

## Chapter 27.69

Field Code Changed

### SIGNS

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#### **27.69.010 Scope of Regulations.**

The sign regulations for this title are as set forth in this chapter. Any additional conditions imposed by Title 22 of the Lincoln Municipal Code, the State of Nebraska, or federal government, and other applicable ordinances or regulations also apply. In the event of any conflict, the most restrictive ordinance, regulation, or other requirement shall apply. (Ord. 12571 §363; May 8, 1979).

**27.69.020 Definitions.**

For the purpose of this chapter, certain terms and words are hereby defined.

**ANIMATION** shall mean the movement of any object or light used in conjunction with a sign such as blinking, flashing, traveling, scrolling, or changing degree of intensity of any light movement other than burning continuously.

~~**CENTER** shall mean the area within the boundaries of a planned unit development (PUD), use permit, or special permit for a planned service commercial development (collectively a "planned commercial center"). Center shall also mean any other area not within the boundaries of a planned commercial center in which any building or group of buildings has two or more businesses sharing parking and access.~~

Commented [CJE1]: Moved to 27.02 the Definitions Chapter

**CENTER IDENTIFICATION SIGN** shall mean a sign on which at least 10% of the sign area identifies a center by name, address or symbol. In addition to the name of the center, the center identification sign may also display the names of the businesses within the center. A center sign may be located on any property within the center without being considered an off-premises sign.

**CHANGEABLE COPY SIGN** shall mean any sign on which message copy can be changed through the use of attachable letters and numerals or by electronic switching of lamps, light emitting devices, or illuminated tubes. This includes public message displays or any sign which features automatic switching such as time and temperature signs.

**COMMERCIAL SIGN** shall mean any 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.

**DIRECTIONAL SIGN** shall mean any sign that is designated and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic. A business name and/or logo is permissible on a directional sign.

**ELECTRIC SIGN** shall mean any 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 CHANGEABLE COPY SIGN** shall mean a sign containing a computer or digital software generated message or other automated or remote method of changing copy.

**ERECTED** shall mean attached, altered, built, constructed, reconstructed, enlarged, or moved and shall include the painting of wall signs.

**FACADE** shall mean that 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 facade may extend above the roof line.

**FADE** shall mean a transition from one message to another by means of varying light intensity, where the first message gradually reduces intensity to the point of not being legible and/or gradually increases intensity to become legible.

**FLAG** shall mean a sign constructed of a nonrigid piece of fabric attached to a pole structure on one vertical side only.

**FLASHING/BLINKING/PULSATING SIGN** shall mean the interior or exterior of a sign which contains flashing lights or exhibits noticeable changes in light intensity with a basic on-off of the same light source or display pattern or which includes the illusion of intermittent or flashing light by means of animation, or an externally-mounted intermittent light source.

**FREESTANDING SIGN** shall mean any sign supported by structures or supports that are anchored in the ground and that are independent from any building or other structure.

**GROUND SIGN** shall mean any freestanding sign in which the top edge of the sign is ten feet or less above grade.

**HEIGHT OF A SIGN** shall mean the distance between the lowest grade level within two 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 ninety degree angle from the sign.

**ILLUMINATED SIGN** shall mean any sign which is directly lighted by any electrical light source, internal or external, regardless of technology. This definition shall not include signs which are illuminated by street lights or other light sources owned by any public agency or light sources which are specifically operated for the purpose of lighting the area in which the sign is located rather than the sign itself.

**MARQUEE (canopy or awning)** shall mean a protective shelter or overhang which projects more than twenty-four inches from the face of a building that is otherwise permitted by code or ordinance.

**MARQUEE SIGN** shall mean a sign attached to the face or on top or below a marquee.

**MOBILE SIGN** shall mean a sign designed and constructed to be transported by its own wheels. When placed, a mobile sign must be supported by at least four integral metal supports which raise the wheels off the ground. Such sign shall not exceed ten feet in height.

**MURAL** shall mean 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.

**NIT** shall mean a unit of luminance equal to one candela (one candle) per square meter.

**NONCOMMERCIAL SIGN** shall mean any sign that is not a commercial sign.

**NONSTRUCTURAL TRIM** shall mean the molding, battens, caps, nailing strips, latticing, cutouts, or ladders and walkways which are attached to the sign structure.

**OFF-PREMISES SIGN** shall mean any sign which serves to advertise a product, service, or activity not conducted on the premises on which the sign is located or within 300 lineal feet thereof.

**ON-PREMISES SIGN** shall mean any sign which serves to advertise and/or identify a product, service, or activity conducted on the premises on which the sign is located, or identifies said premises or a use thereof.

**PERSON** shall mean and include any person, firm, partnership, association, corporation, company, or organization of any kind.

**POLE SIGN** shall mean any freestanding sign in which the top edge of the sign is more than ten feet above grade.

**PROJECTING SIGN** shall mean any sign other than a wall sign which is attached to and projects at an angle of not less than forty-five degrees from a structure or building face.

**PROJECTION** shall mean the distance by which a sign extends beyond a building or structure.

**REAL ESTATE SIGN** shall mean any sign which identifies an offer to sell, rent, or lease of the premises on which the sign is located.

**REVEAL** shall mean a message transition where portions of the message appear and/or disappear sequentially.

**ROOF LINE** shall mean the uppermost exterior surface of the roof of a building.

**ROOF SIGN** shall mean any sign mounted on the main roof portion of a building or on the top most edge of a parapet wall of a building; and which is wholly or partially supported by such building. For the purpose of this chapter, signs mounted on mansard facades, penthouse eaves, facades and architectural projections such as canopies or marquees shall not be considered to be roof signs. Signs mounted on an ornamental attachment not used for shelter or protection of persons or property, such as cupolas, shall be considered roof signs.

**ROTATING SIGN** shall mean any sign or portion of a sign which moves in a revolving or similar manner, but not including multi-prism indexing signs.

**SEASONAL OR HOLIDAY SIGN** shall mean any noncommercial signs used for special occasions, such as religious and national holidays.

**SCROLL** or **TRAVEL** shall mean a message transition where the message that is leaving or appearing appears to move vertically or horizontally across the display surface.

**SIGN** shall mean any structure, fixture, graphics, illustration, statue, or other device visible from off the premises designed or intended to advertise, to identify, to attract attention to, or to convey information regarding any goods, product, service, business, location, institution, activity, person, solicitation, issue, or campaign, with the exception of merchandise window displays, national, state or other Nebraska governmental subdivision flags, and sculpture. For purposes of removal, sign shall also include any sign structure.

**SIGN STRUCTURE** shall mean any structure which is designed or used to support any sign as defined in this chapter. A sign structure may be a single pole and may or may not be an integral part of the building.

**TEMPORARY SIGN** shall mean any outdoor sign or device including but not limited to banners, pennants, flags, or advertising display constructed of cloth, canvas, light fabric, cardboard, or other light materials, with or without frames, intended to be displayed for a limited period of time and which is not permanently affixed; provided, that temporary signs shall not include mobile signs.

**WALL SIGN** shall mean any sign painted on or attached to the wall or facade of a building with the display surface parallel to or at an angle to which it is attached, and which projects no more than twenty-four inches from the wall surface. No wall sign shall extend vertically or horizontally beyond the building facade from which the sign is attached. A wall sign may project into a right-of-way. A wall sign may be located at any height on a parapet or facade. A wall sign may be mounted on a mansard facade or penthouse facade.

**WINDOW SIGN** shall mean a sign installed inside a window which can be viewed from outside the premises and is six feet or less from the window or is located within a window display area formed by walls or doors that block the view into the main building. (Ord. 19404 §1; June 28, 2010: prior Ord. 19283 §1; July 27, 2009: Ord. 19113 §1; July 28, 2008: Ord. 18857 §1; December 4, 2006: Ord. 16949 §4; March 11, 1996: Ord. 16735 §1; February 13, 1995: Ord. 16180 §1; August 3, 1992: Ord. 16109 §1; May 11, 1992: Ord. 15308 §1; October 2, 1989: Ord. 15223 §1; July 24, 1989: Ord. 14539, as amended by Ord. 14613 §1; March 9, 1987: Ord. 13668, as amended by Ord. 13790 §1; March 26, 1984: Ord. 12571 §364; May 8, 1979).

**27.69.021 General Sign Types.**

[See Figure 1 on the following page.]

(Ord. 19283 §2; July 27, 2009).



**27.69.022 Calculating the Sign Area of a Sign.**

The sign area of a double-faced sign or two-sided or three-sided V-type sign not exceeding an angle of sixty degrees shall be calculated on one face of the sign only. The sign area of a four-sided sign is to be calculated as two signs, and the sign area of a triangular, three-sided sign shall be calculated on its largest face.

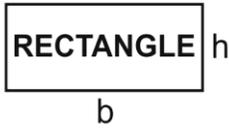
(a) Freestanding Sign. The sign area of a freestanding sign shall be calculated by the area defined by the constructed or fabricated cabinet, panel or frame. If the sign consists of more than one section or module, all areas will be totaled. If the sign does not have a defined cabinet, panel or frame, or the cabinet, panel or frame is of an irregular shape, the sign area shall be calculated the same as a wall sign

(b) Wall Sign. The sign area of a wall sign shall be calculated by using up to a simple eight-sided geometric figure around the advertising message and shall include any framing or border.

(c) Marquee Sign. The sign area of a marquee sign shall be counted toward the total allowable wall sign area of the parallel wall face to which the marquee is attached; the sign area of a marquee sign attached perpendicular to the wall shall be counted toward the allowed sign area of a projecting sign.

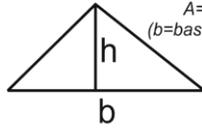
Simple Geometric Figures - Figure 2

$A=bh$  (b=base; h=height)



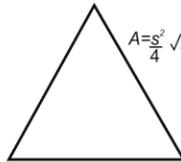
**TRIANGLE**

$A= 1/2 bh$   
(b=base; h=height)

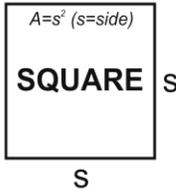


**EQUILATERAL TRIANGLE**

$A=\frac{s^2}{4} \sqrt{3}$



$A=s^2$  (s=side)



$A=\pi r^2$

Calculating the area of a wall sign - Examples - Figure 3



Sign with a cabinet or panel -calculate the shaded area



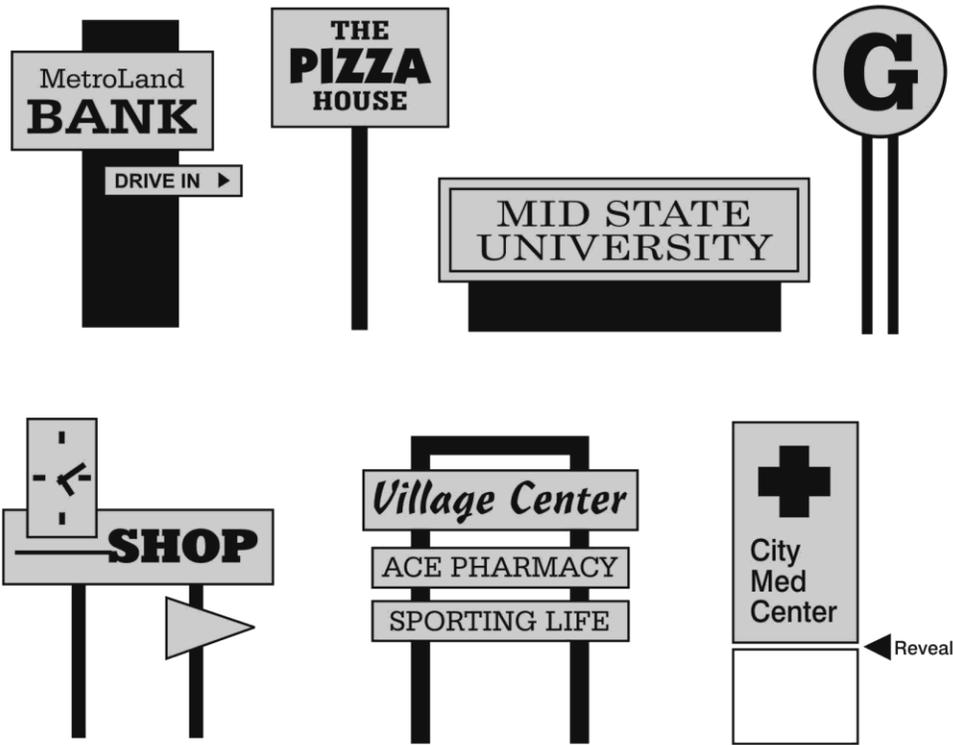
Sign made up of individual letters mounted on a wall – calculate the area around each word



Sign painted on a wall - calculate the painted area including the painted background.

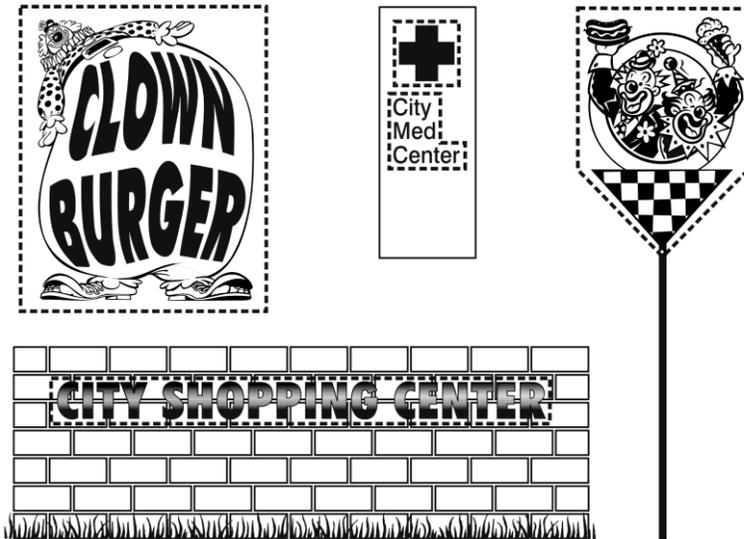
Calculating the area of a sign constructed with panels or cabinets - Examples - Figure 4

The sum of the shaded area represents sign area.



**Calculating the area of a sign *without* a defined panel or cabinet or signs with an irregular shape - Examples - Figure 5**

The sign area is calculated by using up to a simple eight-sided geometric figure around the advertising message and includes any frame or border. The dotted line represents the calculated sign area.



(Ord. 19283 §3; July 27, 2009).

**27.69.030 General Provisions.**

Except as otherwise provided in this chapter or in any other applicable ordinance or regulation, no sign or part thereof shall be erected or maintained in any zoning district except in conformance with these General Provisions. The General Provisions apply to both on-premises and off-premises signs.

**(a) Location, Height, Area, and Other General Requirements.**

- (1) No sign shall be erected or maintained in a required yard except as otherwise provided in this chapter, or encroach upon or overhang any adjacent property or public right-of-way.
- (2) No sign shall be erected upon or against a roof or on top of or above the parapet of a building.
- (3) No sign shall exceed the maximum height permitted for buildings in the zoning district in which the sign is located.

(4) Every sign shall be permanently attached to the ground, or to a building or structure which is permanently attached to the ground, except for mobile signs and temporary signs as provided in this chapter and in Title 22 of the Lincoln Municipal Code.

(5) No sign shall be painted on or attached to rocks, trees, or any other natural object.

(6) No sign shall be erected, placed, or maintained in a location that violates the site obstruction regulations of the Department of Public Works and Utilities for street intersections or entrances or exits from private property.

(7) No sign or part thereof shall be erected in those zoning districts which are adjacent to or within the area of the interstate and federal-aid primary road systems in contravention of the advertising controls of the State of Nebraska.

(8) Every freestanding sign permitted on a "per frontage" basis shall be allocated to and be located proximate to the specific frontage which would authorize such sign.

(9) The required space between the location of any sign and an abutting residential district shall be as follows:

- (i) 50 feet if non-illuminated,
- (ii) 100 feet if illuminated;

(10) No sign shall move, rotate, revolve, or simulate animation by means of spinning, fluttering, or reflective devices or lighting, except a sign may rotate or revolve at a rate not to exceed six revolutions per minute.

(11) In the area of the B-4 zoning district beginning 150 feet east of 17th Street and continuing to the western boundary of the B-4 District, on-premises signs may be animated, blink, flash, or simulate animation.

(12) The sign regulations for location, height and area of a sign may be modified by the City Council in connection with the granting of a special sign district, planned unit development, use permit, or special permit for a community unit plan, ~~or special permit for a planned service commercial development~~, provided such modification is in conformance with all other requirements of Title 27.

(13) All freestanding signs must be spaced a minimum of 50 feet apart.

(14) No sign shall be erected, placed or maintained in any location in violation of the zoning regulations of the City of Lincoln.

(15) No person shall permit the placement, construction, or erection of a swinging sign.

(16) No person shall place, construct, or erect any sign which, by reason of its size, location, movement, content, coloring, or manner of illumination, may be confused with or construed as a traffic control sign, signal, or device, or the light of an emergency or road equipment vehicle.

(17) No person shall place, construct or erect any sign which hides from view any traffic control sign or signal or device.

(18) Minor reductions in the required setback and/or spacing requirements for a sign not to exceed five feet may be approved upon a finding that (i) such reduction is the minimum necessary to avoid interference with an existing utility line or to avoid a significant obstruction from view by an existing building, sign, or landscape feature, and (ii) such reduction will have no

**Commented [CJE2]:** The special permit for Planned Service Commercial is being converted to a Use Permit and the term Plan Service Commercial is being eliminated.

significant adverse effect on existing or reasonably anticipated future uses in the surrounding area. Any requests for modifications from the setback and/or spacing requirements for a sign shall be filed with the Planning Director. Such request shall set forth the specific modification requested and all supporting reasons and documentation as to why the modification should be granted, how the public welfare will be preserved, and why the modification will not detract from the intent and spirit of these sign regulations. Within thirty days from the filing of the request for modification, the Planning Director shall approve or deny the request and shall notify the applicant in writing of the approval or denial of the request. Any council member or aggrieved person may appeal any approval or denial of the request for modification by the Planning Director in accordance with the Request for Waiver Procedure found in Chapter 1.00, Sections 2.1.1 and 2.1.2 of the City of Lincoln Design Standards.

(19) Frontage for every center sign permitted on a “per frontage” basis shall mean only that frontage of the center adjacent to an arterial or collector street.

(20) Signs may be erected and maintained on an outlot.

(b) **Freestanding Signs.** See Section 27.69.040 (Tables 2 and 3).

(c) **Wall Signs.** Wall signs are allowed in the R-T and all O, B, H and I zoning districts, subject to the following restrictions:

(1) In the O-1, O-2, and R-T zoning districts, one wall sign per architectural elevation per building is allowed. The wall sign shall not exceed 25 square feet in sign area per architectural elevation nor be located on the side of the building abutting a residential district or facing a local or collector street when the land across the street is zoned residential.

(2) In all other allowed zoning districts, the wall sign shall have a maximum sign area of 30% per architectural elevation or 500 square feet, whichever is less.

(3) No wall sign or wall sign structure shall project more than two and one-half inches into a public alley when installed below a height of fourteen feet above grade of the public alley, nor more than twenty-four inches into a public alley when installed at a height fourteen feet or greater above grade of the public alley.

(4) No wall sign or wall sign structure shall project more than two and one-half inches over any sidewalk or parking lot when installed below a height of seven feet six inches above grade.

(5) All other wall signs shall have a maximum projection over public property as set forth in Section 27.69.030 Table (1).

(6) Wall signs shall comply with all applicable federal-aid project requirements restricting signs on or over public right-of-way.

**27.69.030 Table (1) - Projection of Wall Signs**

<i>Clearance</i>	<i>Maximum Projections</i>
Less than 7'6" above grade.....	2 1/2 inches
Over 7'6" above grade.....	24 inches

(d) **Projecting Signs.** Projecting signs are allowed in the R-T and all O, B, H, and I zoning districts, subject to the following restrictions:

- (1) The projecting sign shall be in lieu of one freestanding sign.
- (2) The projecting sign shall have a minimum ground clearance of eight feet above the walk or grade below.
- (3) The projecting sign shall not exceed 100 square feet in sign area.
- (4) In the O-1, O-2, and R-T zoning districts, the projecting sign shall not exceed 25 square feet in sign area and such sign shall not be located on the side of the building abutting a residential district or facing a local or collector street when the land across the street is zoned residential.

(5) The projecting sign may project from a building a maximum of six feet six inches. The projecting sign may project over the public right-of-way when the building is erected adjacent to the front property line, but shall not project above the roof line or top of a cornice wall. Subject to the provisions of Title 10 and Title 22 of the Lincoln Municipal Code, the projecting sign may project over public property as set forth in 27.69.030 Table (2). The projecting sign shall comply with all applicable federal-aid project requirements restricting signs and structures on or over the public right-of-way. No projecting sign shall project within two feet of the curb line. No projecting sign or projecting sign structure shall project more than two and one-half inches into a public alley when installed below a height of fourteen feet above grade of the public alley, nor more than twenty-four inches when installed at a height of fourteen feet or greater above said grade.

**27.69.030 Table (2) - Projection of Signs**

<i>Clearance</i>	<i>Maximum Projections</i>
Less than 8 feet above grade .....	NOT ALLOWED
Over 8 feet above grade .....	6 feet 6 inches
Over 8 feet above grade and at 45 degrees to a corner .....	9 feet

(e) **Marquee Signs.** Marquee signs are allowed in all O, B, H and I zoning districts, except the O-1, O-2, and R-T zoning districts subject to the following restrictions:

- (1) The marquee sign shall be designed so that sign support braces are not visible from street level.
- (2) When a building is erected adjacent to the front property line, the marquee sign may be attached to the marquee extending into or over the right-of-way.
- (3) The marquee sign shall not exceed three feet in height or the height or vertical thickness of the marquee, whichever is greater.
- (4) The marquee sign shall have a minimum ground clearance of eight feet above the walk or grade below.
- (5) The sign area of a marquee sign shall be counted toward the total allowable wall sign area of the parallel face to which the marquee is attached. If the marquee sign is attached perpendicular to the wall, it shall be counted toward the allowed projecting sign area.

(f) **Electronic Changeable Copy Signs.**

(1) Electronic Changeable Copy (On-Premises). In all nonresidential zoning districts except in the O-1, O-2, ~~and R-T and B-1~~ zoning districts, on-premises electronic changeable copy signs are allowed subject to the following restrictions:

(i) The sign area displaying electronic changeable messages shall not exceed 80 square feet of sign area and such sign area shall be included as a part of the total permitted signage for the premises on which it is located.

(ii) No message on an electronic changeable copy sign shall be animated, except in the B-4 zoning district pursuant to Section 27.69.030(a)(11).

(iii) Transition between messages are permitted but such transitions may only fade, scroll, travel, or reveal, and the transition shall not exceed a duration of one second.

(2) Electronic Changeable Copy (Off-Premises). In all nonresidential zoning districts, off-premises electronic changeable copy signs are allowed subject to the following restrictions:

(i) If the off-premises sign area displaying electronic changeable messages is greater than 80 square feet, the message shall hold for at least ten seconds. If said sign area is 80 square feet or less, the message shall hold for at least one second.

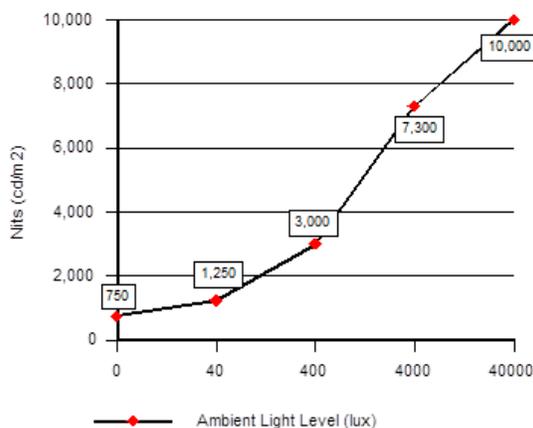
(ii) No message on an electronic changeable copy sign shall be animated.

(iii) Transition between messages are permitted but such transitions may only fade, scroll, travel, or reveal, and the transition shall not exceed a duration of one second.

(3) Prior to the issuance of an electronic changeable copy sign permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been preset not to exceed the above illumination levels, and the preset intensity level is protected from end user manipulation by password protected software or other method approved by the Director of Building and Safety.

(4) Illuminated electronic changeable copy signs shall be equipped with a sensor and/or timer or other device approved by the Director of Building and Safety to automatically adjust the day/night light intensity levels in accordance with Figure 6 below.

**Figure 6 - Maximum Sign Brightness with Varying Ambient Light**



**Commented [CJE3]:** Eliminating ECC signs in the B-1 Neighborhood Commercial zoning district because of the proposed change in nature of the B-1 zoning district.

Night time

Daytime

**(g) Illumination.**

(1) In all nonresidential districts, signs may be illuminated, except that the surface illumination of any sign shall not exceed the levels shown in Figure 6 below for different conditions of ambient light.

(2) In all residential districts, signs shall be non-illuminated and nonreflecting; except in the R-8 district, uses other than dwellings may be illuminated as otherwise stated in this chapter.

(3) No sign shall blink or flash, display an animated message, nor be illuminated by any device so as to appear to blink or flash or simulate animation, except for mobile signs and B-4 zoning district signs permitted by Section 27.69.030.(a)(11).

(4) Lighted vending machines are not permitted in view from off the premises in any residential zoning district.

(5) Fraternities and sororities within one-half mile of an educational campus may have illuminated signs but neon or gas tubing shall be used only as back lighting.

**(h) Mobile Signs.** Mobile signs identifying special sales and openings shall be permitted on the premises of a commercial establishment for no more than sixty days in any calendar year in all B, H, and I zoning districts where commercial establishments are permitted subject to the following restrictions:

(1) The mobile sign shall not exceed sixty square feet of sign area.

(2) The mobile sign may be located one-half the distance into the required front yard.

**(i) Historic Preservation.** All signs for designated landmarks and signs located in designated landmark districts must receive a certificate of appropriateness from the Historic Preservation Commission.

**(j) Capitol View Corridor.** On-premises freestanding signs in the Capitol View Corridor Overlay District shall be subject to the regulations of said district, notwithstanding the otherwise applicable regulations of the underlying zoning district.

**(k) Variance for Pre-existing Signs.** All signs installed prior to the effective date of Ordinance No. 18857 which do not qualify as a nonconforming use in subparagraph (m) below may be continued for a period of ten years from the effective date of Ordinance No. 18857 provided that:

(1) The sign was installed pursuant to and in compliance with a permit issued by the Department of Building and Safety; and

(2) The sign conforms with or is modified to conform with the illumination requirements shown on Figure 6 of Section 27.69.030(h). Notwithstanding the above, such sign shall be brought into compliance when one or more of the conditions listed in Section 27.69.320 occurs.

(l) **Nonconforming Signs.** Whenever the lawful use of a sign does not conform with the provisions of any change in the zoning code or district boundaries, the use of such nonconforming sign may be continued except as otherwise provided in Sections 27.69.035 and 27.69.320.

(m) **Directional Signs.** Directional signs are permitted in all districts subject to the following restrictions:

(1) A directional sign located in the front yard shall not exceed a sign area of two square feet.

(2) A directional sign located outside the front yard shall not exceed a sign area of six square feet.

(n) **Noncommercial Signs.** Notwithstanding any other provision of this chapter, any off-premises sign or on-premises sign permitted by this chapter may advertise, identify, attract attention to, or convey information regarding any noncommercial message including, but not limited to, political, religious, charitable, sociological, or ideological activities, issues or beliefs.

(o) **Banner Signs.** Banner signs may extend up to six inches into the public right-of-way when located eight feet or more above grade of said right-of-way. Banners may extend over public property and may extend across a public street only by permission of the Mayor, and shall be subject to all related laws and ordinances. Such signs, when extended over a public street, shall maintain a minimum clearance of twenty feet. (Ord. 19898 §2; July 29, 2013: prior Ord. 19404 §2; June 28, 2010: Ord. 19283 §4; July 27, 2009: Ord. 19092 §3; June 9, 2008: Ord. 18857 §2; December 4, 2006: Ord. 17585 §2; January 10, 2000: Ord. 16949 §5; March 11, 1996: Ord. 16735 §2; February 13, 1995: Ord. 15507 §1; April 2, 1990: Ord. 15442 §3; February 20, 1990: Ord. 14725 §1; August 3, 1987: Ord. 14613 §2; March 9, 1987: Ord. 13611 §1; June 6, 1983: Ord. 12571 §365; May 8, 1979).

#### 27.69.035 Off-Premises Signs.

(a) Administrative Permits. Off-premises signs are permitted in the ~~B-1, B-3, B-4, H-1, H-2, H-3, H-4, and I-1~~ zoning districts by administrative permit issued by the Director of Building and Safety. The administrative permits shall automatically expire ten years from their date of issuance. The permittee may make application for renewal of the administrative permit.

(1) Applications for administrative permits and renewals thereof shall include:

(i) The legal description of the land upon which an off-premises sign is to be located.

(ii) A copy of a signed lease or other verification that the applicant has permission of the owner of the land upon which the off-premises sign shall be located to locate the off-premises sign thereon.

(iii) The area of the proposed off-premises sign.

(iv) The description and location of a nonconforming off-premises sign or signs to be removed as required by subsection (e) below or which was removed after January 10, 2000 and registered with the Department of Building and Safety and not previously used to satisfy the requirement of subsection (3) below. The above provisions are not required to be met for renewal of an administrative permit. For the purpose of this section, a nonconforming off-premises sign shall mean any off-premises sign which was lawfully installed on the January 10,

**Commented [CJE4]:** Off-Premises signs are being eliminated as an allowed sign in the B-1 due to the change in nature of the B-1 zoning district.

**Commented [CJE5]:** The H-1 zoning district is being eliminated from the Zoning Ordinance.

2000 effective date of Ordinance No. 17585 and for which an administrative permit has not been issued.

(2) The administrative permit and any renewals thereof shall be issued under the following conditions:

(i) The off-premises sign shall be subject to the provisions of this section, notwithstanding any other applicable regulation of the zoning district in which the off-premises sign is located.

(ii) The nonconforming off-premises sign or signs identified in the application for removal shall be removed prior to application for the permit or within 30 days of the date of the issuance of the permit.

(iii) The off-premises sign shall be removed within 30 days following the expiration of the permit.

(b) Siting Limitations.

(1) The minimum distance between an off-premises sign and an existing off-premises sign or nonconforming off-premises sign shall be 600 feet measured in all directions regardless of the zoning jurisdiction in which the existing off-premises sign or nonconforming off-premises sign is located.

(2) The minimum distance between any two off-premises electronic changeable copy signs shall be 5,000 feet measured in all directions regardless of the zoning jurisdiction in which the existing off-premises electronic changeable copy sign is located.

(3) The minimum distance between an off-premises sign and a public elementary or public high school, private school having a curriculum equivalent to a public elementary or public high school, college or university, park, or cemetery shall be 600 feet measured in all directions regardless of the zoning jurisdiction in which the public elementary or high school, private school having a curriculum equivalent to a public elementary or public high school, university, park, or cemetery is located.

(4) No off-premises sign shall be permitted in the areas designated as District A, District B, or District C of the Capitol View Corridor Overlay District.

(5) No off-premises sign shall be permitted within the B-4 zoning district area bounded by 10th Street, 14th Street, N Street, and P Street, or within the B-4 zoning district area west of 9th Street or in the area beginning 150 feet east of 17th Street continuing to the eastern boundary of the district.

(6) Within one-fourth mile on either side of the corporate limits of the City, the minimum distance between an off-premises sign and any of the below listed entrance corridors to the City shall be 800 feet measured in all directions.

- (i) Interstate 80 and 180;
- (ii) Homestead Expressway (U.S. Highway 77) and Rosa Parks Way;
- (iii) L55X (defined as the north line of Interstate 80 to the north line of Cornhusker Highway);
- (iv) Nebraska Highway 2;
- (v) U.S. 6;
- (vi) Cornhusker Highway;
- (vii) North 27th Street;

(viii) "O" Street.

(7) Off-premises signs shall be located a minimum of 150 feet or one-half of the depth of the zoning district in which the off-premises sign shall be located, whichever is greater, measured in all directions from all residential zoning districts.

(8) No off-premises signs shall be located within 600 feet measured in all directions from a sensitivity zone. For the purpose of this section, a sensitivity zone shall mean an historic district, historic landmark, and Capitol environs.

(9) No off-premises signs shall be located within 660 feet of Interstate 80 and 180.

Notwithstanding the above (b)(1) through (b)(9) siting limitations, the Director of Building and Safety may approve an administrative permit for the face of the sign to be changed to an electronic changeable copy sign of equal or lesser face area provided that the sign is located at least 150 feet from and does not face a residential district, cemetery or park.

(c) Lighting. Illumination of off-premises signs shall not be allowed from midnight to 5:00 a.m., except for government initiated emergency information announcements. If off-premises signs are illuminated by reflected lighting, the lighting shall be provided by downlighting methods, until such time as sign illumination standards are adopted by resolution of the City Council and thereafter it shall in accordance with design standards. The lighting shall be controlled by an automatic timing device.

(d) Abandoned Signs. In addition to all other applicable regulations, off-premises sign structures and existing nonconforming off-premises sign structures which contain no sign copy on all faces for a continuous period of six months shall be considered an abandoned sign and shall be removed. This removal shall take place within ten days of the date of the abandonment.

(e) Removal of Existing Nonconforming Off-Premises Signs. For each new off-premises sign of a given total face area (rather than area of sign) to be erected within the zoning jurisdiction of the City in conformance with this section, an existing nonconforming off-premises sign or signs encompassing equal or greater total face area to the new off-premises sign shall be removed. In the alternative a nonconforming off-premises sign or signs removed after January 10, 2000 and registered with the Director of Building and Safety encompassing equal or greater face area to the new off-premises sign may be removed from the from the Director of Building and Safety registration and used in whole or part to satisfy this requirement. Notwithstanding the foregoing, for each new off-premises electronic changeable copy sign of a given sign area (rather than face area) to be erected within the zoning jurisdiction of the City in conformance with this section, three existing nonconforming signs each encompassing equal or greater sign area to the new off-premises electronic changeable copy sign shall be removed. In the alternative, three nonconforming off-premises signs removed after January 10, 2000 and registered with the Director of Building and Safety, each encompassing equal or greater sign area value to the new off-premises sign, may be removed from the Director of Building and Safety registration and used in whole or part to satisfy this requirement.

(f) Notwithstanding (e) above, upon request of the applicant, the City Council may, after report and recommendation of the Planning Commission, grant the applicant a bonus of one additional off-premises sign of equal square footage to the nonconforming off-premises sign to be removed upon a finding that the nonconforming off-premises sign to be removed is located is in

an area of special aesthetic value to the community and that removal of the nonconforming off-premises sign in question is a special desire of the community. (Ord. 19967 §4; December 16, 2013; prior Ord. 19714 §4; May 21, 2012; Ord. 18857 §3; December 4, 2006; Ord. 18485 §1; December 20, 2004; Ord. 17585 §3; January 10, 2000; Ord. 17526 § 1; July 12, 1999).

**27.69.040 Sign Tables.**

General sign requirements for this title are as shown on Table 1 (Off-Premises Signs); Table 2 (Signs for Residential Zoning Districts); and Table 3 (Signs for Commercial and Industrial Zoning Districts).

**TABLE 1  
Off-Premises Signs**

Zoning District	Area	Height	Qualifications In Addition to Provisions of Section 27.69.035
<del>H-1</del> , H-4, <del>B-1</del>	300 sq. ft.	35 ft.	N/A
H-2	700 sq. ft.	35 ft.	Such signs shall be located 33 feet inside the front property line
B-3	400 sq. ft.	35 ft.	In any B-3 zoning district which is twelve acres or more in area, including public right-of-way located therein
B-4	700 sq. ft.	45 ft.	Only allowed in the area beginning 150 feet east of 17th Street and continuing west to 9th Street, excluding the area bounded by 10th Street, 14th Street, N Street, and P Street
I-1, H-3	700 sq. ft.	45 ft.	N/A

**Commented [CJE6]:** The H-1 zoning district is being eliminated from the Zoning Ordinance.

**Commented [CJE7]:** Off-Premises signs are being eliminated as an allowed sign in the B-1 due to the change in nature of the B-1 zoning district.

**TABLE 2  
Signs for Residential Zoning Districts**

<b>AG &amp; AGR</b>			
<b>RESIDENTIAL/ NONRESIDENTIAL</b>	<b>SIGN CLASSIFICATION</b>	<b>NUMBER, LOCATION &amp; SIGN TYPE</b>	<b>MAX. SIGN AREA AND HEIGHT</b>
<b><u>RESIDENTIAL USES</u></b> To identify home occupations, block parents, name of the premises or occupants thereof, or similar information	<b>WALL</b>	1	2 sq. ft.
<b><u>NONRESIDENTIAL USES</u></b> Announcing the business or activity being conducted on the premise  All freestanding signs must be spaced 150 feet apart	<b>WALL</b>	1 per frontage	70 sq. ft.
	<b>OR</b> <b>FREESTANDING</b>	1 per frontage	70 sq. ft. 8 ft. tall
<b>R-1 to R-4</b>			
<b>RESIDENTIAL</b>	<b>SIGN CLASSIFICATION</b>	<b>NUMBER, LOCATION &amp; SIGN TYPE</b>	<b>MAX. SIGN AREA AND HEIGHT</b>
<b><u>RESIDENTIAL</u></b> To identify home occupations, block parents, name of the premises or occupants thereof, or similar information	<b>WALL</b>	1	2 sq. ft.
<b>R-5 to R-8</b>			
<b>USES</b>	<b>SIGN CLASSIFICATION</b>	<b>NUMBER, LOCATION &amp; SIGN TYPE</b>	<b>MAX. SIGN AREA AND HEIGHT</b>
<b><u>ALL USES</u></b> to identify home occupations, block parents, name of the premises or occupants thereof, or similar information	<b>WALL</b>	1	2 sq. ft.
<b><u>MULTIPLE FAMILY DWELLINGS</u></b> identifying name and use of the building	<b>WALL</b>	1	6 sq. ft.
	<b>OR</b>		

	<b>FREESTANDING</b>	1	6 sq. ft. 6 ft. tall
	AND		

<b>MULTIPLE FAMILY DWELLINGS</b> identifying the quarters of an on premise building manager or custodian	<b>WALL</b>	1	1 sq. ft.
	<b>OR</b>		
	<b>FREESTANDING</b>	1	1 sq. ft. 6 ft. tall
<b>USES OTHER THAN DWELLINGS</b> in the R-5, R-6 , R-7 and R-8	<b>WALL</b>	1 per building facade	32 sq. ft.
	<b>OR</b>		
<b>R-8</b> to identify the building or activity being conducted on the premises	<b>FREESTANDING</b>	1 for each main building	32 sq. ft. 6 ft. tall
<b>FRATERNITIES AND SORORITIES</b> within ½ mile of an educational institution	<b>WALL</b>	1	20 sq. ft.

**TABLE 3**  
**Signs For Commercial and Industrial Zoning Districts**

<b>ZONING DISTRICT</b>	<b>SIGN TYPE</b>	<b>NUMBER OF PERMITTED SIGNS</b>	<b>INSIDE THE FRONT YARD</b>	<b>OUTSIDE THE FRONT YARD</b>
<del>B-1, B-3, B-4</del> *, <del>H-2</del>	<b>FREESTANDING</b>	1 per business per frontage	<del>N/A 50 sq. ft. 15 ft. tall</del>	100 sq. ft. 25 ft. tall
	<b>OR</b>			
	<b>CENTER</b>	1 per frontage	<del>N/A 50 sq. ft. 15 ft. tall</del>	150 sq. ft. 35 ft. tall
* Beginning 150 feet east of 17th Street and continuing to the eastern boundary of the B-4 District, the maximum height of any freestanding signs (whether inside or outside the front yard) is 8 feet tall.				
<del>B-2, B-5, H-4</del>	<b>FREESTANDING</b>	1 per main building	50 sq. ft. 12 ft. tall	100 sq. ft. 18 ft. tall
	<b>AND</b>			
	<b>CENTER</b>	1 per frontage	50 sq. ft. 12 ft. tall	150 sq. ft. 35 ft. tall
<del>H-1</del>	<b>FREESTANDING</b>	<del>1 per business per frontage</del>	<del>50 sq. ft. 15 ft. tall</del>	<del>100 sq. ft. 25 ft. tall</del>
	<b>AND</b>			
	<b>INTERSTATE</b> <i>if within 660 ft of a designated interstate</i>	<del>1</del>	<del>150 sq. ft. 15 ft. tall</del>	<del>300 sq. ft. 80 ft. tall</del>
<del>H-2, H-3</del>	<b>FREESTANDING</b>	1 per business per frontage	50 sq. ft. 15 ft. tall	100 sq. ft. 25 ft. tall

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**Commented [CJE8]:** The B-1 will now follow the same sign regulations as the O-3

**Commented [CJE9]:** These are all corridors and have the same sign requirements. Since there is no longer a front yard requirement in B-3 or H-2, larger signs will be permitted closer to the street, but not in the streetscape zone.

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**Commented [CJE10]:** H-4 was moved to this section because these are all Centers and have the same sign requirements.

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**Commented [CJE11]:** The H-1 zoning district is being eliminated from the Zoning Ordinance.

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<u>ZONING DISTRICT</u>	<u>SIGN TYPE</u>	<u>NUMBER OF PERMITTED SIGNS</u>	<u>INSIDE THE FRONT YARD</u>	<u>OUTSIDE THE FRONT YARD</u>
	OR			
	CENTER	1 per frontage	N/A	150 sq. ft. 35 ft. tall
	AND			
	INTERSTATE (H-3 ONLY) <i>if within 660 ft of a designated interstate</i>	1	150 sq. ft. 15 ft. tall	300 sq. ft. 80 ft. tall
<del>H-4</del>	<del>FREESTANDING</del>	<del>1 per main building</del>	<del>50 sq. ft. 15 ft. tall</del>	<del>100 sq. ft. 25 ft. tall</del>
	AND			
	<del>CENTER</del>	<del>1 per frontage</del>	<del>N/A</del>	<del>150 sq. ft. 35 ft. tall</del>
	AND			
	<del>INTERSTATE if within 660 ft of a designated interstate</del>	<del>1</del>	<del>150 sq. ft. 15 ft. tall</del>	<del>300 sq. ft. 80 ft. tall</del>
I-1	FREESTANDING	1 per business per frontage	50 sq. ft. 15 ft. tall	100 sq. ft. 25 ft. tall
	AND			
	CENTER	1 per frontage	N/A	150 sq. ft. 35 ft. tall
	AND			
		1 per entrance	50 sq. ft. 15 ft. tall	50 sq. ft. 15 ft. tall
I-2, I-3	FREESTANDING	1 per business per frontage	50 sq. ft. 12 ft. tall	100 sq. ft. 18 ft. tall
	AND			
	CENTER	1 per frontage	N/A	150 sq. ft. 18 ft. tall
	OR			
		2 per entrance	50 sq. ft. 12 ft. tall	50 sq. ft. 18 ft. tall
O-1, O-2	FREESTANDING	1 per main building	N/A	32 sq. ft. 8 ft. tall
O-3, B-1	FREESTANDING	1 per main building	50 sq. ft. 12 ft. tall	50 sq. ft. 18 ft. tall

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Commented [CJE12]: Move to the B-2, B-5 Section above

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Commented [CJE13]: There will no longer be any H-4 within 660 feet of a designated interstate.

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Commented [CJE14]: The new B-1 will have more restrictive sign regulations, the same as the O-3 Office District, to be more compatible with adjacent neighborhoods. B-1 will not have a front yard setback so the front yard height limitation will not apply.

<u>ZONING DISTRICT</u>	<u>SIGN TYPE</u>	<u>NUMBER OF PERMITTED SIGNS</u>	<u>INSIDE THE FRONT YARD</u>	<u>OUTSIDE THE FRONT YARD</u>
	AND <b>CENTER</b>	1 per of frontage	50 sq. ft. 12 ft. tall	100 sq. ft. 35 ft. tall
<b>R-T</b>	<b>FREESTANDING</b>	1 per main building	N/A	32 sq. ft. 8 ft. tall

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(Ord. 19714 §5; May 21, 2012; prior Ord. 19283 §5; July 27, 2009: Ord. 12679 §6; September 4, 1979).

**27.69.090 Churches, Schools, and Community Playhouses.**

In any residential zoning district, churches, schools, and community playhouses are permitted one on-premises internally illuminated freestanding sign on each street frontage, not exceeding fifty square feet of area or six feet in height, for each bulletin board or sign and its supporting structure, and one on-premises wall sign on each building facade, not exceeding twenty square feet in sign area. When a school, church, or community playhouse is located a minimum of 200 feet from any street frontage and is located in an AG or AGR district, said wall sign shall be a maximum of 100 square feet in area.

(a) A permitted freestanding sign may be located in the required front yard if it meets the following conditions and requirements:

(1) Signs may contain a maximum of fifty square feet in sign area if non-illuminated. If illuminated, such sign shall contain a maximum of thirty-two square feet in sign area, and shall be internally illuminated only;

(2) Has a setback from the front lot line at least one-half the distance of the required front yard;

(3) Has a setback from the side lot line at least 100 feet if abutting residential lots; and

(4) One temporary sign of up to thirty-two square feet may be allowed on premises for up to ten days.

(b) A permitted freestanding sign fronting on an arterial street may include electronic changeable copy if it meets the following conditions and requirements:

(1) Total area of the electronic changeable copy sign shall not exceed 75% of the total allowed freestanding sign area;

(2) The electronic changeable copy sign shall have a setback from the side and rear lot lines of at least 150 feet if abutting residential lots and shall have a setback from a front lot line of at least 150 feet if the sign copy is parallel to the front lot line;

(3) The electronic changeable copy sign message shall hold for at least three seconds and transition to a new message shall not exceed a duration of one second; and

(4) The electronic changeable copy sign shall be turned off between 10:00 p.m. and 7:00 a.m. (Ord. 19283 §22; July 27, 2009; prior Ord. 19199 §1; January 26, 2009: Ord. 18288

§1; January 5, 2004: Ord. 16735 §18; February 13, 1995: Ord. 16000 §1; November 12, 1991: Ords. 14278, 14297, and 14539, as amended by Ord. 14613 §16; March 9, 1987: and Ords. 13734, 13668, 13611, 13790, 13418, 13582, 13133, 13054, 12923, 12893, 12751, 12679, 12657, and 12571).

**27.69.100 Non-illuminated Temporary Signs.**

The following non-illuminated temporary signs are allowed in all zoning districts, provided that the sign area and height of the sign shall not exceed the following limitations by zoning district:

- Residential Districts -- ten square feet of sign area.
- Nonresidential Districts -- 40 square feet of sign area and six feet in height.

(a) Temporary real estate signs identifying an offer for the sale or lease of all or part of the premises on which the sign is located are permitted provided that such signs shall be removed within one week after closing of the sale or lease of the premises.

(b) Temporary construction signs of contractors or artisans identifying the contractors or artisans performing work on the premises on which the sign is located are permitted provided such signs shall be limited to one sign per contractor or artisan and shall be removed within one week after completion of the work of the contractor or artisan.

(c) Temporary noncommercial signs in connection with political campaigns, nonprofit civic activities, and other noncommercial activities are permitted. (Ord. 19283 §23; July 27, 2009: prior Ord. 16076 §1; March 16, 1992: Ord. 15693 §1; August 20, 1990: Ord. 14613 §17; March 9, 1987).

**27.69.110 Official Signs, Plaques, Flags, Street Numbers.**

In any zoning district, the following signs shall be allowed:

(a) Official signs authorized by a government or subdivision thereof, including traffic, directional, and warning signs, public notices, and proclamations;

(b) Flags of any government or subdivision thereof, or of any educational, charitable, religious, or political organization;

(c) Historical or commemorative plaques or tablets;

(d) Memorial plaques, building cornerstones, or building names, when cut or carved into a masonry surface, or when made of noncombustible material and made an integral part of the building or structure it identifies;

(e) Street numbers and street identification signs;

(f) Reflectors and other safety signs or devices used to mark driveways, towers, airport approaches, and other potentially dangerous structures or situations;

(g) Directional signs authorized pursuant to rules and regulations established by the Director of Public Works and Utilities for business areas affected by major street construction projects;

(h) One non-illuminated, non-reflecting wall sign not exceeding two square feet in sign area. (Ord. 16949 §6; March 11, 1996: prior Ord. 16735 §19; February 13, 1995: Ord. 14613 §18; March 9, 1987).

**27.69.120 Holiday Decorations.**

In all zoning districts, seasonal or holiday signs or decorations for religious or national holidays are permitted. Such decorations may blink, flash, or move and may be located in a required yard; provided, however, that no such holiday decoration shall interfere with traffic or present any other hazard to the safety or welfare of the public. (Ord. 14613 §19; March 9, 1987).

**27.69.140 Commercial Districts; Special Sales.**

(a) In the B, H, and I zoning districts where commercial establishments are permitted, temporary signs or mobile signs identifying special sales and openings shall be permitted on the premises of a commercial establishment for no more than sixty days in any calendar year. No temporary sign shall exceed 100 square feet in sign area. One temporary sign is permitted on each building elevation. Mobile signs shall not exceed sixty square feet of sign area and may be located one-half the distance into the required front yard.

(b) In lieu of the signs permitted in (a) above, a temporary sign which is more than sixty square feet, but less than 300 square feet, in sign area, shall be permitted on no more than two occasions and for no more than a combined total of ten days in any calendar year. Such a temporary sign shall be constructed or inflated in the three dimensional form of a person, animal, or object directly relating to the company or product which is the subject of the special sale or opening. The temporary sign shall be secured to the ground per the requirements of Chapter 22.05 of the Lincoln Municipal Code and shall not be permitted to float or become airborne. (Ord. 19283 §26; July 27, 2009; prior Ord. 16735 §21; February 13, 1995; prior Ord. 14863 §1; April 25, 1988; Ord. 14613 §21; March 9, 1987).

**27.69.150 Nonconforming Use.**

In all residential zoning districts, no more than two on-premises signs not exceeding thirty-two square feet in sign area shall be permitted on a building if the building is a nonconforming use. If the lot on which the nonconforming use is located is contiguous to or across an alley from a zoning district in which said nonconforming use would be a permitted use, the signs may be illuminated. (Ord. 19283 §27; July 27, 2009; prior Ord. 16735 §22; February 13, 1995; Ord. 14613 §22; March 9, 1987).

**27.69.160 Special Permitted Uses.**

In all residential zoning districts, special permitted uses may have the greater of the district signs or a sign identifying or describing the name of the building and the business or services offered on the premises. One sign only per special use shall be permitted if it meets the following conditions and requirements:

- (a) The sign shall not be more than twenty square feet in sign area;
- (b) The sign shall not be located in any required yard;
- (c) The sign shall not be more than eight feet in height if it is not a wall sign;
- (d) The sign shall be in keeping with the character of the area in which it is located.

Notwithstanding the above, for specially permitted commercial uses of historic structures or sites approved under the provisions of Section 27.63.400 of this title, two signs per entrance may be permitted, one of which, limited to five feet in height, may be located in a required front yard, provided that the Historic Preservation Commission has deemed those signs appropriate.

(Ord. 19283 §28; July 27, 2009: prior Ord. 16735 §23; February 13, 1995: prior Ord. 15823 §2; February 11, 1991: Ord. 14613 §23; March 9, 1987).

**27.69.180 Motorized Vehicle Fuel Sales Facility Signs.**

In those zoning districts where motorized vehicle fuel sales facilities are permitted, the following signs are permitted on the premises used as motorized vehicle fuel sales facilities in addition to those signs otherwise permitted in the zoning district in which such motorized vehicle fuel sales facility is located:

(a) Gasoline Price Sign: One gasoline price sign per frontage, not to exceed thirty-two square feet of sign area. Said gasoline price sign shall be attached to the permitted freestanding sign structure.

(b) Canopy/Fascia Sign: Two canopy/fascia signs per canopy face; not to exceed a combined total of fifty square feet of sign area for an emblem, logo, and/or business name. Stripes and graphics may be allowed on the remaining area of the canopy fascia.

(c) Pump Island Signs: Each pump island may have one pump island sign per pump cabinet not to exceed twenty square feet of sign area.

(d) Full- and self-service island identification, air, restroom, garbage cans, and dispenser identification will not be counted as signs. (Ord. 19733 §34; June 25, 2012: prior Ord. 19283 §30; July 27, 2009: prior Ord. 16735 §25; February 13, 1995: Ord. 15895 §1; May 20, 1991: Ord. 14613 §25; March 9, 1987).

**27.69.190 Murals.**

In all zoning districts, murals, exclusive of any sign area, painted on walls of a building, fence, or similar structure shall be permitted; provided that a permit therefor is obtained from the Department of Building and Safety, and that such mural shall not interfere with traffic or present any other hazard or detriment to the public health, safety, or general welfare. (Ord. 16735 §26; February 13, 1995: prior Ord. 14613 §26; March 9, 1987).

**27.69.200 Historically Significant Signs.**

In all zoning districts, historically significant signs may be exempted from the provisions of this chapter by resolution of the City Council, or by being in conformance with any historic preservation ordinance adopted by the city. (Ord. 14613 §27; March 9, 1987).

**27.69.220 Complex or Subdivision Area Signs.**

In all residential zoning districts, freestanding signs identifying a complex for multiple family dwellings, residential healthcare facilities, or elderly or retirement housing or subdivision area shall be permitted under the following conditions:

(a) Freestanding signs shall not exceed thirty-two square feet in area or six feet in height.

(b) Freestanding signs may be located in the required front yard or building line district adjacent to an arterial street.

(c) Two freestanding signs may be located at each entrance.

(d) If the complex for multiple family dwellings, domiciliary facilities, or elderly or retirement housing or the subdivision area fronts upon but does not have access to an arterial street, one additional freestanding sign per arterial street frontage without access may be located abutting such arterial street.

(e) Freestanding signs may be illuminated by a ground light, internally or by downlighting methods if located at least 100 feet from the side lot line of an abutting residential zoned lot; provided that if the abutting residential zoned lot is used for multi-family use or a special permitted use, the above 100-foot setback does not apply.

(f) Freestanding signs located in the building line district shall be moved at the sole cost of the owner when necessary for public use. (Ord. 19733 §34; June 25, 2012: prior Ord. 19404 §3; June 28, 2010: Ord. 19283 §32; July 27, 2009: Ord. 18895 §1; March 12, 2007: Ord. 16959 §1; March 25, 1996: Ord. 16735 §28; February 13, 1995: Ord. 14613 §29; March 9, 1987).

#### **27.69.230 Subdivision Promotion Signs.**

In any zoning district, a subdivision promotion sign for the original sale of lots shall be permitted under the following conditions:

There shall be permitted on an original tract of ten acres or less only one sign, which sign shall not exceed 100 square feet in sign area; on an original tract of more than ten acres, no more than two signs, which signs shall not exceed a composite size of 150 square feet in sign area and no one sign shall exceed 100 square feet in sign area. Such sign shall be nonilluminated. (Ord. 19283 §33; July 27, 2009: prior Ord. 16735 §29; February 13, 1995: Ord. 14613 §30; March 9, 1987).

#### **27.69.240 Nonresidential; Menu Boards.**

In any commercial district, two on-premises freestanding signs each not to exceed forty-five square feet in sign area or one on-premises freestanding sign not to exceed fifty square feet in sign area functioning as menu boards are permitted in conjunction with an eating establishment utilizing ordering from the vehicle; provided, any sign shall not exceed eight feet in height and shall not be permitted in the required front or side yard of the district in which it is located. (Ord. 19283 §33; July 27, 2009: prior Ord. 17576 § 1; November 15, 1999: Ord. 16735 §30; February 13, 1995: Ord. 14613 §31; March 9, 1987).

#### **27.69.250 Nonresidential; Flags.**

In any commercial or industrial district, a flag, in addition to the flags permitted under Section 27.69.110(b) above, is permitted in lieu of a permitted freestanding sign. No single flag shall exceed 150 square feet in sign area or the sign area of the replaced freestanding sign, whichever is smaller. This section shall not limit the provisions of the B-4 zoning district relating to flags.

In the area of the B-4 zoning district beginning 150 feet east of 17th Street and continuing to the western boundary of the B-4 zoning district, flags of any organization, party, or individual are permitted, including flags mounted above or on roofs. The total sign area for all flags shall not exceed that allowed for wall signs in the B-4 zoning district as described in Section 27.69.040

Table 3in. No single flag shall exceed 150 square feet. (Ord. 19283 §35; July 27, 2009; prior Ord. 14613 §32; March 9, 1987).

**27.69.260 Nonresidential Health Care Facilities and Post Secondary Schools.**

Campuses of nonresidential health care facilities and private post secondary schools having more than one building and two acres of land, may have a campus signing plan approved under the provisions of Section 27.63.080 and 27.63.075 to provide for public safety and to accommodate the unique requirements for services, provided:

- (a) The signing plan shall be designed to minimize adverse impact on surrounding properties;
- (b) Any signs proposed in required yards shall be approved as part of the landscaping plan;
- (c) No freestanding sign shall exceed eight feet in height or fifty square feet in sign area if on a major street, and six feet in height and thirty-two square feet on any other street;
- (d) Sign shall have no exposed illumination, except one "emergency" sign may have direct lighting;
- (e) All wall signs over fifty square feet in sign area shall be approved in the permit.

Said campus signing plan may be approved by administrative amendment as provided in Section 27.63.030 if a special permit is existent for the health care facility or secondary school and plot plan.

The campus signing plan regulations in subparagraphs (c), (d), and (e) above may be modified by the City Council in connection with the granting of a special permit in conformance with the requirements of Chapter 27.63. (Ord. 19827 §17; February 25, 2013; prior Ord. 19733 §34; June 25, 2012; Ord. 19283 §36; July 27, 2009; Ord. 16181 §1; August 3, 1992; Ord. 15616 §1; July 9, 1990; Ord. 14613 §33; March 9, 1987).

**27.69.290 Nonresidential; Permanent Window Signs.**

In all nonresidential zoning districts, permanent window signs shall be permitted; provided that such signing does not cover more than twenty-five percent of the area of any window or door. (Ord. 14613 §36; March 9, 1987).

**27.69.300 Nonresidential; Special Sign District.**

(a) In any nonresidential district, occupants of sixty percent or more of the street frontage of any block face may petition the City Council for the formation of a special sign district for the purpose of defining an area of particular historical, ethnic, cultural, or entertainment atmosphere; or for defining an area with a special or unique theme; or for defining an area in which the City has undertaken a program for the redevelopment of blighted and substandard areas pursuant to an approved Redevelopment Plan. Said merchants shall present proposed sign criteria to the City Council according to the procedure established for a zoning amendment. Such petition shall include specific sign regulations for the special sign district which may be more or less restrictive than the underlying district.

(b) In any nonresidential district designated by the City Council as a landmark district in accordance with Section 27.57.120, the Planning Director may petition the City Council to create a special sign district. Such petition shall include specific sign regulations for the district which may be more or less restrictive than the underlying zoning district. A special sign district shall not be designated if written protests are made by the record owners of over fifty percent of the included properties, excluding public right-of-way, at or prior to the public hearing by the City Council on the designation.

Before designating an area within a nonresidential landmark district as a special sign district and adopting specific sign regulations for such district, the City Council shall refer the petition to the Historic Preservation Commission. The Historic Preservation Commission shall hold a public hearing on such petition, and thereafter shall make its recommendation regarding approval, disapproval, or modification of the petition, and the proposed sign regulations. The petition shall then be transmitted to the Planning Commission. The Planning Commission shall consider the petition at a public hearing and thereafter shall make a report to the City Council recommending approval, disapproval, or modification of the petition and the proposed sign regulations.

After receiving the recommendation and report of the Historic Preservation Commission and the Planning Commission, the City Council shall proceed to give final consideration to the petition and the proposed sign regulations.

(c) After the City Council has approved a nonresidential special sign district, the Planning Director is authorized to approve amendments provided that:

(1) A request for amendment is filed with the Planning Director and, if appropriate, accompanied by a plot plan and signs drawn to an accurate scale and showing all pertinent information;

(2) The request for amendment proposes a minor increase in the number, size, height, location, or other special sign district regulation for signs which are more restrictive than the underlying zoning district and such increase does not cause a significant adverse impact on existing development within the district and adjoining properties;

(3) The request for amendment is in conformance with the sign regulations for the underlying zoning district. (Ord. 18935 §1; June 11, 2007: prior Ord. 18753 §1; June 19, 2006: Ord. 16735 §33; February 13, 1995: Ord. 15722 §1; September 17, 1990: Ord. 14613 §37; March 9, 1987).

#### **27.69.310 Nonresidential; Roof Signs.**

In all nonresidential zoning districts which allow freestanding signs, a roof sign may be permitted on buildings with a roof pitch of 1/12 or greater as an alternative to either:

- (a) the permitted freestanding sign, or
- (b) the permitted wall signs in the same architectural elevation as the requested roof sign.

Said roof sign shall not exceed thirty percent coverage of the roof area (determined by the area of the roof in elevation view), except that in no instance shall the permitted roof sign be larger than the freestanding sign permitted in the district. The roof sign shall be a minimum of one foot below the roof line. (Ord. 19283 §37; July 27, 2009: prior Ord. 16735 §34; February 13, 1995;

prior Ord. 16180 §10; August 3, 1992: Ord. 15934 §1; August 5, 1991: Ord. 14613 §38; March 9, 1987).

**27.69.320 Nonconforming Signs.**

(a) All nonconforming signs shall be brought into compliance when one or more of the following occurs:

- (1) When the sign is damaged by any means in excess of sixty percent of its replacement value at the time such damage occurs.
- (2) When normal maintenance or modifications exceed 25% of the value of the sign structure, except as otherwise permitted in subsection (b) below.
- (3) When the sign is required to be moved because of a local, state, or federal project, except as otherwise permitted in subsection (b) below.
- (4) When a painted wall sign is repainted.

Face changes will be allowed to a nonconforming sign.

(b) Notwithstanding the above, the owner of a nonconforming off-premises sign with multiple stack, or side-by-side faces in one direction, may replace said sign provided that:

(1) The replacement sign shall have not less than 200 square feet nor more than 300 square feet per face.

(2) The replacement sign shall have a single back-to-back faces configuration. Faces on individual structures shall be generally consistent in size.

(3) The sign structure for the replacement sign shall utilize a monopole design that is structurally rated to accommodate the replacement sign.

(4) The new sign structure shall not exceed an overall height of 30 feet, including any downlit light fixtures.

(5) The sign face height for the replacement sign shall not exceed 28 feet, except that the Planning Director may approve up to five feet of additional height provided that the replacement sign's visibility is restricted to a greater degree than the existing sign face, which in the case of an existing sign with stacked faces means the lower sign face, and provided further that the increased height does not adversely affect public health, safety, or general welfare.

(6) If the replacement sign is illuminated by reflected lighting, the lighting shall be provided by downlighting methods or in accordance with digital lighting regulations if a digital display face is utilized.

(7) The replacement sign shall be located a minimum distance of 150 feet from a residential district, park or cemetery when facing such district, park or cemetery.

(8) The replacement sign will be installed within 180 days of the removal of the existing off-premises sign being replaced.

(9) Two square feet of face area for every one square foot of face area installed on the replacement sign as viewed from one side shall be removed from the Director of Building and Safety's registration of nonconforming off-premises signs removed after January 10, 2000, except that if a digital face is utilized, four square feet of sign area (rather than face area) shall be deducted for every one square foot of sign area in the replacement sign.

(10) The Planning Director may approve an alternate location for the replacement sign on the same site or on an adjacent site within 150 feet of the existing site provided that the

alternate sign location is located no closer to the street right-of-way, does not result in increasing any nonconformity with the siting limitations in Section 27.69.035(b), does not significantly increase the visual impact on any nearby residential properties or otherwise adversely affect public health, safety or general welfare. (Ord. 19006 §1; October 8, 2007: prior Ord. 16735 §35; February 13, 1995: Ord. 14613 §39; March 9, 1987).

**27.69.330 Cemetery Grounds.**

Cemeteries may have a cemetery grounds signing plan approved under the provisions of Section 27.63.510 to provide public information and to accommodate the unique requirements for services, provided:

- (a) The signing plan shall be designed to minimize adverse impact on surrounding properties;
- (b) Any sign proposed to be located in a required yard shall be approved as part of a landscaping plan;
- (c) No freestanding sign shall exceed eight feet in height or fifty square feet in area if located along a major street and six feet in height and thirty-two square feet in sign area if located along any other street;
- (d) Signs shall have no exposed illumination, except LED or similar technologies;
- (e) All wall signs over fifty square feet in sign area shall be approved in the permit;
- (f) Signs located along a major street shall be spaced a minimum of 500 feet apart from each other.

Such cemetery grounds signing plan may be approved by administrative amendment as provided in Section 27.63.030 if a special permit has been issued for the cemetery.

The cemetery grounds signing plan regulations in subparagraphs (c), (d), (e) and (f) above may be modified by the City Council in connection with the granting of a special permit for a cemetery. (Ord. 19283 §38; July 27, 2009: prior Ord. 18857 §6; December 4, 2006: Ord. 15146 §1; April 10, 1989).

**27.69.340 Permitted Signs for Planned Unit Developments.**

In any zoning district where a planned unit development has been approved, the specific regulations are as follows:

- (a) For nonresidential uses:
  - (1) Where a use is not otherwise permitted in the underlying district or authorized by the City Council pursuant to Section 27.60.020(b)(2): One illuminated wall sign per business is permitted. If the floor area is 2,000 square feet or less, the sign shall have a maximum of twenty square feet of sign area. For a business with a floor area of over 2,000 square feet, one square foot of sign area per 100 square feet of floor area (maximum of fifty square feet) is permitted. One illuminated freestanding sign per building not exceeding fifty square feet in sign area and six feet in height is permitted. Such sign shall be located from the front lot line at least one-half of the required setback distance.
  - (2) In all other instances, signs for office uses and retail uses shall respectively be governed by the O-3 district provisions in Section 27.69.040 Table 3, B-2 district provisions as

described in Section 27.69.040 Table 3, and the I-3 district provisions as described in Section 27.69.040, Table 3.

(b) The sign regulations in this section may be modified by the City Council. (Ord. 19404 §4; June 28, 2010; prior Ord. 19283 §39; July 27, 2009: Ord. 16735 §36; February 13, 1995: Ord. 16575 §1; March 14, 1994: Ord. 16487 §1; September 27, 1993: Ord. 15795 §2; December 17, 1990).