the provisions of this section and of other relevant provisions of this chapter. Any sign

erected greater than 50 square feet, other than window or wall, shall be required to obtain a building permit before the sign is erected.

(B) *Resolution of conflicting regulations.* This section is not meant to repeal or interfere with enforcement of sections of the code. In cases of conflicts between the code, this section or state or federal regulations, the more restrictive regulations shall apply.

(C) *Prohibited signs.* The following signs are prohibited in all zoning districts:

- (1) Signs painted on or attached to rocks, trees or other natural objects;
- (2) Signs or sign structures which resemble or conflict with traffic-control signs or devices, which mislead or confuse persons traveling on public streets, or which create a traffic hazard;
- (3) Signs on public property, including permanent, temporary and exempt signs, unless specifically authorized by the appropriate public agency;
- (4) Signs, which create a safety hazard by obstructing the clear view of pedestrians or vehicles, or which obscure official signs or signals;
- (5) Abandoned/discontinued signs. Any sign must be removed within 12 months of date of abandonment by property owner(s);
- (6) Signs advertising activities that are illegal under federal, state or local laws and regulations;
- (7) Signs that are not clean or in substantial good repair, or are not affixed to a sound structure;
- (8) Signs which move or have animated or moving parts that are visible from the traveled highways of present and designated future alignments of State Highway 35 and State Highway 15;
- (9) Signs in officially designated scenic areas or parkland visible from the traveled way; and
- (10) Signs with wiring not in accordance with the National Electrical Code adopted and incorporated by reference in this code.

(D) *Permitted signs.* The following signs are permitted in any zoning district:

- (1) Real estate signs not exceeding six square feet. Real estate signs include signs advertising a property for sale or for rent; or displaying the name of the managing agency of a rental property;
- (2) Official signs authorized by a government or governmental subdivision that give traffic, directional or warning information;
- (3) Seasonal decorations for display on private or public property;

(4) On-premises construction signs;

(5) Works of graphic art painted or applied to building walls that contain no advertising or business identification messages;

(6) Residential signs under six square feet in size;

(7) Street numbers;

(8) On-premises signs that advertise the sale of goods or services, provided in accordance with §§ 154.08 and 154.09 of this chapter, and in conformance with the State Department of Roads' rules and regulations (§ 154.08 of this chapter);

(9) Off-site signs in accordance with § 154.08 of this chapter, and size and height limitations specified in § 154.09 of this chapter outside of the city limits; and

(10) Incidental signs shall be no greater than two when attached to a primary sign structure subject to § 154.06 of this chapter.

(E) *Temporary and civic signs.*

(1) Temporary or portable signs for grand openings, sales, and special events are permitted in commercial and industrial zoning districts, subject to the following requirements:

(a) Such signs are subject to the building permit procedures set forth in this section;

(b) No more than one such sign is permitted at any single premises; and

(c) Temporary signs may be present at any single premises for a maximum of 14 consecutive days and a maximum of 30 days per year.

(2) Temporary signs for non-profit civic campaigns or events, political campaigns or other non-commercial events are permitted in any zoning district and are exempt from other provisions of this chapter, subject to the following requirements:

(a) Such signs are subject to the building permit procedures set forth in this section;

(b) Such signs are installed no earlier than 30 days before the date of the event or election and removed no later than seven days after the date of the event or election; and

(c) Such signs shall be not more than ten square feet when located in residential districts and no more than 80 square feet in other zoning districts.

(3) Temporary signs for garage sales are only permitted on private property in any zoning district, subject to the following requirements:

(a) Such sign shall not be posted more than 48 hours before the sale and must be removed within 24 hours following the closing of the sale; and

(b) The duration of the sale shall be no longer than 72 consecutive hours from the start of the sale to the closing of the sale.

(2002 Code, § 18-347) (Ord. 2001-4, passed 6-12-2001)

§ 154.08 BASIC DESIGN ELEMENTS FOR ON-SITE AND OFF-SITE PREMISES SIGNS.

(A) *On- and off-site signs of interstate or federal-aid primary highways.* The erection or maintenance of any advertising sign, display or device which is visible to the traveled way of the National System of Interstate and Defense Highways, and the system of federal-aid primary roads of the state as defined by the State Department of Roads, is hereby prohibited unless in compliance with the regulations set forth within rules and regulations relating to the control of advertising in areas adjacent to the interstate and federal-aid primary highways; as amended, adopted and published by the State Department of Roads and made a part of these zoning regulations by reference.

(B) *Wall signs and graphics.* Wall signs and graphics are subject to the following general regulations.

(1) A wall sign must be parallel to the wall to which it is attached.

(2) A wall sign may not extend beyond the corner of the wall to which it is attached, except where attached to another wall sign, it may extend to provide for the attachment.

(3) A wall sign may not extend beyond its buildings roofline.

(4) For the purpose of calculating permitted sign areas pursuant to this chapter, signs painted on the walls of buildings shall be considered wall signs.

(2002 Code, § 18-348) (Ord. 2001-4, passed 6-12-2001) Penalty, see § 10.99

§ 154.09 OTHER DESIGN ELEMENTS.

(A) *Illuminations.*

(1) Lighting, when installed, must be positioned in such a manner that light is not directed onto an adjoining property or onto a public street or highway.

(2) Lighted signs in direct vision of a traffic signal shall not be illuminated in red, green or amber.

(B) *Marquees and marquee signs.* Signs placed on, attached to or constructed on a marquee are subject to the maximum projection and clearance regulations of projecting signs.

(C) *Banners.*

- (1) A banner sign projecting from a building may not exceed the wall height of the building.
- (2) Maximum projection for any banner is five feet.
- (3) Each banner sign must maintain at least the following vertical clearances:
 - (a) Eight feet, six inches over sidewalks;
 - (b) Ten feet for signs located outside of driveways or parking areas, but within three feet of such areas; or within 50 feet of the right-of-way lines formed by the intersection of two or more streets;
 - (c) Fourteen feet over parking lots; and
 - (d) Sixteen feet, six inches over alleys or driveways.
- (4) Maximum size of a banner is 120 square feet.
- (5) A banner must be removed within three days after event ends.

(D) *Clocks.* For the purpose of this chapter, clocks are not considered a moving sign.

(E) *Sign area, height and location of on-site signs.*

- (1) 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.
- (2) The area of double-faced signs is calculated on the largest single face only.
- (3) Each primary sign shall have a maximum surface area of 150 square feet.
- (4) The highest point of any sign on or along a federal-aid primary road of the state as defined by the State Department of Roads, shall not extend more than 40 feet measured from ground level at its supports.
- (5) Each sign shall not be closer than 50 feet of a street intersection at grade, or within the sight triangle. (Refer to § 152.130 of this chapter.)

(F) *Height.* 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, and shall not extend more than 40 feet to the highest point. This height shall only be allowed when sign is along or adjacent to a federal-aid primary highway of the state.

(G) *Setback.* The setback of a sign is measured from any property line to a line projected onto the ground of any component of the sign nearest such property line. All setbacks shall comply with standards established by the Federal Highway Administration and the State Department of Roads, along interstate or federal-aid primary highways, or established setbacks as outlined in zone erected.

(H) *Permit expiration.* If a sign is not constructed in accordance with an approved building permit within six months of the date of approval, such building permit shall lapse.
(2002 Code, § 18-349) (Ord. 2001-4, passed 6-12-2001)

§ 154.10 REPAIR OR MODIFICATION OF NON-CONFORMING SIGNS.

(A) *Non-conforming signs; modifications.* All permanent signs in place and in existence on the effective date of this section shall be considered as legal non-conforming signs. The copy area of such signs may be changed or the copy thereon replaced; provided, however, the sign area shall not be enlarged beyond the sign area of said sign on the effective date of this section.

(B) *Replacement of damaged non-conforming signs.* Any non-conforming sign which presently is or becomes structurally damaged or deteriorated, or is altered by more than 50% of its original size, shall be either removed or altered so as to comply with this section.

(C) *Freestanding sign.* No more than one freestanding sign allowed on the premises.
(2002 Code, § 18-350) (Ord. 2001-4, passed 6-12-2001) Penalty, see § 10.99

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Gering

2. The highest point of any free standing or pole sign provided for in this Section shall not extend more than thirty (30) feet, measured from ground level at its supports; except that the highest point of any on-site sign in the area bounded by the Highway 71 By-Pass and the west boundary of the zoning jurisdiction of the City of Gering, Nebraska between Highway 92 (M Street) on the South and Country Club Road on the North shall not extend more than fifteen (15) feet, measured from ground level at its supports.
3. All free standing and pole signs shall be located in an area from the street right-of-way to a point fifteen (15) feet beyond the right-of-way.
4. One Home Occupation sign not exceeding two (2) square feet in area, which is non-illuminated, non-animated and mounted flat against the wall of the principal building associated with an active home occupation is allowed.

* **5.9.3 OFF-SITE SIGNS.** Off-site signs not on Interstate or Federal Aid-Primary highways, erected in those districts where permitted, shall conform to the following requirements:

1. Each sign shall have a maximum surface area of eighty (80) square feet;
2. The highest point of any sign shall not extend more than twenty (20) feet measured from ground level at its supports;
3. Each sign shall be no less than one hundred (100) feet from any other sign erected on the same side of a street;
4. Each sign shall not be closer than fifty (50) feet from a street intersection at grade;
5. Each sign shall be located in an area from the street or road right-of-way to a point fifteen (15) feet beyond the right-of-way.
6. Each sign permitted under the Nebraska Department of Roads Rules and Regulations of Specific Information Business (Logo) Signs may be erected and maintained within the City right-of-way. The rules and regulations were set forth to adopt requirements of Nebraska Revised Statutes 39-634.01 and 39-634.02 and the federal requirements regulating specific information and business (logo) signs.

5.9.4 CENTRAL BUSINESS DISTRICT. All signs proposed for the C-2 Central Business District shall comply with the following regulations. A detailed design sketch of the proposed sign, including information indicating the proposed material, color, lighting, size and placement of such sign, shall be submitted to the Zoning Administrator. The Zoning Administrator shall either approve or disapprove said application within five (5) business days of its original submission. Not until such approval is received shall a building permit for such sign be issued. Once such permit is issued, such sign shall be constructed in accordance with submitted plans as amended and approved by the City. All signs shall comply with the following requirements:

1. All signs excluding free standing and pole signs shall be attached to buildings, wall and projecting signs shall not extend over more than 2/3 of the sidewalk adjacent to the building.
2. The gross area of all signs for a single property shall not exceed three (3) square feet for each lineal front street foot or 300 square feet, whichever number is smaller. Such signs shall not exceed the top of the building, except signs on single story buildings may exceed the height of the top of the building but not exceed twenty (20) feet in height from mean curb level.
3. Minor signs may be printed on an awning or canopy or may be located beneath an awning or canopy if such sign is at least seven (7) feet above the ground level and does not exceed an area of six (6) square feet per side.
4. No moving or flashing signs are permitted. Except for electronic animated message signs under the following conditions:
 - a. The message area of the panel must be oriented toward a local thoroughfare street or highway and shall not be readily visible from any existing residence within a 300-foot radius of the sign.
 - b. The mode of operation for the panel display shall be limited to the fade in/fade out mode where a message appears on the sign, is dissolved or turned off, and another message takes its place, not to

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exceed a change of message or animated image more than six per minute. The display area of the panel shall not be operated to attract the attention of viewers through flashing displays.

- c. The proposed message panel will not degrade traffic safety given its size, height, color, brightness, mode of operation and its relationship to surrounding traffic patterns, speeds and roadway geometrics.
 - d. The proposed message panel shall be designed as an integral part of a larger sign package for the principal land use of the parcel.
 - e. No portion of the animation or electronic message panel shall exceed the height limit for the sign in the subject district, or 20 feet in height above the average elevation of the surrounding grade, whichever is less.
 - f. Animated signs permitted by the provisions of this section shall comply with all other sign requirements.
5. Murals are permitted if provisions are made for their maintenance and if they comply with the sign size requirements of this section.
 6. Free standing and pole signs are not to extend over $\frac{2}{3}$ of the public right-of-way adjacent to property line. (This is interpreted as $\frac{2}{3}$ of the public right-of-way left after deducting the street to the curb line.)
 7. Temporary signs placed within windows to advertise a particular product or sale for a period not to exceed three (3) months and which do not flash or move shall be exempt from all of these regulations.
 8. No trailer mounted or portable signs are allowed.

5.9.5 EXEMPT SIGNS. The following types or categories of signs are exempt from the permit provisions of these regulations but shall comply with the general rules pertaining to traffic hazards, intersection vision, right of way placement or other provisions which may pertain to the public welfare and safety.

5.9.5.1 PERMANENT SIGNS EXEMPT

1. Address signs (as required).
2. Directional or instructional signs, located on-site, which provide internal direction or instruction to guide persons.
3. Flags. That are:
 - a. Not exceeding 40 square feet in area;
 - b. On a maximum pole height of thirty-five (35) feet, or not more than ten (10) feet above the roofline of the primary building, whichever is less;
 - c. Not located in such a way as to intentionally attract the attention of the public for commercial purposes; and
 - d. Flown on poles with a maximum of three (3) poles per property, no more than one (1) of which may be a corporate or business flag. Corporate or business flag measurements shall be included within the maximum sign area total.
4. Governmental signs for control of traffic, wayfinding and other regulatory purposes and signs of public service companies indicating danger and aids to service or safety.
5. Public notice signs required by governmental bodies authorized for a specific public purpose by any law or ordinance and posted by public officers or employees in their line of duty.

5.9.5.2 TEMPORARY SIGNS EXEMPT

1. Construction project signs. One (1) sign not more than eighty (80) square feet in area and fifteen (15) in height advertising a site under construction in a commercial or industrial zone may be located on said site until construction is completed, whichever is sooner.
2. Holiday decorations or signs temporarily displayed on traditionally accepted civic, patriotic or religious holidays, providing such sign shall be removed within a reasonable time after the holiday, but not exceeding thirty (30) days.

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3. Political signs announcing political candidates seeking public office, political parties, and or political issues contained on a ballot for an election may be located only on private property, not sooner than eight (8) weeks prior to a primary or general election, and shall be removed no more than five (5) days following the election.
4. Real estate signs advertising the sale, lease or rent of the premises upon which the sign is posted. The area of such signs shall be limited to sixteen (16) square feet per sign face with a maximum of two (2) sign faces. Only one (1) sign per lot frontage shall be permitted. Temporary real estate signs may be in place until the property sale is finalized. One (1) sign not more than eighty (80) square feet in area and fifteen (15) in height announcing the sale of lots and/or houses in a subdivision may be located on said development. Said sign shall be removed when seventy-five (75) percent of the lots have been sold, whichever is sooner.
5. Special event signs promoting an event or occurrence which is expected to end within a relatively short amount of time, shall be allowed in the commercial and industrial zones provided that said signs are placed no sooner than two (2) weeks prior to the event or occurrence and are removed no more than five (5) days following the event or occurrence. Said signs shall follow the same area, height, and setback requirements for off-site signs as set forth in Section 5.9.3.

5.9.6 PROHIBITED SIGNS. It shall be a violation of these regulations to erect, install, place or maintain the following signs and attraction getting devices:

1. Architectural light banding/wrapping (visibly exposed light source).
2. Attention-attracting devices:
 - a. Using lights or illuminations (including spotlights and searchlights) that flash, move, rotate, scintillate, blink, flicker or vary in intensity or color;
 - b. That are of such intensity or brilliance as to cause glare or impair the vision of motorists, cyclists or pedestrians;
 - c. That have animated parts intended to attract the attention of the public;
 - d. That are inflatable or emit sound or smoke.
3. Banners / Pennant / Streamers, except as a temporary sign associated with a temporary event or activity and used only during the event or activity.
4. Changeable copy signs without locked vandal proof covers.
5. Illuminated / Animated signs using methods such as flashing, blinking, oscillating, rotating, or intermittent turning on-and-off of any illuminating device (except as noted in Section 5.9.4).
6. Portable signs designed to be temporarily placed upon the ground or a structure, and not otherwise affixed to it, having the capability of being readily moved from one location to another including:
 - a. Signs mounted on a trailer, with or without wheels.
 - b. A-frame or sandwich board signs (except such signs may be allowed in the C-1 or C-2 zoning districts).
 - c. Umbrellas used for advertising.
 - d. Inflatable signs.
 - e. Vehicle. Any such sign shall be in violation of this article if the vehicle is parked in the same location, easily viewable from a public right-of-way for more than three (3) consecutive days or the sign is otherwise determined by the city to be a blatant attempt to circumvent this article. Such determinations shall be based upon considerations including, but not limited to size, location, persistence, and attention-attracting methods.
7. Roof signs.
8. Signs posing traffic or pedestrian hazards.
9. Snipe signs - signs attached to any public utility pole or structure, street tree, fence, fire hydrant, bridge, curb, sidewalk, park bench or other location on public property except those placed by agencies of the federal, state or local government.
10. Wall mounted signs (extending beyond the top any wall or façade except as noted in Section 5.9.4).

ARTICLE 5. SUPPLEMENTARY REGULATIONS

11. Window displays/signs (exterior).

12. Other signs:

- a. Not specifically exempt or permitted. Any signs or advertising structures which are not specifically exempt or permitted in these sign regulations.
- b. Signs without valid permits. It shall be unlawful to construct or maintain a sign or sign structure without a valid permit unless otherwise exempted under section 14.04.007.
- c. Noncompliance. Any other sign that does not comply with the terms, conditions or provisions of these sign regulations.
- d. Obstruction of egress, openings, ventilation. A sign shall not be erected, constructed, or maintained so as to obstruct any fire escape, window, door or other opening or path of ingress and/or egress, or so as to prevent free passage from one part thereof. A sign shall not be attached in any form, shape, or manner to a fire escape, nor be so placed as to interfere with an opening which is required for legal ventilation.

5.9.7 DEVELOPMENT IDENTIFICATION SIGNS. Certain types of development involve multiple property owners or tenants. Such developments typically desire a location name / identification sign which may or may not incorporate the names of entities located in the development. Applications for a development identification sign (i.e. subdivision entry sign, office / business / industrial park entry sign, shopping center entry sign) shall be subject to the review of the Planning Commission and approval of the City Council. Said application shall include a site plan, construction drawings, landscape plan, and a maintenance plan and any other information deemed necessary by the Planning Commission or City Council.

5.10 SOLAR ENERGY SYSTEMS

It is the purpose of this regulations to promote the safe, effective and efficient use of solar energy. No solar panel shall be constructed within zoning jurisdiction unless a permit is approved and issued by the Zoning Administrator and such panel is constructed in conformance with applicable building codes and the following requirements. For those devices that include electrical, plumbing and heating components, the applicable permits shall also be obtained.

5.10.1 SOLAR ENERGY SYSTEMS LESS THAN 25 KW. Solar energy systems less than 25 kW shall be permitted as an Accessory Use within any district where the use is listed and allowed. Certain requirements as set forth below shall be met:

1. A description of the project including: Generating capacity, agreement and means of interconnecting with the electrical grid unless not connected to electrical grid.
2. Site layout, including the location of property lines, solar panels, electrical grid, and all related accessory structures. This site layout shall include distances and be drawn to scale.
3. Solar panels shall conform to the required front, side and rear lot setback requirements except as provided herein:
 - a. A solar panel which is attached to an integral part of the principal building may project two feet into the front yard: six feet into the rear yard; and two feet into the side yard.
 - b. A solar panel which is freestanding shall be located only in the required rear or side yard provided it does not exceed 12 feet in height and not closer than five foot to any existing easement as measured from the closest point of the structure including its foundation and anchorage's nor shall the solar panel be located in the required front yard.
 - c. The physical structure and connections to existing structures shall conform to the applicable state building and electrical codes.
 - d. Comply with any and/or all State and Federal regulations if applicable.

CITY MANAGER'S REPORT
JUNE 8, 2026 MCCOOK PLANNING COMMISSION MEETING

2.A.

ITEM: ___ Review and discuss the proposed Article 24 of the zoning update, specifically Signs in Article 24, Supplemental Regulations.

BACKGROUND:

Staff is prepared to review and discuss proposed Article 24, Signs.

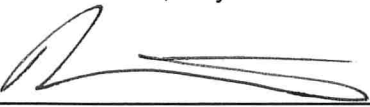
The proposed sign ordinance is attached to this report. After review, staff agrees the proposed sign ordinance feels bulky. This realization caused staff to review other communities' sign ordinances. We are adding the other communities' sign ordinances to this report.

APPROVALS:



Lea Ann Doak, City Clerk

June 2, 2026



Nathan A. Schneider, City Manager

June 2, 2026



Tera Koetter, Assistant City Manager

June 2, 2026



Barry Mooney, Building Inspector

June 2, 2026

ARTICLE 22

SIGN REGULATIONS

Article 22 - Sign Regulations.

Section 2201. Purpose.

The regulation of signs within the City of McCook and its extraterritorial jurisdiction (ETJ) is necessary and in the public interest, and these regulations have been prepared with the intent of enhancing the visual environment of the City and promoting its continued well-being, and are intended more specifically to:

- A. Accommodate the rights of individuals to freedom of speech, promote equity among businesses and other typical sign users, and enable the fair and consistent enforcement of sign standards;
- B. Recognize the legitimate signage needs of businesses and other interests to communicate messages, provide identification, and enable wayfinding throughout the City for tourists and residents;
- C. Ensure that signage contributes to the maintenance of an aesthetically pleasing visual environment by exercising reasonable regulations over type, size, number, appearance, and location;
- D. Protect property values by minimizing the possible adverse effects of signs on nearby public and private property;
- E. Promote public safety and general welfare by ensuring that signs are properly constructed and maintained to protect the general public from property damage and personal injury.

Section 2202. Definitions.

Abandoned Sign: 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.

Advertising Sign: A sign which directs attention to a business, commodity, service or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located, or to which it is affixed (off-premise sign).

Animated Sign: A sign depicting action, motion, light, or color changes through electrical or mechanical means. Although technologically similar to flashing signs, the animated sign emphasizes graphics and artistic display.

Attached Sign: A sign which is structurally connected to a building or depends upon that building for support.

Awning, Canopy and Marquee Sign: A sign that is mounted or painted on, or attached to, an awning, canopy or marquee that is otherwise permitted by this article. No such sign shall project above, below, or beyond the physical dimensions of the awning, canopy or marquee, and a minimum of eight (8) feet of clearance shall be provided above grade.

Banner Sign: An on-site sign on which advertising copy, logos, symbols or emblems may be printed, painted or attached, and which advertises goods or services sold, produced or conducted on the premises, or a special event and which is constructed of fabric or any non-rigid material with no fully enclosed framework; and designed to be attached securely at each end or corner of the banner to a wall, canopy, or fence.

Billboard Sign: An outdoor sign that advertises goods, products, or services that are not sold or offered on the property where the sign is located, and is either single faced or double face.

Blade Sign: A portable, stand-alone sign comprised of light fabric that moves with the wind and is supported by a pole structure and a base.

Building Marker: A historic or commemorative plaque, or a building name or cornerstone carved into a masonry surface.

Bulletin Board Sign: A sign that indicates the name of an institution or organization on whose premises it is located, and which contains the name of the institution or organization, the name or names of persons connected with it, and announcements of persons, events or activities appearing or occurring at the institution. Such signs may also present a greeting or similar message.

Business Sign: A sign that directs attention to a business or profession conducted, or to a commodity or service sold, offered or manufactured, or an entertainment offered, on the premises where the sign is located or to which it is affixed.

Changeable-Copy Sign: A sign or portion thereof on which the copy or symbols change either automatically through electrical or electronic means (for example, time and temperature units), or manually through placement of letters or symbols on a panel mounted in or on a track system.

Channel Letter: A fabricated or formed three (3)-dimensional letter that may accommodate a light source.

Commercial Sign: A sign which serves to advertise and/or identify a product, service, or activity conducted on or off the premises on which the sign is located.

Complying Sign: A sign that is legally installed in accordance with federal, state, and local permit requirements and laws.

Cone of Vision: The area that is clearly visible to a driver, generally described as a "fan-shaped envelope" preceding the driver which allows the driver to safely see and observe moving objects and persons in front of and to the immediate left and right of the driver.

Conspicuity: The capacity of a sign to stand out or be distinguishable from its surroundings and thus be readily discovered by the eye. It is the noticeable contrast between a sign and its background, with the display having features that attract attention to the sign.

Construction Sign: A temporary sign indicating the names of architects, engineers, landscape architects, contractors, and similar artisans involved in the design and construction of a structure or project only during the construction period and only on the premises on which the construction is taking place.

Contrast: The difference or degree of difference in the appearance of adjacent surfaces, such as light and dark areas, different colors, or typefaces, and graphics appearing on various backgrounds.

Copy: The words and/or message displayed on a sign.

Copy Area: That area which displays the actual copy on a sign.

Decorative Sign: A sign or display fabricated of canvas, cloth, fabric, plastic, plywood, or other light, impermanent material and designed or intended to be displayed in connection with an event for a short period of time.

Detached Sign: A sign which is self-supporting and structurally independent from any building.

Development Sign: A temporary construction sign denoting the architect, engineer, contractor, subcontractor, financier or sponsor of a residential or commercial development which may also designate the future occupant or use of the development.

Directional Sign: A sign designed to provide direction to pedestrian and vehicular traffic.

Directory Sign: A sign showing the locations of tenants in a multi-tenant commercial, office, or employment complex, or tenants in a multi-family residential project.

Dissolve/Appear: A mode of message transition on an Electronic Message Center accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.

Double-Faced Sign: A sign consisting of no more than two (2) 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.

Electric Sign: A sign containing electrical wiring which is attached or intended to be attached to an electrical energy source, but not including signs illuminated by an exterior light source not an integral part of the sign.

Electronic Message Centers (EMCs): A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

Event Sign: A temporary sign, other than a commercial sign, posted to advertise an event sponsored by a public agency, school, church or religious institution, civic/fraternal or other organization.

Facade: The portion of any exterior elevation of a building extending vertically from the grade to the top parapet wall or eaves and horizontally across the building in one plane of elevation. A façade may extend above the roof line.

Fade/Appear: A mode of message transition on an Electronic Message Center accomplished by varying the light intensity where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

Fascia Sign: A building mounted sign.

Flag Sign: Signs which are emblazoned on a flag and are intended to be displayed in a free-flowing manner.

Flashing Sign: A sign which contains an intermittent or flashing, pulsating, blinking or traveling light source which includes signs that give the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source.

Freestanding Sign: A sign supported by structures or supports that are anchored in the ground and that are independent from any building or other structure.

Ground and Monument Sign: Any sign placed upon, or supported by, the ground independently of the principal building or structure on the property.

Height of Sign: The distance between the lowest grade level within two (2) feet of either side of a sign, and the highest part of the sign or its support; except that if the property was lower than the adjacent roadway, then the height of the sign is to be calculated from the street grade at a 90 degree angle from the sign.

Historic Marker: A marker commemorating a recognized historic person or event, or identifying a historic place, structure, or object.

Identification Sign: A sign having the name and address of a building, business, development or establishment. Such signs may be wholly or partly devoted to a readily recognized symbol.

Illuminated Sign: A sign with electrical equipment installed for illumination, either internally illuminated through its sign face by a light source contained inside the sign or externally illuminated by reflection of a light source aimed at its surface.

Inflatable Sign: A sign that is an air inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device. Inflatable devices are restrained, attached, or held in place by a cord, rope, cable or similar method.

Internally Illuminated Sign: A sign that has the light source enclosed within it, so the source is not visible.

Legibility: The physical attributes of a sign that allow for differentiation of its letters, words, numbers, or graphics, which directly relate to an observer's visual acuity.

Luminance: An objective measurement of the brightness of illumination including illumination emitted by an electronic sign, measured in candles per square foot (cd/sq. ft).

Marquee Sign: A permanent roofed structure attached to and supported by a building.

Menu Board Sign: An on-site sign designed and used for the display of menu items and pictures and/or prices of menu items.

Mobile Sign: A sign that is not permanently affixed to the ground or a building and is designed or constructed to be easily moved from one (1) location to another, including signs mounted upon or designed to be mounted or affixed to the sides or rear of a trailer or motorized chassis, even if the sign has had its wheels removed.

Moving Sign: A sign designed or made to move freely in the wind or designed or made to move by an electrical or mechanical device.

Multi-Tenant Sign: A freestanding sign used to advertise businesses that occupy a shopping center or complex with multiple tenants.

Mural: An artistic image or design painted or affixed to the exterior surface of a structure that does not contain a commercial text message, graphic, or image.

Mural-Advertising: See Painted Wall Sign.

Nameplate Sign: A sign giving the name and/or address of the owner or occupant of a building or premises on which it is located, and where applicable, a professional status.

Non-conforming Sign: A sign that was legally erected and maintained but does not currently comply with sign restrictions because such restrictions were enacted after the sign was originally permitted and installed.

Numeric Display Sign: 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-Premise Sign: An outdoor sign, whose message directs attention to a specific business, product, service, entertainment event or activity, or other commercial or noncommercial activity, or non-commercial message about something that is not sold, produced, manufactured, furnished, or conducted at the property upon which the sign is located. Also known as a third-party sign, billboard, or outdoor advertising.

On-Premise Sign: A sign whose message and design relates to an individual business, profession, product, service, event, point of view, or other commercial or non-commercial activity sold, offered, or conducted on the same property where the sign is located.

Organization: An entity, including a natural person, which owns or operates the premises where an on-premise sign is displayed.

Painted Wall Sign: A sign painted directly onto the exterior wall of a building containing a logo, business name, or advertisement. May also be referred to as a Mural-Advertising.

Pennant: A triangular or irregular piece of fabric or other material, commonly attached in strings or strands, or supported on small poles intended to flap in the wind.

Permanent Sign: A sign attached to a building or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and whose intended use appears to be indefinite.

Pole Sign: A sign that is mounted on a freestanding pole, the bottom edge of which sign is eight (8) feet or more above ground level.

Political Campaign Sign: A sign which does not advertise products, goods, businesses or services and which either endorses by name a specific registered candidate for elective office or expresses a position in relation to a ballot question.

Portable Sign: See also Mobile Sign.

Poster: A temporary sign, not exceeding four (4) square feet in area and three (3) feet in height, mounted on stakes or spikes intended to be stuck into the ground and used as a detached temporary sign.

Primary Copy: The words or message on a sign meant to be read by passersby travelling at the posted speed limit.

Projecting Sign: A building mounted sign with the faces of the sign projecting twelve (12) inches or more from and generally perpendicular to the building fascia.

Projection: The distance by which a sign extends beyond a building or structure.

Public Sign: A sign necessary or convenient for the direction, information or safety of the public.

Pylon Sign: A freestanding sign, other than a pole sign, permanently fixed to the ground by shafts, posts or other supports wrapped with an aesthetic veneer, but not having the appearance of a solid base.

Readability: That which enables the observer to correctly perceive the information content of letters, numbers or symbols grouped together in words, sentences, or other meaningful relationships on the sign. Readability is the character of a sign which leads to the observer's comprehension of its intended message and depends on legibility and other considerations of contents and time restraints.

Real Estate Sign: A temporary sign advertising the real property upon which the sign is located for rent, for lease, or for sale and providing the name and location of the owner or his/her agent.

Roof Sign: A sign erected, constructed and maintained wholly upon or projecting above any portion of the roof of a building and having the roof as the principal means of support, and which does not project more than twelve (12) inches beyond the face of the building. A mansard shall be considered part of the wall of the building.

Rotating Sign: Sign faces or portions of a sign face which mechanically revolves around a central axis as opposed to revolving around an imaginary axis created by a pattern of alternating lights which convey an appearance of rotation.

Scroll: A mode of message transition on an Electronic Message Center where the message appears to move vertically across the display surface.

Secondary Copy: The words or messages on a sign which are meant to be read by automobiles that are idling or parked along a road way.

Sidewalk Sign: A portable, stand-alone sign comprised of panel(s) or face(s) that act as a frame or stand on a base.

Sign: Any device, structure, fixture, painting, or visual image using words, graphics, symbols, numbers, or letters designed and uses for communicating a message or attracting attention.

Signage: A community's inventory of signs used to communicate information or attract attention, including signature building, product displays, and dispensers, as well as traditional projecting, wall, roof, and freestanding signs. (See signature building.)

Signature Building: A building architecturally designed and/or painted or decorated to reinforce individual recognition of a traditional sign's message, the identity of its speaker or sponsor of a display; it also reinforces major media advertising programs.

Snipe Sign: A temporary or permanent sign tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, or other objects.

Temporary Sign: Any sign designed or fabricated of materials that advertise or communicate messages that change frequently or that become outdated; are made of materials of relatively low durability; are intended to be removed or replaced within **a period of six (6) months or less;** or are portable.

Transition: A visual effect used on an Electronic Message Center to allow one (1) message to disappear while it is simultaneously being replaced by another.

Visibility: The physical attributes of a sign and its contents that allow for detection at a given distance, although legibility may be uncertain.

Wall Sign: A building-mounted sign which is either attached to, displayed, or painted on an exterior wall in a manner parallel with the wall surface, and not projecting more than twelve (12) inches from such surface (See fascia sign).

Window Sign: A sign that is painted on, attached to, or suspended directly behind or in front of a window or the glass portion of a door.

Section 2203. In General.

On and Off-Site Signs (such as Billboards or directional signs) on Federal Aid Primary Highways.

The erection or maintenance of any advertising sign, display or device beyond the Corporate Limits but within the Extraterritorial Jurisdiction of the City of McCook, which is visible to the traveled way of the National System of Interstate and Defense Highways, and the system of federal-aid primary roads of the State of Nebraska as defined by the Nebraska Department of Transportation, is hereby prohibited unless in compliance with the regulations set forth in Rules and Regulations Relating to the Control of Advertising in areas adjacent to Federal Aid Primary Highways, as amended, adopted and published by the Nebraska Department of Transportation. Primary Highways within the zoning jurisdiction of the City of McCook are Highways 6/34 and 83, subject to the following limitations and exceptions:

1. A sign permit must be obtained from the Building Inspector prior to any sign being painted, constructed, erected, remodeled, relocated or expanded.
2. It shall be unlawful for any person or persons to fasten, paste, place, post, paint, or attach in any way any sign, handbill, poster, advertisement, or notice of any kind or sort, whether political or otherwise, or to cause the same to be done, in or upon any curbstone, lamp post, telephone, telegraph, or electric light pole, tree, or bridge. It shall be unlawful to paste, place, paint, or attach any sign on any building, street, or property of the City; provided, however, that any property owner or the occupant of any property abutting on any public

street in the City may paint or stamp the address of such property upon the curbing directly in front of the building or to have same painted thereon, subject to approval by the Building Inspector.

Section 2204. Prohibited and Exempt Signs.

A. The following signs shall be prohibited pursuant to the terms of these Sign Regulations:

1. Abandoned or Obsolete signs.
2. Balloon Signs.
3. Blinking Signs.
4. Flashing signs.
5. Moving signs.
6. Off-premise advertising signs except for:
 - a. multi-tenant signs in the I-1 and I-2 districts or
 - b. multi-tenant signs specifically advertising businesses west of the intersection of US Hwy. 83 and west Q street and only with said sign to be located on the west side of US Hwy. 83, conspicuous from US Hwy. 83 and west Q street.
7. Off-premise signs located on public property which is being used for public purposes.
8. Roof signs.
9. Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying that sign.
10. Signs which create a safety hazard by obstructing the clear view of pedestrians or vehicles, or which obscure official signs or signals.
11. Snipe signs or signs attached to trees, telephone poles, streetlights, or placed on any public property or public right-of-way.

B. The following signs shall be exempt from the provisions of these Sign Regulations and construction will be permitted without a permit:

1. Address numerals and other signs required to be maintained by law or governmental order, rule or regulation, provided that the content and size of the signs does not exceed the requirements of such law, order, rule or regulation.
2. Community banners or light pole signs.
3. Flags of a government or of a political, civic, philanthropic, educational or religious organization displayed on private property.
4. Garage sales on private or public property and For Sale/For Rent signs on private property.

5. Holiday or special events signs.
 6. Integral signs for churches or temples, or names of buildings, date of erection, monumental citations, commemorative tablets and other similar signs when carved into concrete or other building material or made of bronze, aluminum, or other permanent type of construction and made an integral part of the structure to which they are attached.
 7. Memorial signs and tablets displayed on private property.
 8. Noncommercial political signs not exceeding eight (8) square feet in R-1, R-2, R-3 and R-4 districts and twenty-four (24) square feet in C-1, C-2 and C-3 districts and not displayed for more than sixty (60) days.
 9. Public signs or notices.
 10. Scoreboards in athletic stadiums.
 11. Sign face changes of legally conforming signs.
 12. Signs of a duly constituted governmental body, including traffic or similar regulatory devices, legal notices, warnings at railroad crossings, and other instructional or regulatory signs having to do with health, hazards, parking, swimming, dumping, etc.
 13. Small signs, not exceeding five (5) square feet in area, displayed on private property for the convenience of the public, including signs to identify entrance and exit drives, parking areas, one-way drives, restrooms, freight entrances, and the like.
 14. Window signs identifying a business, product or service offered on the premises that is affixed to the interior of the window of a shop or store front and not covering over thirty-three (33%) percent of the total window area on a single wall.
- C. The following types of signs shall be exempt from the provisions of these Sign Regulations:
1. On-site signs advertising the sale or lease of property on which they are located, provided that:
 - (a) Such signs shall not be illuminated;
 - (b) Not more than one (1) such sign shall be permitted to be visible to traffic proceeding in any one (1) direction;
 - (c) Such signs shall not exceed one hundred (100) square feet in area and the copy for the trade name or name of the owner shall be a maximum size of eight (8) inch high letters.
 2. On-site signs advertising only activities conducted on the property on which they are located, providing that:
 - (a) Any number of such signs may be located within an area of one hundred (100) feet from the edge of the commercial or industrial activity on the premises as measured from the main building of the activity;

- (b) No more than one (1) such sign may be erected on the premises more than one hundred (100) feet and less than one hundred fifty (150) feet from the advertised activity, as measured from the main building of the activity, and such sign may not exceed one hundred (100) square feet in area or twenty-five (25) feet in height, as measured from the ground to the top of the sign;
 - (c) One (1) sign advertising products produced on the premises of a farm or ranch may be erected on the premises in such manner as to be visible to traffic proceeding in any one (1) direction. The name of the product may be shown on such sign, but trade names will not be allowed. Such sign may not exceed one hundred (100) square feet in area.
3. Off-site farm-ranch directional signs may be permitted outside the roadway right-of-way, provided that:
- (a) Such signs may not exceed ten (10) square feet in area;
 - (b) No such sign or combination of signs may exceed ten (10) feet in length or height;
 - (c) Such signs will show as a maximum only the name of the farm or ranch, the owner, and the direction and distance thereto.

Section 2205. Sign Standards.

- A. The maximum area for such signs shall comply with the District Regulations which includes border and trim, but excluding ornamental base or apron and other structural members;
- B. None of the provisions of these regulations shall prevent the erection of a double-faced back to back, side-by-side or V-type construction with a maximum of two (2) displays per facing with the maximum area of the District Regulations allowed for each facing and such sign structure shall be considered as one (1) sign;
- C. Such signs facing in the same direction along Federal Aid Primary Highways within the corporate limits of the City of McCook shall be spaced not less than fifty (50) feet apart, and no such sign shall be permitted within twenty (20) feet of the nearest edge of the right-of-way of an intersecting road, street or highway;
- D. Such signs facing the same direction along the Federal Aid Primary Highways outside the corporate limits and within the extraterritorial jurisdiction of the City of McCook shall be spaced not less than two hundred fifty (250) feet apart, and no such sign shall be permitted within one hundred (100) feet of the nearest edge of the right-of-way of an intersecting road, street or highway.
- E. Such signs may be illuminated, provided that:
 - 1. Signs which contain, include, or are illuminated by any flashing, intermittent, moving light or lights are prohibited, except those giving public service information such as time, date, temperature, weather, or that display animation that will not interfere with the drivers operation of a motor vehicle;
 - 2. Signs which are not effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled ways of the Federal Aid Primary Highway or which

are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle are prohibited;

3. No sign shall be so illuminated that it interferes with the effectiveness of, or obscures an official traffic sign, device or signal;
 4. All such lighting shall be subject to any other provisions relating to lighting of signs presently applicable to all highways under the jurisdiction of the state and local governmental agencies.
- F. The gross surface area of a sign shall be the sum of all surface areas of all sign faces, except that for signs designed as double-faced signs, with both faces parallel and the distance between the faces does not exceed two (2) feet, then only one (1) face of the sign shall be considered in determining the gross surface area. When two (2) or more signs are located on a zoning lot, the gross surface area of all signs on the lot shall not exceed the maximum allowable for the district regulations. For computing the area of any wall sign which consists of letters, numbers and symbols mounted or painted on a wall, the area shall be deemed to be the area of the smallest rectangular figure which can encompass all the letters, numbers or symbols.
- G. Sign height shall be measured from ground level at the base of or below the sign to the top element of the sign.
- H. All signs must conform to the regulations and design standards of the current adopted building code of the City of McCook.
- I. Illuminated signs shall be shaded wherever necessary to avoid direct casting of light upon property located in any residential district or upon any public street or park. Any illuminated sign located on a lot adjacent to or across the street from any residential district, which sign is visible from such residential district shall be illuminated only during business hours or between the hours of 7:00 a.m. and 10:00 p.m.
- J. Signs with flashing, pulsating or moving lights or lights which create the illusion of movement shall not be permitted in all districts except as outlined in subsection (E) above. A sign whereon the current time and/or temperature is indicated by intermittent lighting is permitted in all districts except residential districts. Electronic Message Centers (EMC's) signs are permitted in all districts except residential. Signs with moving parts, revolving beacons, strobe lights or signs which emit an audible sound shall not be permitted in any district.
- K. In the C-1, C-2, C-3, C-4, I-1 and I-2 zoned districts, flashing, moving, or animated signs shall be permitted only upon the proof of compliance with these regulations, providing it is first determined that the location and colors will in no way create a traffic hazard or confusion with traffic lights and with lights on emergency vehicles and that direct rays of the sign will not be directed into any residential district.
- L. No sign shall block any required access way or window.
- M. No sign shall be attached to a tree or utility pole whether on public or private property.

- N. On corner and through lots, each lot line that abuts a street or highway shall be considered a separate street frontage.
- O. No metal sign shall be located within eight (8) feet vertically and four (4) feet horizontally of electric wires or conductors in free air, whether such wires or conductors are insulated or otherwise protected.
- P. No sign shall be maintained at any location where by reason of its position, size, shape or color it may obstruct, impair, obscure, interfere with the view of, or be confused with any traffic control sign, signal or device, or where it may interfere with, mislead or confuse traffic.
- Q. No sign shall be in any vision triangle formed by the intersection of any two (2) intersecting streets, except signs mounted ten (10) feet or more above the ground whose supports do not constitute an obstruction.
- R. No sign shall be erected or maintained on any corner lot within twenty (20) feet of the property line corner which may interfere with traffic visibility across the corner; nor shall any sign be permitted within twenty (20) feet of any railroad crossing.
- S. No sign shall be permitted to be located on public property in any district except informational or identifying signs constructed by a political subdivision or authorized agent.
- T. All signs which are more than four (4) feet above grade shall be securely fastened to prevent movement.
- U. Any time a sign is removed from its structural support, except for the purposes of maintenance, repair, replacement, repainting or cleaning, or due to an act of God, the structural support shall be removed within one hundred eighty (180) days, provided further, that if a sign removed for the purposes of maintenance, repair, replacement, repainting or cleaning, or due to an act of God, if not reinstalled within one (1) year of the removal, then the structural support shall be removed within one hundred eighty (180) days.

Section 2206. Classification and Design Elements of Signs.

Permanent signs include but are not limited to the following types of signs: wall signs, roof signs, projecting signs, ground and pole signs, multi-tenant signs, awning signs, electronic message centers, and monument signs. Additionally, temporary signs including political signs, garage sale signs, real estate signs, construction signs, and grand opening signs, are all controlled by the following:

- 1. Number of Signs: Each business is entitled to display two (2) permanent signs.
- 2. Sign classification shall be determined as follows:

A. Awning Signs

- 1. An organization which inhabits a structure with accessible street frontage shall be permitted to erect one (1) awning sign.
- 2. Awnings shall not extend above the eave or parapet of the building façade and shall be a minimum of eight (8) feet above the sidewalk or grade, whichever is higher. Awnings shall not extend over any area utilized by motor vehicles.

3. Awning signs may be illuminated.
4. The size of the awning shall be determined by applicable zoning regulations.
5. The size of the text on the awning sign shall be based on the requirements set forth in these Sign Regulations.

B. Electronic Message Centers (EMCs)

1. Such displays may include messages that are static, messages that appear or disappear from the display through dissolve, fade, travel or scroll modes, or similar transitions and frame effects that have text, animated graphics or images that appear to move or change in size, or be revealed sequentially rather than all at once.
2. Zoning: All types of electronic message centers shall be permitted in areas designated for commercial and industrial activities.
3. All electronic message centers shall be equipped with automatic dimming capabilities.
4. No more than one (1) electronic message center sign is permitted per property.
5. No electronic message center sign shall be programmed in a way that suggests or resembles a traffic control device, such as a traffic signal.

C. Freestanding Ground (Pole or Pylon) Signs

1. One (1) ground (pole or pylon) sign is permitted for each structure with accessible street frontage. If more than one (1) business is located in the same structure, each business is allowed one (1) ground (pole or pylon) sign.
2. Ground (pole or pylon) signs are permitted in lieu of roof and projecting signs.
3. Ground (pole or pylon) signs may be internally or externally illuminated.
4. Ground (pole or pylon) signs must maintain a vertical clearance of ten (10) feet from the ground.

D. Freestanding Multi-Tenant Signs

1. One (1) multi-tenant commercial sign shall be permitted per business complex.
2. A minimum separation of fifty (50) feet shall be maintained between all other pole signs and multi-tenant commercial signs.
3. Multi-tenant commercial signs shall be located within the business complex for which they advertise and only tenants of that business complex may advertise on the sign. Any business advertising on a multi-tenant commercial sign may have one (1) pole sign on its property located within the associated business complex.
4. The maximum area expressed in square feet for a sign shall be calculated by multiplying the frontage of the sign by two (2).
5. Organizations advertising on a multi-tenant sign may erect a second (2nd) sign on the premises with the exception of a pole sign.

E. Monument Signs

1. Signs located outside the "cone of vision" are only permitted by the application for and grant of a variance.

F. Numeric Display Signs

1. Numeric signs shall be set back a minimum of two (2) feet from any right-of-way line.
2. Numeric signs may be illuminated.

G. Projecting Signs

1. One projecting sign shall be permitted for each structure with accessible street frontage in lieu of a ground or roof sign.
2. Projecting signs may be illuminated. Those projecting over a parkway must be internally illuminated.
3. Projecting signs must have a minimum clearance of ten (10) feet from the bottom of the sign to the grade below.

H. Wall Signs

1. A permit shall be obtained to erect multiple wall signs on each wall facing a street or public right-of-way. The total area of all wall signs on such a wall shall occupy no more than twenty five (25%) percent of the total wall area.
2. A wall sign shall not extend more than twelve (12) inches from the wall to which it is attached.
3. A wall sign must be parallel to the wall to which it is attached.
4. A wall sign may not extend beyond the corner of the wall to which it is attached, except where attached to another wall sign, it may extend to provide for the attachment.
5. A wall sign may not extend beyond its building's roof line.
6. Wall signs may be internally or externally illuminated.



Section 2207. Temporary Signs.

A. *Banner Signs.* Banner Signs, where permitted, are subject to the following regulations.

1. Banner Signs may be an on-premise sign and must comply with all applicable building codes.
2. Banner Signs shall be attached to a street facing, vertical façade. No Banner Sign shall be attached to a roof.
3. Banner Signs which are larger than thirty-two (32) square feet are allowed on a temporary basis of no more than thirty (30) days per occurrence, with a limit of two (2) occurrences per calendar year per premise.

B. *Blade Signs.* Blade Signs, where permitted, are subject to the following regulations.

1. Blade Signs are restricted to on-premise signage, and may be placed within the required depth of landscaping with one (1) Blade Sign allowed per fifty (50) feet of street frontage with a maximum of five (5) per premise. Lots with less than fifty (50) feet of street frontage are allowed one (1) Blade Sign.
2. Any Blade Sign must be anchored into the ground or secured in a portable based design for such function.
3. For safety purposes, any Blade Sign must be setback a minimum of fifteen (15) feet from any overhead utilities and outside of the sight triangle as defined in Article 20, Sec. 2002.
4. No Blade Sign shall be wider than three and one half (3 ½) feet, at the widest point. No Blade Sign shall have a height higher than eighteen (18) feet. The height of a Blade Sign is measured from grade and includes the full length of the supporting pole.

C. *Flag Signs.* Flag Signs, where permitted, are subject to the following regulations.

1. Flag Signs, when fully extended, shall not extend into the public right-of-way.

D. *Handheld Signs.* Handheld Signs, where permitted, are subject to the following supplemental regulations.

1. Handheld Signs are restricted to be on the same premise as the business, service, activity, or event that is being advertised.
2. Any person carrying a Handheld Sign is prohibited from obstructing the sidewalk or standing in the right-of-way.
3. Handheld Signs may only be displayed during the hours of operation for the on-premise business, service, activity, or event.
4. Lighting, bullhorns, amplified sounds, and mannequins are prohibited as display aspects of Handheld Sign.

E. *Inflatable Signs/Air-Activated Graphics.* Inflatable Signs or Air-Activated Graphics, where permitted, are subject to the following regulations.

1. Inflatable Signs and Air-Activated Graphics are restricted to on-premise and must comply with all applicable building codes.
2. For safety purposes, any Inflatable Sign or Air-Activated Graphic must be fastened to the ground or a structure so that it cannot shift more than three (3) feet, horizontally, under any condition.
3. The minimum setback for any Inflatable Sign or Air-Activated Graphic is equal to or greater than the height of the sign, from all property lines and overhead utility lines and shall remain outside of any sight triangle as defined in Article 20, Sec. 2002.
4. Maximum Height: Twenty-five (25) feet.
5. Only one (1) Inflatable Sign or Air-Activated Graphic shall be allowed on a premise at any time.
6. Inflatable Signs and Air-Activated Graphics are allowed on a temporary-basis of no more than ten (10) days per occurrence, with a limit of two (2) occurrences per calendar year per premise.

F. *Portable Message Center Sign.* Portable Message Center Signs, where permitted, are subject to the following supplemental regulations.

1. Portable Message Center Signs are restricted to on-premise advertisement and must comply with all applicable building codes and shall be anchored securely to the ground.
2. No Portable Message Center Sign shall exceed six (6) feet in height.
3. No Portable Message Center Sign shall be larger than thirty-two (32) square feet.
4. Only one (1) Portable Message Center Sign shall be allowed on a premise at any time.
5. Portable Message Center Signs are allowed on a temporary-basis of no more than thirty (30) days per occurrence, with a limit of two (2) occurrences per calendar year per premise.

G. *Sidewalk Signs.* Sidewalk Signs, where permitted, are subject to the following regulations.

1. Sidewalk Signs are allowed in the right-of-way on sidewalk pavement, provided a minimum of six (6) feet of clearance remains for clear passage of pedestrians.
2. No Sidewalk Sign shall exceed three (3) feet in height.
3. No Sidewalk Sign shall exceed six (6) square feet per side or three (3) feet in width.
4. Only one (1) Sidewalk Sign is allowed per business, service, activity, or event.
5. Sidewalk Signs shall not obstruct pedestrian or handicap accessibility to buildings, emergency exits, or parking spaces.

6. Sidewalk Signs may only be displayed during the hours of operation for the on-premise business, service, activity, or event.
 7. No illumination is allowed for Sidewalk Signs.
- H. *Window Signs.* Window Signs, where permitted, are subject to the following regulations.
1. No Window Sign may exceed fifty percent (50%) of window area coverage for any single window.
 - I. Temporary signs not specifically listed in Division 2 of these Sign Regulations, may be displayed without obtaining a sign permit for a period not to exceed sixty (60) days within any six (6) month period. After the sixty (60) day period, the owner must obtain a permanent sign permit to display the sign any further within the same six (6) month period.
 - J. Temporary signs not already subject to setback regulations per Article 21 shall be setback at least three (3) feet from the public right-of-way and comply with all the applicable regulations pertaining to size set forth in these Sign Regulations.
 - K. The number of temporary signs shall not exceed five (5) at any given period of time.
 - L. The following signs shall comply with all the requirements of this article and the applicable district regulations:
 1. Advertising signs for special public events sponsored by governmental, philanthropic, and nonprofit organizations, subject to the following provisions:
 - (a) Signs will only be permitted fifteen (15) days in advance of the event and must be removed within forty-eight (48) hours after the close of the event.
 - M. Mobile signs may be permitted upon issuance of a sign permit and when in compliance with all the other requirements of this article, the applicable district regulations, and of the following provisions:
 1. Only one (1) mobile sign shall be allowed on a zoning lot.
 2. Mobile signs shall not be placed within twenty-five (25) feet of an existing pole sign or ground sign, within fifty (50) feet of another mobile sign or within the clear vision triangle of any street or driveway.
 3. Mobile signs shall be of rigid construction and anchored or weighted to prevent movement or overturning by wind.
 4. Electrical lines shall not lie on the ground where vehicular or pedestrian traffic is permitted. Use of aboveground extension cords is prohibited. All wiring shall comply with the State of Nebraska electrical code.
 5. Use of red, yellow, or green external lighting shall be prohibited. Any light shall be constant in intensity or color at all times.
 6. Offensive, adult-oriented or abusive language.



Section 2208. Permitting.

- A. Applicants who wish to erect new on-premise permanent signs or those seeking to significantly modify (exceeds costs of fifty (50%) percent or more than the replacement cost of the original sign) existing signs must obtain a sign permit from the City of McCook prior to the installation/modification of the signs.
- B. Upon submission of the written application, the City of McCook shall have twenty (20) business days to review the application for a sign permit.
- C. A permit shall be issued on or before the end of the twenty (20) business day review period if the application for a new sign or renewal complies with the regulations contained in these Sign Regulations.
- D. If the City of McCook does not issue a determination within the twenty (20) business day period, the sign permit is deemed approved.
- E. An application for a sign permit may be denied by the City of McCook within the twenty (20) business day review period if the application fails to comply with the standards contained in these regulations. The City of McCook shall inform the applicant of the reasons for denying the application for sign permit by certified mail, email or phone.
- F. Upon denial of an application for a sign permit, the applicant has fifteen (15) business days to revise and resubmit the application for review by the City of McCook. In the alternative, the applicant may also appeal the decision of the City of McCook to the Board of Zoning Adjustment within the fifteen (15) business day period. The Board of Zoning Adjustment, at its next regularly scheduled meeting shall review the City of McCook's denial of said application.
- G. The Board of Zoning Adjustment shall review the application on its face with no deference to the final determination made by the City of McCook and it will make independent findings in assessing the adherence of the application to the provisions of these regulations. If the Board of Zoning Adjustment finds the application meets the requirements of these regulations, it will direct the City of McCook to promptly issue the permit.

- H. Upon a final determination by the Board of Zoning Adjustment, unsuccessful applicants may seek to appeal to a court of appropriate jurisdiction.
- I. The application fee for each sign permit sought is available from the City Clerk within the Fee Schedule for City services.
- J. These permits shall not expire providing that such signs are not abandoned or destroyed. In the instance that substantial repair or replacement becomes necessary (i.e., repairs that cost more than fifty (50%) percent of the replacement cost of the damaged sign), the organization must apply for a new sign permit.

Section 2209. Method of Measurement.

A. Sign Area.

1. Sign area includes the entire area within the perimeter enclosing the extreme limits of the sign, excluding any structure essential for support of service of the sign, or elements of the building.
2. The area of double-faced signs is calculated on the largest face only.
3. The sign area for ground signs, monument signs, and architectural sign bands is as the area enclosing the extreme limits of the copy only.
4. In the case of individual letters mounted to a wall, only the total area of the letters themselves is included within the sign area.

B. Height.

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.

C. Setback.

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.

Section 2210. Variances.

A variance may be sought for the construction of a sign which does not comply with the requirements established in Sections 2105 and 2106 of these Sign Regulations. A variance will be granted if the applicant can demonstrate the following criteria:

- A. The application of the Sign Regulations would substantially limit the applicant's ability to put the property to its highest and best use;
- B. Neighboring property owners would not be detrimentally harmed by the grant of the and
- C. The hardship suffered is unique to the property and was not created by the applicant for the variance.

The City of McCook Board of Zoning Adjustment may impose conditions on the variance, as necessary, to further the purpose of the Sign Regulations.

Section 2211. Maintenance and Safety.

All signs, including non-complying, non-conforming and abandoned signs, must be maintained in a condition which is safe and appears as originally permitted. The City of McCook shall issue notice of violation for all signs violating the provisions of these regulations. The organization have ten (10) business days to correct the violation. Organizations may seek an extension time from the City of McCook to correct the violation. Such extensions will be granted if there evidence that the organization is working to correct the violation. If the organization fails to the violation within the ten (10) day period or to obtain an extension, the City of McCook upon inspection, issue a notice compelling the removal of those signs which continue to in violation of this provision of the Sign Regulations. The owner or agent may challenge the compelling the removal of the sign by appealing to the Board of Zoning Adjustment in manner described in Section 2108 of these Sign Regulations.

Section 2212. Non-complying and Non-conforming Signs.

- A. When deemed non-conforming; exception. All existing signs which are not specifically permitted or which do not comply with all the provisions of these regulations for the zoning district in which they are located as of the adoption of these regulations, shall be considered non-conforming signs. Provided, however, theatre marquee signs in existence on the adoption of these regulations, and located in the C-1 zoning district shall be deemed lawfully conforming signs, except for requirements pertaining to safety, structural integrity, and maintenance and shall not be subject to the abandonment requirements set forth in Section 2216 of these regulations.
- B. Repairs and damage. Non-conforming signs may not, after the adoption of these regulations, be enlarged, structurally altered or extended unless such sign shall be made to comply with all the provisions of these regulations, except that normal repairs and repainting of non conforming signs are permitted. When a permanent non-conforming sign is destroyed or damaged by any means to the extent of fifty (50%) percent or more of its present-day replacement value, it shall not thereafter be restored unless such sign shall be made to conform to all the provisions of these regulations.
- C. Removal of non-conforming signs. Any sign that does not conform to the sign regulations for the zoning district in which it is located shall be removed.

Section 2213. Indemnification.

The City of McCook, its officers, agents, and employees shall be held harmless against any and all claims resulting from the erection, alteration, relocation, construction, or maintenance of on-premise commercial signs legally allowed as a result of these Sign Regulations.

Section 2214. Violations.

The placement of any Permanent or Specially Permitted sign without a sign permit shall be unlawful. Violations of these regulations shall be treated as strict liability offenses regardless of intent. Violators will be fined minimum per day amount as per Section 2421 of these regulations, per sign displayed in violation of these regulations.

Section 2215. Severability.

Any provision of the sign standards that imposes a limitation on freedom of speech shall be construed in a manner that is viewpoint neutral and treats expressive speech either the same as or less restrictive than commercial speech. Any provision of the sign standards that is found to be an unconstitutional limitation on freedom of speech by any court shall be severed from the sign standards in a manner that preserves the standards and protects freedom of speech.

Section 2216. Abandoned Signs.

Any sign which no longer advertises a bona fide business conducted, product sold, or service provided shall be deemed to be abandoned and shall be removed at the expense of the owner. Sign panels shall be removed within one (1) year of the vacation of the premises or discontinuance of the advertised activity. Sign frames and poles shall be removed within one (1) year of vacation of the premises or discontinuance of the advertised activity unless new sign panels are installed advertising a bona fide activity. The installation of new sign panels on the same sign frame and pole shall not require the issuance of a new sign permit. If, however, a new permit shall be required then the sign shall comply with the provisions of this article.

DIVISION 2. DISTRICT REGULATIONS.**Section 2217. A-1 District.**

The following sign regulations shall apply in the A-1 district:

1. Functional types permitted: Any type listed in Section 2106 of these Sign Regulations.
2. Structural types permitted: Any type listed in Section 2106 of these Sign Regulations.
3. Number of signs permitted: One (1) per zoning lot provided that advertising signs shall not be permitted within two hundred fifty (250) feet of a residence.
4. Maximum gross surface area:
 - (a) Advertising sign: One hundred fifty (150) square feet.
 - (b) Billboard Sign: Three hundred (300) square feet.
 - (c) Nameplate Sign: Thirty-two (32) square feet.
 - (d) Identification and bulletin board signs: Thirty-two (32) square feet.
 - (e) Real estate signs: Non-illuminated, eight (8) square feet per lot, provided that one (1) sign not more than forty-eight (48) square feet in the area announcing the sale of lots and/or houses in a subdivision may be located on such development. Such signs shall be removed at the end of three (3) years or when seventy-five (75%) percent of the lots in the subdivision have been sold, whichever occurs sooner.
 - (f) Construction signs: Non-illuminated, Forty-eight (48) square feet.
5. Maximum height:
 - (a) Advertising and billboard sign: Twenty-five (25) feet.
 - (b) Identification and bulletin board signs: Eight (8) feet.
 - (c) Real estate signs: Four (4) feet.
 - (d) Construction signs: Fifteen (15) feet.

6. Required setback: Six (6) feet from property line, except that any sign which exceeds two hundred (200) square feet in gross surface area shall maintain a ten (10) foot setback and in no case shall a sign project over public property.
7. Illumination: Illumination of signs is prohibited, except that bulletin board, real estate and construction signs may be indirectly illuminated with incandescent or fluorescent light.

Section 2218.2 A-2, R-1, R-2, R-3, R-4, FW, P and PD Districts.

The following sign regulations shall apply in the A-2, R-1, R-2, R-3, R-4, FW, P and PD districts:

1. Functional types permitted:
 - (a) Bulletin board signs;
 - (b) Construction signs;
 - (c) Identification signs;
 - (d) Nameplate signs;
 - (e) Real estate signs.
2. Structural types permitted:
 - (a) Ground signs;
 - (b) Wall signs;
3. Number of signs permitted:
 - (a) Ground sign: one (1) per zoning lot.
 - (b) Wall signs: one (1) per zoning lot.
4. Maximum gross surface area:
 - (a) Bulletin board signs: Thirty-two (32) square feet.
 - (b) Construction signs: Forty-eight (48) square feet.
 - (c) Identification signs: Thirty-two (32) square feet.
 - (d) Nameplate signs: Thirty-two (32) square feet.
 - (e) Real estate signs: Eight (8) square feet per lot, provided that one (1) sign of not more than forty-eight (48) square feet in area announcing the sale of lots and/or homes in a subdivision may be located on such development. Such signs shall be removed at the end of three (3) years from the date of issuance of permit, or when seventy-five (75%) percent of the lots in the subdivision or development have been sold, whichever occurs sooner.

5. Maximum height:
 - (a) Bulletin board signs: Eight (8) feet.
 - (b) Construction signs: Ten (10) feet.
 - (c) Identification signs: Eight (8) feet.
 - (d) Real estate signs: Four (4) feet.
 - (e) All signs shall be placed flat against a building or designed as part of an architectural feature thereof except that signs may be detached if they do not exceed the height as listed above or project into any required building setback area.
 - (f) No height limit is specified for signs placed flat against or painted on the wall of a building, or other attached signs provided all other provisions of this section are complied with.
6. Required setback: Six (6) feet from property line and in no case shall a sign project over public property.
 - (a) All signs, except real estate and construction signs, shall maintain the same setback required for principal structures.
7. Illumination: No sign shall be illuminated, except that identification, bulletin board, construction and real estate signs may be internally or externally illuminated, provided that no direct light shall be cast upon any residential property. In addition, churches, schools, nursing homes, rehabilitation centers, assisted living facilities, governmental facilities, YMCAs and parks and recreational facilities and athletic fields may have one freestanding electronic changeable copy identification or bulletin board sign subject to the following limitations:
 - (a) The electronic message center portion of the sign may not exceed fifty (50%) percent of the total sign area.
 - (b) The sign must set back at least six (6) feet from the front property line and must be set perpendicular to the adjoining public street, provided that signs on corner lots may be set at a forty-five (45) degree angle at street intersections.
 - (c) The sign may not exceed a height of twenty-five (25) feet.
 - (d) All electronic message center signs must be equipped with a photocell dimmer or some other automatic dimmer control and allowed to operate between 7:00 a.m. and 10:00 p.m.
 - (e) No minimum hold time or interval of change shall be required.
 - (f) Text and moving pictorial images shall be permitted; however, no sign shall have blinking, flashing or fluttering lights or any other illuminating device that changes the intensity, brightness or color of the sign background.

Section 2219. I-1 and I-2 Districts

The following sign regulations shall apply in the I-1 and I-2 districts:

1. Functional types permitted: Any type listed in Section 2106 of these Sign Regulations.
2. Structural types permitted: Any type listed in Section 2106 of these Sign Regulations.
3. Number of signs permitted: Two (2) per business.
4. Maximum gross surface area:
 - (a) Advertising signs: One hundred fifty (150) square feet.
 - (b) Bulletin board signs: Forty (40) square feet.
 - (c) Canopy signs: Eighty (80) square feet.
 - (d) Construction signs: Forty-eight (48) square feet.
 - (e) Identification signs: Thirty-two (32) square feet.
 - (f) Nameplate signs: Thirty-two (32) square feet.
 - (g) Projecting signs: One hundred fifty (150) square feet.
 - (h) Real estate signs: Eight (8) square feet per lot, provided that one (1) sign of not more than forty-eight (48) square feet in area announcing the sale of lots and/or homes in a subdivision may be located on such development. Such signs shall be removed at the end of three (3) years from the date of issuance of permit, or when seventy-five (75%) percent of the lots in the subdivision or development have been sold, whichever occurs sooner.
5. Maximum height: Measured from ground level at the supports or from the base of the sign in the case of wall signs.
 - (a) Advertising signs: Twenty-five (25) feet.
 - (b) Bulletin board signs: Eight (8) feet.
 - (c) Canopy signs: Twelve (12) feet, minimum eight (8) feet above ground.
 - (d) Construction signs: Fifteen (15) feet.
 - (e) Identification signs: Fifteen (15) feet.
 - (f) Projecting signs: Top of building, minimum ten (10) feet above ground.
 - (g) Real estate signs: Four (4) feet.
6. Required setback: Six (6) feet from the property line and in no case shall a sign project over public property.

7. Illumination: Illuminated signs shall be permitted.

Section 2220. C-1, C-2, C-3 and C-4 Districts

The following sign regulations shall apply in the C-1, C-2, C-3 and C-4 districts:

1. Functional types permitted: Any type listed in Section 2106 of these Sign Regulations.
2. Structural types permitted: Any type listed in Section 2106 of these Sign Regulations.
3. Number of signs permitted: Two (2) per business.
4. Maximum gross surface area:
 - (a) Advertising signs: One hundred fifty (150) square feet.
 - (b) Bulletin board signs: Forty (40) square feet.
 - (c) Canopy signs: Eighty (80) square feet.
 - (d) Construction signs: Forty-eight (48) square feet.
 - (e) Identification signs: Thirty-two (32) square feet.
 - (f) Nameplate signs: Thirty-two (32) square feet.
 - (g) Projecting signs: Eighty (80) square feet.
 - (h) Real estate signs: Eight (8) square feet per lot, provided that one (1) sign of not more than forty-eight (48) square feet in area announcing the sale of lots and/or homes in a subdivision may be located on such development. Such signs shall be removed at the end of three (3) years from the date of issuance of permit, or when seventy-five (75%) percent of the lots in the subdivision or development have been sold, whichever occurs sooner.
5. Maximum height: Measured from ground level at the supports or from the base of the sign in the case of wall signs.
 - (a) Advertising signs: Twenty-five (25) feet.
 - (b) Bulletin board signs: Eight (8) feet.
 - (c) Canopy signs: Twelve (12) feet, minimum eight (8) feet above ground.
 - (d) Construction signs: Fifteen (15) feet.
 - (e) Identification signs: Fifteen (15) feet.
 - (f) Projecting signs: Top of building, minimum ten (10) feet above ground.
 - (g) Real estate signs: Four (4) feet.

6. Required setback: Six (6) feet from the property line and in no case shall a sign project over public property.
7. Illumination: Illuminated signs shall be permitted.

ARTICLE 5. SUPPLEMENTARY REGULATIONS

Gering
Tiny Home

the proposed recreational vehicle park or campground showing dimensions, roads, parking stations, location of services and any other buildings or improvements.

5.7.5 TINY HOMES AND TINY HOME COMMUNITIES. It is the intent of this section to allow housing meeting certain qualifications to be located upon lots that are developed as part of planned tiny home community. Such accommodation provides wider housing stock choices for citizens. Tiny homes must be located in a planned tiny home community, no less than 2 acres in size, approved by the City via the planned development process in Section 2.2.4 of these regulations. Tiny home communities are permitted in the RH Residential High-Density District. All tiny homes must meet all of the following requirements:

1. Be complete dwelling units containing a kitchen, sanitary and sleeping facilities within the unit, for the exclusive use of a single-family maintaining a household.
2. Be permanently attached on a City-approved foundation.
3. Comply with the height and yard requirements of the RH district.
4. Maximum lot coverage of 40%.
5. Comply with the City-adopted building code.
6. Minimum structure size:
 - a. 170 sq. ft. for one occupant
 - b. 100 sq. ft. for each additional occupant
 - c. 8.5 foot width

5.7.6. SHIPPING CONTAINER HOMES AND SHIPPING CONTAINER HOME COMMUNITIES. It is the intent of this section to allow housing meeting certain qualifications to be located upon lots that are developed as part of a planned Shipping Container Home Community. Such accommodation provides wider housing stock choices for citizens. Shipping Container Homes must be located in a planned Shipping Container Home Community, no less than 2 acres in size, approved by the City via the planned development process in Section 2.2.4 of these regulations. Shipping Container Home Communities are permitted in the RH Residential High-Density District and RM Residential Medium-Density District.

For purposes of this section, Shipping Container Home is defined as a shipping container as described in section 5.1.1.F(a) of the City of Gering Zoning Ordinance, which shipping container has been modified and adapted for permanent habitation and which meets all of the following requirements:

1. Be complete dwelling units containing a kitchen, sanitary and sleeping facilities within the unit, for the exclusive use of a single-family maintaining a household.
2. Be permanently attached on a City-approved foundation.
3. Comply with the City-adopted building code. Plans must also be approved by a licensed architect.
4. Minimum structure size (may be met by more than one shipping container being combined):
 - a. 170 sq. ft. for one occupant
 - b. 100 sq. ft. for each additional occupant
 - c. 8.0 foot external width
 - d. 19.8 foot external length
 - e. 8.5 foot external height

Approved Shipping Container Homes and Shipping Container Home Communities are not subject to the standards for a Dwelling, Single-Family as defined in Article 1, Section 1.6, Paragraph 51 of the City of Gering Zoning Ordinance.



ZONING ORDINANCE

ARTICLE TEN SIGN REGULATIONS

LAST UPDATED – MARCH 2019

ARTICLE TEN – SIGN REGULATIONS

1001 Purpose

The Sign Regulations provide standards for communicating information in the environment of the City of Beatrice and its jurisdiction. The regulations recognize the need to protect public health, safety, and welfare; to maintain the City's attractive appearance; to provide for adequate business identification, advertising, and communication of information; and to encourage the fair enforcement of sign regulations.

1002 Definition of Terms

The following definitions shall be used for terms contained in this Article that are not otherwise defined in this Zoning Ordinance:

1. Abandoned Sign: 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 thirty (30) calendar days; and is not clean or in substantial good repair, or are not affixed to a sound structure.
2. Attached Sign: A sign which is structurally connected to a building or depends upon that building for support.
3. Awning and Awning Sign: A temporary or movable shelter supported entirely from the exterior wall of a building and composed of non-rigid materials, except for a supporting framework. An awning sign is a message printed on such a shelter.
4. Banner: Any sign of lightweight fabric or similar material with a printed message or graphic permanently secured or mounted from a structure in such a way as to allow wind movement.
5. Building Marker: A historic or commemorative plaque, or a building name or cornerstone carved into a masonry surface.
6. Business Center Identification Sign: A sign which identifies a building or group of commercial buildings in single ownership or control, sharing parking and access.
7. Business Identification Sign: A sign that identifies a business located on the same premises upon which the sign is located.
8. Canopy: A projecting non-movable structure cantilevered or suspended from a building, supported by the main structural members to which it is attached, and used as a protective cover over a door, window, entrance, or outdoor service area.
9. Canopy Sign: A sign which is attached or made an integral part of a canopy.
10. Clearance: The distance from the bottom of a sign face elevated above grade and the grade below.

11. Detached Sign: A sign which is self-supporting and structurally independent from any building.
12. Directional Sign: A sign which serves solely to designate the location or direction of any area or place.
13. Double-Faced Sign: A sign consisting of no more than two parallel faces, no more than forty-two inches (42") apart and supported by a single structure.
14. Frontage: The length of a property line of any one (1) premises abutting and parallel to a public street.
15. Ground Sign: A detached on-premise sign built on a freestanding frame, mast, or pole(s) with a clearance no greater than three (3) feet.
16. Illumination: Lighting sources installed for the primary purpose of lighting a specific sign or group of signs.
17. Incidental Sign: A sign which is incidental to and aids the functioning of a use, but which does not provide primary identification for the use. Examples of incidental signs include entrance and exit signs, or signs that provide directions to traffic on a site.
18. Marquee: A permanent roofed structure attached to and supported by a building and extending over public right-of-way.
19. Maximum Permitted Sign Area: The maximum permitted combined area of all signs allowed on a specific property.
20. Monument Sign: An on-premise freestanding sign with the appearance of a solid base. The width of such base shall be at least seventy-five percent (75%) of the width of the sign.
21. Moving Sign: A sign which conveys its message through rotating, changing, or animated elements.
22. Nonconforming Sign: A sign that was legally erected prior to the adoption of this Ordinance but which violates the regulations of this Ordinance.
23. Pole Sign: A sign on a premise built on a freestanding frame, mast, or pole(s) with a clearance greater than 3 feet (3'), and where the support encompasses less than seventy-five percent (75%) of the width of the sign.
24. Portable Sign: Any sign supported by frames or posts rigidly attached to bases not permanently attached to the ground or a building and capable of being moved from place to place.
25. Premise Identification Sign: Any sign which pertains to the non-residential use of a premises and which contains information about the owner or operator of that use; the type of business being conducted or the principal brand name of a commodity sold on the premises; and other information relative to the conduct of the use.

26. Premises: A tract of one or more lots or sites which are contiguous and under common ownership or control.
27. Projecting Sign: A sign other than a wall sign that is attached to and projects from a building face.
28. Residential Sign: A small wall sign located on a residential premise, conveying a message lawfully communicated by the owner of the property or used to identify home occupations, the name of the premises, or the occupants thereof. Residential signs are non-illuminated and non-reflecting signs which do not exceed four square feet (4 ft.²) in area.
29. Roof Sign: Any sign or part of sign erected upon, against, or directly above a roof or on top of or above the parapet or cornice of a building.
- (a) Integral Roof Sign: A roof sign positioned between an eave line and the peak or highest point on a roof, substantially parallel to the face of a building.
- (b) Above-peak Roof Sign: A roof sign positioned above the peak of a roof or above a parapet or cornice.
30. Sign: A symbolic, visual device fixed upon a building, vehicle, structure, or parcel of land which is intended to convey information about a product, business, activity, place, person, institution, candidate, or political idea.
31. Sign Type: A functional description of the use of an individual sign. Includes owner identification, advertising, directional, electronic message, and temporary.
32. Street Facade: Any separate external face of a building, including parapet walls and omitted wall lines, oriented to and facing a public street. Separate faces oriented in the same direction or within forty-five degrees (45°) degrees of one another are considered part of the same street façade.
33. Temporary Signs: A sign, flag, banner, pennant, or valance constructed of light weight materials which is not permanently attached to building or land.
34. Wall Sign: A sign attached to and parallel with the side of a building.
35. Window Sign: A sign painted on or installed inside a window for the purpose of viewing from outside the premises.
36. Zone Lot: A parcel of land in single ownership that is large enough to meet the minimum zoning requirements of its zoning district and can provide such yards and other open spaces as required by the site development regulations.

1003 General Sign and Street Graphics Regulations

A. Compliance

Each sign or part of a sign erected within the zoning jurisdiction of the City of Beatrice must comply with the provisions of this Ordinance and of other relevant provisions of the City of Beatrice Municipal Code.

B. Resolution of Conflicting Regulations

This Ordinance is not meant to repeal or interfere with enforcement of sections of the Beatrice City Code. In cases of conflicts between the Beatrice City Code, this Ordinance, or State or Federal Regulations, the more restrictive regulations shall apply.

C. Prohibited Signs

The following signs are prohibited in all zoning districts:

1. Signs painted on or attached to trees or other natural objects.
2. Signs or sign structures which resemble or conflict with traffic control signs or devices, which mislead or confuse persons traveling on public streets, or which create a traffic hazard.
3. Signs on public property and City and State right-of-ways including permanent, temporary, and exempt signs, unless specifically authorized by the appropriate public agency. To place a sign in the City right-of-way:
 - a. Property owner must obtain approval from the City Engineer. Such approval shall be revocable without cause or prior notice to the property owner.
 - b. A recorded notice shall be filed in the office of the Gage County Register of Deeds. Costs for filing such notice recorded in the Gage County Register of Deeds office shall be paid for by the property owner.
 - c. Property owners who wish to place a sign within a portion of the Right-of-Way do so at their own risk. The City of Beatrice may require use of the Right-of-Way for any number of public purposes and future needs. The property owner of record shall pay all costs associated with adjustment, replacement, or removal of any sign located within the Right-of-Way when required by the City of Beatrice.
4. Signs which create a safety hazard by obstructing the clear view of pedestrians or vehicles, or which obscure official signs or signals.
5. Abandoned signs. Any abandoned sign must be removed within thirty (30) calendar days of date of abandonment.
6. Signs advertising activities that are illegal under Federal, State, or local laws and regulations.
7. Signs that are not clean or in substantial good repair, or are not affixed to a sound structure.

8. Signs which move or have animated or moving parts that are visible from the travelled ways of US Highways 77 and 136.
 9. Signs in officially designated scenic areas or parkland visible from the travelled way of US Highways 77 and 136.
 10. Signs with wiring not in accordance with the Nebraska State Electrical Act and all related rules and regulations.
- (Ord. No. 19-008; 3-4-19)

D. Exempt Signs

The following signs are permitted in any zoning district and are exempt from Sections 1006 through 1012:

1. Official signs authorized by a government or governmental subdivision which give traffic, directional, or warning information.
2. Seasonal decorations for display on private or public property.
3. Works of graphic art painted or applied to building walls.
4. Residential signs under four square feet (4 sq ft) in size.
5. Street numbers.

E. Temporary Signs

Temporary signs are permitted in any zoning jurisdiction, subject to the following requirements:

- (a) Such signs may be placed on the City right-of-way but not within ten feet (10') of the back of the curb or the edge of any unimproved street. A temporary sign shall not be located so as to cause a sight obstruction as defined in Section 1003(G).
- (b) Such signs shall not be larger than four square feet (4 sq ft) when located in Residential Districts (R-1, R-2, R-3 & R-4), a Residential Commercial District (RC), or Central Business District (CBD) and not larger than thirty-two square feet (32 sq ft) in other zoning districts.
- (c) Examples of temporary signs which may be subject to this Section include, but are not limited to: real estate signs; garage sale signs; construction signs; sales signs; meeting notices; political signs; event notices; and similarly related signs traditionally placed near streets, sidewalks, and roadways.
- (d) Such signs shall conform to all requirements of the State of Nebraska when located within right-of-way owned and controlled by the State.

F. Bufferyards

No sign other than on-premise directional signs shall be placed within any bufferyard required by Article Eight, Landscaping and Screening Regulations, except bufferyards adjacent to intervening major streets.

G. Vision-Clearance Area

No sign may project into or be placed within a vision-clearance area defined by a triangle with legs of thirty feet from the point at which the curbs or edges of two intersecting streets, or an intersecting street and driveway, meet.

1004 General Regulations: Basic Design Elements For On-premise Signs

A. Wall Signs and Graphics

Wall signs and graphics are subject to the following general regulations.

1. A wall sign shall not extend more than thirty inches (30") from the wall to which it is attached.
2. A wall sign must be parallel to the wall to which it is attached.
3. A wall sign may not extend beyond the corner of the wall to which it is attached, except where attached to another wall sign, it may extend to provide for the attachment.
4. A wall sign may not extend beyond its building's roof line.
5. A wall sign attached to a building on its front property line may encroach upon public right of way by no more than eighteen inches (18"). Such a wall sign shall provide minimum clearance of eight feet, six inches (8'6").
6. For the purpose of calculating permitted sign areas pursuant to this Article, signs painted on the walls of buildings shall be considered wall signs.
7. Where permitted, canopy signs are counted as wall signs when calculating total permitted sign area.

B. Projecting Signs and Graphics

Projecting signs and graphics are subject to the following general regulations.

1. The maximum projection of any projecting sign shall be as follows:
 - (a) Six feet, six inches (6'6") over public sidewalks less than twelve (12) feet wide;
 - (b) Eight feet (8') over public sidewalks twelve (12) feet wide or more, or over private property.
2. A projecting sign may be no closer than three feet from the vertical plane of the inside curb line.
3. Each projecting sign must maintain at least the following vertical clearances:
 - (a) Eight feet, six inches (8'6") over sidewalks; except that a canopy may reduce its vertical clearance to seven feet, six inches (7'6");
 - (b) Ten feet (10') for signs located outside of driveways or parking areas, but within three feet (3') of such areas; or within fifty feet (50') of the right-of-way lines formed by the intersection of two (2) or more streets.
 - (c) Fourteen feet (14') over parking lots;

(d) Sixteen feet, six inches (16'6") over alleys or driveways.

4. No projecting sign extending three feet (3') or more from a property line may be located within twenty-five feet (25') of any other projecting sign extending three feet or more from a property line.
5. Projecting signs must minimize visible support structure and may not expose guy wires, cables, turnbuckles, angle iron, or other similar external support structure.

C. Pole Signs

Pole signs, where permitted, are subject to the following general regulations:

1. Each pole sign must maintain at least the following vertical clearances:
 - (a) Eight feet, six inches (8'6") over sidewalks;
 - (b) Ten (10) feet for signs located outside of driveways or parking areas, but within three feet (3') of such areas; or within fifty feet (50') of the right-of-way lines formed by the intersection of two (2) or more streets.
 - (c) Fourteen feet (14') over parking lots;
 - (d) Sixteen feet, six inches (16'6") over alleys or driveways.
2. Permitted pole signs may revolve at a rate not to exceed six (6) revolutions per minute.

D. Roof Signs

Roof signs are subject to the following regulations.

1. Where permitted, integral roof signs may be used interchangeably with wall signs.
2. Integral roof signs may not exceed the permitted height for pole signs.
3. An integral roof sign must be mounted parallel to the wall of the building that it faces.

1005 General Regulations: Other Design Elements

A. Illumination

1. Lighting, when installed, must be positioned in such a manner that light is not directed onto an adjoining property or onto a public street or highway.
2. Lighted signs in direct vision of a traffic signal shall not be illuminated in red, green, or amber.

B. Marquees and Marquee Signs

1. Signs placed on, attached to, or constructed on a marquee are subject to the maximum projection and clearance regulations of projecting signs.

C. Banners

1. A banner sign projecting from a building may not exceed the wall height of the building.

2. Maximum projection for any banner is five feet (5').
3. Each banner sign must maintain at least the following vertical clearances:
 - (a) Eight feet, six inches (8'6") over sidewalks;
 - (b) Ten feet (10') for signs located outside of driveways or parking areas, but within three feet (3') of such areas; or within fifty feet (50') of the right-of-way lines formed by the intersection of two (2) or more streets.
 - (c) Fourteen feet (14') over parking lots;
 - (d) Sixteen feet, six inches (16'6") over alleys or driveways.
4. Maximum size of a banner is the lesser of twice the permitted size of a projecting sign or one-hundred-twenty square feet (120 ft.²).

D. Clocks

For the purposes of this Ordinance, clocks are not considered a moving sign.

1006 Specific Regulations for Zoning Districts

This Section sets forth regulations and design standards for signs and graphics for each zoning district.

1007 Measurement of Regulators

A. Maximum Permitted Sign Area

Maximum permitted sign area for a zone lot is set forth as a numerical limit or as a function of the frontage of the premises on a street. For properties with frontage on more than one (1) street, the total frontage shall be calculated as the longest frontage plus one-half (1/2) the length of all additional frontages.

B. Sign Area

1. 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.
2. The area of double-faced signs is calculated on the largest face only.
3. 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.
4. In the case of individual letters mounted to a wall, only the total area of the letters themselves is included within the sign area.

C. Height

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.

D. Setback

The setback of a sign is measured from any property line to the line projected onto the ground of any component of the sign nearest such property line. All setbacks shall comply with standards established by the Federal Highway Administration and the Nebraska Department of Roads.

1008 Permitted Sign Types by Zoning Districts

Table 10-1 sets forth the sign types permitted within each zoning district of the City of Beatrice.

1009 Maximum Permitted Sign Area

Table 10-2 sets forth the maximum sign area permitted within each zoning district of the City of Beatrice.

1010 Permitted Signs by Numbers, Dimensions, and Location

Table 10-3 sets forth the maximum permitted numbers of signs per premise; the maximum permitted dimensions of each sign; and the required setbacks for detached signs.

1011 General Permit Procedures

A. Applicability

Any installation, modification, or expansion of any sign which is not exempt from the provisions of this Article shall be subject to the following permit procedure prior to installation.

B. Applications

All applications for sign permits shall be submitted to the Building Official in accordance with application specifications established by him/her.

C. Fees

Each application for a sign permit shall be accompanied by any applicable fees, which shall be established by the City Council from time to time by resolution.

D. Action

Within seven (7) business days of the submission of a complete application for a sign permit, the City shall either issue the sign permit, if the sign conforms to the provisions of this Article or reject the sign permit if the sign(s) that is the subject of the application fails in any way to conform with the requirements of this Article.

E. Permit Expiration

If a sign is not constructed in accordance with an approved permit within six (6) months of the date of approval, such permit shall lapse.

F. Maintenance of Valid Sign Permit

The owner of a property containing signs requiring a permit under this ordinance shall at all times maintain in force a sign permit for such property. Sign permits shall be issued for individual zone lots.

1012 Repair or Modification of Nonconforming Signs

A. Nonconforming Signs; Modifications

All permanent signs in place and in existence on the effective date of this Ordinance shall be considered as legal nonconforming signs. The copy area of such signs may be changed or the copy thereon replaced; provided, however, the sign area shall not be enlarged beyond the sign area of said sign on the effective date of this Ordinance.

B. Replacement of Damaged Nonconforming Signs

Any nonconforming sign which presently is or becomes structurally damaged or deteriorated, or is altered by more than fifty percent (50%) of its replacement cost, shall be either removed or altered so as to comply with this Article.

(Ord. No. 17-007; 4-3-17)

TABLE 10-1: PERMITTED SIGNS BY TYPE AND ZONING DISTRICT

Sign Type	AG	RR	R-1 R-2	R-3	R-4	RC	O	LC	GC	CBD	CS	LI	GI
Detached Signs													
Residential	P	P	P	P	P	P	P	P	N	N	N	N	N
Business Identification	P	P	P (C)	P (C)	P	P	P	P	P	P	P	P	P
Incidental/Directional	P (C)	P (C)	P (C)	P (C)	P	P (C)	P	P	P	P	P	P	P
Ground/Monument	P	P	N	N	P	P	P	P	P	P	P	P	P
Pole	N	N	N	N	N	N	N	N	P	N	P	P	P
Temporary Signs	P	P	P	P	P	P	P	P	P	P	P	P	P
Attached Signs													
Awning	N	N	N	N	P	P	P	P	P	P	P	P	P
Banner	N	N	N	N	N	N	P	P	P	P	P	P	P
Building Marker	P	P	P	P	P	P	P	P	P	P	P	P	P
Canopy	N	N	N	N	N	P	P	P	P	P	P	P	P
Premise Identification	P	P (C)	P (C)	P (C)	P	P	P	P	P	P	P	P	P
Incidental/Directional	P (C)	P (C)	P (C)	P (C)	P	P	P	P	P	P	P	P	P
Marquee	N	N	N	N	N	N	N	P	P	P	P	P	P
Projecting	N	N	N	N	N	N	N	P	P	P	P	P	P
Roof, Integral	N	N	N	N	N	N	N	P	P	P	P	P	P
Roof, Above Peak	N	N	N	N	N	N	N	N	N	P	P	P	P
Wall	P	P	P	P	P	P	P	P	P	P	P	P	P
Miscellaneous													
Flag	P	P	P	P	P	P	P	P	P	P	P	P	P
Portable	N	N	N	N	N	N	N	N	N	N	N	N	N
Flashing	N	N	N	N	N	N	N	N	P	P	P	P	P
Illuminated	P	N	N	N	N	P	P	P	P	P	P	P	P

P: Permitted for All Uses
P(C): Permitted for Civic Uses
N: Not Permitted

(Ord. No. 17-012; 6-5-17)

TABLE 10-2: MAXIMUM PERMITTED SIGN AREA FOR ZONE LOT BY ZONING DISTRICT

The Maximum Permitted Area for all signs on a premises excluding incidental signs, building marker signs, and flags shall not exceed the lesser of the following:

Zoning District	AG	RR R-1 R-2 R-3	R-4	RC	O	LC	GC	CBD
Square Feet of Signage per Linear Foot of Frontage	NA	NA	NA	0.50	0.75	2.0	3.0	2.0
Maximum Total Square Feet	Note 1	Note 2	Note 3	100 Note 4	150 Note 4	200	600	200

Note 1:

One hundred square feet (100 ft.²) for civic or commercial uses, 4 square feet for residential uses, including home occupations.

Note 2:

Thirty-two square feet (32ft.²) for civic uses, four square feet (4 ft.²) for residential uses, including home occupations.

Note 3:

Four square feet (4 ft.²) for residential uses, including home occupations, except as otherwise provided herein; thirty-two square feet (32 ft.²) for civic uses, for mobile home parks, for multiple-family residential uses consisting of ten (10) or more units, and for temporary signs at a construction site to identify the nature of the construction and those persons/firms associated with it.

Note 4:

Maximum limits apply to non-residential premises only. On premises with a primary residential use, four square feet (4 ft.²) for residential uses, including home occupations, except as otherwise provided herein; thirty-two square feet (32 ft.²) for mobile home parks, for multiple-family residential uses consisting of ten (10) or more units, and for temporary signs at a construction site to identify the nature of the construction of a multiple-family development and those persons/firms associated with it.

TABLE 10-2 (CONTINUED):
MAXIMUM PERMITTED SIGN AREA FOR ZONE LOT BY ZONING DISTRICT

The Maximum Permitted Area for all signs on a premises excluding incidental signs, building marker signs, and flags shall not exceed the lesser of the following:

Zoning District	CS	LI	GI
Square Feet of Signage per Linear Foot of Frontage	2.0	2.0	2.0
Maximum Total Square Feet	800	400	400

(Ord. No. 98-51, Sec. 2, 10-19-98)

TABLE 10-3: PERMITTED SIGNS BY NUMBERS, DIMENSIONS, AND LOCATION

Each individual sign shall comply with the regulations for maximum quantity, maximum size, minimum setbacks, and height limits shown in this table:

Zoning District	AG	RR R-1 R-2 R-3	R-4	RC	O	LC Note 1	GC Note 1	CBD
Detached Signs:								
Number Permitted Per Premise	1	1	1	1	NA	NA	NA	1
Per Feet of Frontage	NA	NA	NA	NA	1 per 300	1 per 200	1 per 200	NA
Maximum Size* (sq. feet)	100*	32*	32*	100*	100*	100	300	100
Maximum Height (feet)	25	10	10	10	15	25	35	25
Front Yard Setback (feet) (See Note 2)	25	5	10	10	10	10	5	0
Side Yard Setback (feet) (See Note 2)	10	10	10	10	10	10	5	0
Attached Signs:								
Maximum Size* (sq. feet)	100	32*	32*	100*	100	100	150	100
% of Street Facade	NA	NA	NA	20%	20%	20%	25%	20%

*For those uses only permitted a sufficient maximum sign area in Table 10-2

Note 1: Within its total permitted sign area, each premises used for a business center may have one (1) additional detached business center identification sign, subject to the following conditions:

1. The maximum area for a business center identification sign shall be two-hundred square feet (200 ft.²).
2. No business center identification sign shall be within three-hundred feet (300') of any other business center identification sign or within sixty-five feet (65') of any other detached sign on the same or adjacent premises.
3. The sign shall display no more than the name and location of the business center.
4. Each sign shall be subject to all other regulations for detached signs or graphics set forth in this Article.

Note 2: Smaller setbacks may be permitted upon compliance with the requirements listed in Section 1003(c)(3).

(Ord. No. 98-51, Sec. 3, 10-19-98; Ord. No. 19-008, 3-4-19)

TABLE 10-3: PERMITTED SIGNS BY NUMBERS, DIMENSIONS, AND LOCATION

Each individual sign shall comply with the regulations for maximum quantity, maximum size, minimum setbacks, and height limits shown in this table:

Zoning District	CS	LI	GI
Detached Signs			
Number Permitted			
Per Premise	NA	NA	NA
Per Feet of Frontage	1 per 200	1 per 200	NA
Maximum Size* (sq. feet)	300*	200*	300*
Maximum Height (feet)	35	25	35
Front Yard Setback (feet) (See Note 2)	10	5	0
Side Yard Setback (feet) (See Note 2)	5	5	0
Attached Signs			
Maximum Size* (sq. feet)	300	200	300
% of Street Facade	25%	25%	25%

* For those uses only permitted a sufficient maximum sign area in Table 10-2

(Ord. No. 98-51, Sec. 3, 10-19-98; Ord. No. 19-008, 3-4-19)