



# **City of Grand Island**

**Tuesday, May 24, 2005**

**Council Session**

## **Item F4**

**#8978 - Consideration of Amendments to Chapter 31 of the Grand Island City Code Relative to Signs**

**Staff Contact: Craig Lewis**

# **Council Agenda Memo**

**From:** Craig Lewis – Building Department Director

**Meeting:** May 24, 2005

**Subject:** Amendments to Chapter 31 Regarding Development Signs

**Item #'s:** F-4

**Presenter(s):** Craig Lewis

## **Background**

Edgemark Development and Tri City Sign Company have submitted a request to amend the City Sign Code to allow for the installation of signs within a development which will facilitate identification of the development and individual tenants within that development. Currently the City Code would define these types of signs as off-premise signs or billboards. Because of that classification many locations within the development would not be allowable for the placement of development signs as the spacing of an off-premise sign would require a separation of 800 to 500 feet.

The second part of the amendment is Staff driven and will modify the criteria for when damaged legal nonconforming signs may not be replaced.

## **Discussion**

Currently the Sign Code would define that any sign advertising goods or services not located on the property in which the sign is located as an off-premise sign and would be required to comply with all the restrictions of the Sign Code for that type of sign. One of those restrictions is that no other off-premise sign shall be located within an 800 foot radius. By the current definitions a development sign would be an off-premise sign and fairly limited by other signs on adjacent properties.

In this particular case there are three existing billboards along the west side of Highway 281 and their location would not allow for any additional signs defined as a billboard on the east side of the Highway within 800 feet.

To allow for subdivisions to provide identification and development signs is a reasonable request and the proposed limitations should provide the opportunity to facilitate that request.

The second part of this proposed amendment will change the language and place the burden of damage of non conforming signs not on the estimated dollar amount of the repairs but on the physical components and structure of the sign. This should eliminate debate over the estimated value of the sign and the cost of repairs. Determination of the extent of the damage will be based upon the physical members of the sign not an arbitrary or estimated value.

### **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve the proposed ordinance
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

### **Recommendation**

City Administration recommends that the City Council approve the proposed ordinance to amend the City Sign Code to allow for development signs.

### **Sample Motion**

Motion to approve Ordinance #8978.

## ORDINANCE NO. 8978

An ordinance to amend Chapter 31 of the Grand Island City Code; to amend Section 31-1 pertaining to definitions; to add Section 31-25.1 pertaining to development signs; to amend Section 31-42 pertaining to legal nonconforming signs; to repeal Sections 31-1 and 31-42 as now existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF  
GRAND ISLAND, NEBRASKA:

SECTION 1. Section 31-1 of the Grand Island City Code is hereby amended to read as follows:

### §31-1. Definitions

For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section.

*Back-to-Back Sign.* An off-premise sign consisting of two sign facings oriented in opposite directions with not more than two faces per sign facing.

*Cloth Sign.* Any sign executed upon or composed of any flexible fabric.

*Development Sign.* A ground sign whose purpose is to identify business located within a retail subdivision or commercial development.

*Directional Sign.* A sign erected for the convenience of the public, such as for directing traffic movement, parking, or identifying restrooms, public telephones, walkways and other similar features or facilities, and bearing no advertising message.

*Double Faced Sign.* An off-premise sign with two adjacent faces oriented in the same direction and not more than ten (10) feet apart at the nearest point between the two faces.

*Facing.* That portion of an off-premise sign upon which advertising is affixed or painted and visible in one direction at one time.

*Flat Sign.* Any sign so attached to a building or other structure that it projects beyond the building line, but extends parallel or substantially parallel thereto.

*Free Standing Sign.* Any sign that shall have as its supports, wood or steel columns, pipe, angle iron framing, or any other combination of these materials, other than ground signs as defined herein.

*Ground Sign.* Any sign which is supported by uprights or braces placed upon or extending into the ground.

*Horizontal Sign.* Any sign whose horizontal dimension is greater than its vertical dimension, or whereon the subject matter is so placed that it reads at an angle less than forty-five degrees with a horizontal line.

*Mobile Sign.* Any sign structure designed and constructed to be moved by means of wheels or skids which proposes any announcement, declaration, demonstration, display, or illustration used to advertise or promote the interests of any person when the same is placed out of doors in view of the general public. This shall not include signs anchored or attached to vehicles or trailers parked and used primarily as a static advertising display, visible from the public right-of-way.

*Multi-faced Sign.* An off-premise sign comprised of sections which rotate to display a series of advertisements, each advertisement being displayed for at least six (6) seconds continuously without movement; the duration of movement of sections between advertisements not exceeding two (2) seconds.

*Official Sign.* A sign erected by a governmental agency or its designee, setting forth information pursuant to law.

## ORDINANCE NO. 8978 (Cont.)

Off-Premise Outdoor Advertising Sign. A sign, including the supporting sign structure, which is visible from a street or highway and advertises goods or services not usually located on the premises and/or property upon which the sign is located; also called "billboard." The following shall not be considered an off-premise sign for the purposes of this Chapter: (1) directional or official signs authorized by law; (2) real estate signs; (3) on-premise signs.

On-Premise Sign. A sign which advertises the primary goods or services or taking place upon the premises on which the sign is located.

Projecting Sign. Any sign attached to a building or other structure and extending beyond the building line either perpendicularly or at any angle other than parallel thereto.

Real Estate Sign. Any sign which advertises the sale or lease of the property upon which the sign is located.

Roof Sign. Any sign which is supported by uprights or braces placed upon or extending into the roof of any building or other structure.

Sign. Any device composed of one or more letters, words, pictures, figures, characters, symbols or emblems, or any combination or grouping thereof which prefigures, typifies, or represents one or more ideas.

Transparent Sign. Any sign illuminated from within and made of glass or similar material containing opaque lettering upon a translucent letter upon an opaque ground.

V-Type Sign. Any off-premise sign structure which consists of multiple sign facings placed at angles of each other, oriented in different directions and not exceeding twenty (20) feet apart at the nearest point to each other.

Vertical Sign. Any sign whose horizontal dimension is less than its vertical dimension, or whereon the subject matter is so placed that it reads at an angle of forty-five degrees or greater with a horizontal line.

Wall Sign. Any sign which is painted or otherwise directly depicted upon a wall.

SECTION 2. Section 31-25.1 is hereby added to the Grand Island City Code to read as follows:

### **§25-25.1. Development Signs**

Development signs shall be allowed under the following conditions:

(A) Only allowed on subdivisions of twenty (20) acres or more that front on at least one side on a street classified as a major arterial or higher.

(B) Limited to one per street frontage of the development.

(C) Limited to thirty (30) feet in height or the height specified in the zoning classification, whichever is the most restrictive.

(D) Limited to no more than two hundred (200) square feet in area. Double faced signs shall be calculated on the largest side only.

(E) Development signs shall be separated a minimum of fifty (50) feet from all other signs, and shall be at least five (5) feet from all property lines.

(F) A minimum of ten percent (10%) of the sign face shall identify the development with the remaining square footage advertising tenants within the development and within five hundred (500) feet of the sign.

(G) Development signs as defined in this chapter shall not be classified as billboards or off-premise signs for the purpose of spacing of off-premise signage on other properties, provided they meet the provisions specified.

(H) No signs defined as billboards shall be allowed within the subdivision if the provision of development signs is utilized.

SECTION 3. Section 31-42 of the Grand Island City Code is hereby amended to read as follows:

ORDINANCE NO. 8978 (Cont.)

**§31-42. Legal Nonconforming Signs**

~~(A)~~ Any off-premise sign lawfully erected and in existence on the effective date of this ordinance which does not meet the requirements of this ordinance may be maintained as a matter of right as a legal nonconforming sign. The sign may be maintained and repaired provided the degree of nonconformity is not increased. If for any reason the sign is damaged to the extent that the repairs are equal to or exceed fifty percent (50%) of the physical components ~~the cost of the replacement~~ of the sign it may not be repaired or replaced unless it will comply with all requirements of this Article.

~~(B) Within the first six (6) months following the passage of these requirements, any existing off-premise sign lawfully in existence may be rebuilt excluding the requirements as specified in Section 31-46(A).~~

SECTION 4. Sections 31-1 and 31-42 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 5. That this ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: May 24, 2005.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk