
City of Grand Island



Tuesday, September 30, 2003

Study Session Packet

City Council:

Carole Cornelius

Peg Gilbert

Joyce Haase

Margaret Hornady

Robert Meyer

Mitchell Nickerson

Don Pauly

Jackie Pielstick

Scott Walker

Fred Whitesides

Mayor:

Jay Vavricek

City Administrator:

David Springer (Interim)

City Clerk:

RaNae Edwards

7:00:00 PM

Council Chambers - City Hall

100 East First Street

Call to Order

Pledge of Allegiance

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

Individuals who have appropriate items for City Council consideration should complete the Request for Future Agenda Items form located at the Information Booth. If the issue can be handled administratively without Council action, notification will be provided. If the item is scheduled for a meeting or study session, notification of the date will be given.

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

This is an opportunity for individuals wishing to provide input on any of tonight's agenda items to reserve time to speak. Please come forward, state your name and address, and the Agenda topic on which you will be speaking.



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Item -1

Presentation of Parks & Recreation Projects

This presentation is being provided to update all Council Members regarding the projects currently being developed by the Park and Recreation Department. The presentation will be made in an attempt to inform, solicit comments, suggestions and questions from Council Members. It is important to remember that the actual construction of a project may be the least expensive component of the overall development. Several of the projects currently underway will result in the need for more employees and funding, to operate the developments at a proper level. For this reason I want to be certain all Council is fully informed and comfortable with the projects as they proceed.

Staff Contact: Steve Paustian



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Item -2

Discussion Concerning Billboards

In July of this year the City council passed an ordinance creating a temporary moratorium on the construction of any new billboard signs, with the understanding that new regulations to control the development would follow. A first draft of a proposed off-premise sign regulation was sent to several sign companies on August 29,2003, the second draft includes comments from that review and is forwarded for City Council consideration. These proposed regulations began with a model ordinance prepared by the Outdoor Advertising Association of America and have been modified to reflect local conditions and philosophy.

Staff Contact: Craig Lewis

A SUGGESTED ORDINANCE FOR THE REGULATION OF OFF-PREMISE OUTDOOR ADVERTISING SIGNS

STATEMENT OF PURPOSE

This ordinance establishes the regulations for the continuing use of off-premise outdoor advertising in order to encourage an attractive environment for businesses, inform and direct the general public, protect and enhance the physical appearance of the community, ensure public safety along streets and highways, and provide business with a format for advertising the goods and services made available by the business community.

Outdoor advertising is a traditional advertising medium involving the use of private property.

Outdoor advertising should be regulated to provide for safe structures, to be properly located so as to meet uniform standards for construction and maintenance, and to be maintained to conform to a neat and pleasant community appearance.

In support of the previous statements and in order to assure the compatibility of billboards with surrounding land usage, to protect the public interest in streets and highways, to promote and maintain the safety and general welfare of persons and their property in the vicinity of outdoor advertising structures, to allow orderly and effective display of outdoor advertising, it is deemed to be in the public interest to enact this ordinance.

The following regulations shall be known as the outdoor advertising ordinance of the City of Grand Island, Nebraska.

I. DEFINITIONS

- A. **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.
- B. **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.
- C. **Double Faced Sign:** an off-premise sign with two adjacent faces oriented in the same direction and not more than 10 feet apart at the nearest point between the two faces.
- D. **Facing:** that portion of an off-premise sign upon which advertising is affixed or painted and visible in one direction at one time.
- E. **Freestanding Sign:** an off-premise sign erected on a freestanding framework supported and affixed by one or more uprights or braces in or upon the ground.

- F. Multiple-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.
- G. Official Sign:** a sign erected by a governmental agency or its designee, setting forth information pursuant to law.
- H. 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 a “billboard.” The following shall not be considered an off-premise sign for the purposes of this ordinance:
1. Direction or Official Signs authorized by law
 2. Real Estate Signs
 3. On-Premise Signs
- I. On Premise Sign:** a sign which advertises the primary goods or services sold or taking place upon the premises on which the sign is located.
- J. Real Estate Sign:** a sign which advertises the sale or lease of the property upon which the sign is located.
- K. Roof Mounted Sign:** an off-premise sign attached to the roof of a building.
- L. V Type Sign:** an off-premise sign structure which consists of multiple sign facings placed at angles to each other, oriented in different directions and not exceeding 10 feet apart at the nearest point to each other.
- M. Wall Sign:** an off-premise sign attached to the wall of a building or structure.

II. PERMITTED ZONES

- A. Off-premise signs shall be permitted as principal, accessory or conditional uses in the following zones:**
1. Business Zones – B2,B2/AC, B-3,TD.
 2. Manufacturing Zones – M1,M2,M3.

III. 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 50% of the cost of the replacement of the sign it may not be repaired or replaced unless it will comply with all requirements of this code.

IV. GENERAL PROVISIONS

- A.** No off-premise sign shall be constructed which resembles any official marker erected by a governmental entity, or which by reason of position, shape, or color would conflict with the proper functioning of any official traffic control device.
- B.** Off-premise signs shall be constructed in accordance with local and state building and electrical codes. Stamped structural engineering plans shall accompany sign permit applications and shall be subject to wind speed requirements as set forth in the latest edition of the adopted Building Code.
- C.** Off-premise signs shall be regularly maintained in good and safe structural condition.
- D.** No off-premise sign shall be located on a property without the consent of the property's owner or legal representative.
- E.** The general area in the vicinity of any freestanding sign on undeveloped property shall be kept free and clear of sign materials, debris, trash and refuse.
- F.** Signs located on the property as the principal use require that landscaping regulations are provided as part of the permit to erect the sign.
- G.** Signs Located on Railroad property may be allowed only if a tract of land has been identified and that tract complies with all applicable requirements of a subdivided parcel.

V. SIZE OF SIGNS

- A.** The maximum sign area for any one face of an off-premise sign shall not exceed 576 square feet, excluding the base or apron, trim supports, and other structural elements. Temporary embellishments shall not exceed 20% of the maximum sign area allowed.
- B.** Signs may be back-to-back, double-faced, V-type, and multiple-faced with not more than two faces to each facing and such structure shall be considered as one off-premise sign.

VI. HEIGHT OF AN OFF-PREMISE SIGN

- A.** An off-premise sign shall maintain a minimum clearance of ten feet measured from the ground level at the base of the sign to the bottom of the sign face.
- B.** An off-premise sign shall have a maximum height not to exceed fifty (50) feet above grade level of the roadway to the top of the sign face, as measured from the centerline of the roadway to which the sign is oriented.

VII. SPACING FOR OFF-PREMISE SIGNS

- A.** No off-premise sign may be established within an 800 foot radius of any other off-premise sign along a state or federal highway. Signs along arterial and collector streets may be located no closer than a 500 foot radius from all other off premise signs. For double stacked structures these distances shall be doubled.
- B.** Spacing from Directional and Official Signs, On-Premise signs, or any other sign which does not constitute an off-premise sign shall not be counted nor shall measurements be made from such signs for the purpose of determining compliance with these spacing requirements.
- C.** The minimum distance between off-premise signs shall be measured along the nearest edge of the signs along either side of the highway, roadway, or street.
- D.** All off-premise signs shall maintain a minimum of 50 feet from on-premise signs located upon the same property.

VIII. SETBACK REQUIREMENTS

- A.** Front: A minimum front yard setback equal to that require in the zoning classification is required from the front lot line for any off-premise sign, but in no event shall the setback be less than 10'.
- B.** Side: A minimum setback of 10' is required from side lot line for any off-premise sign, regardless of zone.
- C.** Rear: A minimum setback of 10' is required from rear lot line for any off-premise sign, regardless of zone.
- D.** In no case shall any portion of an off-premise sign overhang into or be placed upon the public right-of-way, or any easement unless allowed by the public entity.
- E.** All off-premise signs in excess of 30' in height shall provide an additional one foot of setback for each foot in height over 30' in addition to those setbacks required above. The

setback distance shall be measured from the leading edge of the sign to the property line. No sign shall exceed 50 feet in total height.

IX. LIGHTING

Off-premise signs may be illuminated subject to the following restrictions:

- A.** Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights are prohibited if such signs interfere with traffic safety. Reflective surfaces or devices on sign faces, and multiple-faced signs, with illumination, are permitted, provided such signs do not interfere with traffic safety and comply with Subsections C and D of this Section.
- B.** Electronic variable message signs giving public information such as, but not limited to, time, date, temperature, weather, or other similar information, and commercial electric variable-message signs which function in the same manner as multiple-faced signs are permitted, provided such signs do not interfere with traffic safety and do not resemble or simulate traffic control or safety devices or signs.
- C.** Signs must be effectively shielded to prevent beams or rays from being directed toward any portion of the traveled ways, and must not be of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with any driver's operation of a motor vehicle.
- D.** No sign shall be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device or signal.

X. SIGN PERMITS

- A.** No off-premise sign shall be erected without submitting an application, securing a permit and paying the permit fees required by the City of Grand Island. Before any such permit is issued, an inspection shall determine that the off-premise sign complies with the provisions of this ordinance. When any construction, alteration, or repair of off-premise signs shall have begun before a permit therefore has been issued, and investigation fee in addition to the sign permit fee shall be collected. The investigation fee shall be in accordance with the City Of Grand Island Fee Schedule.



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Item -3

Discussion Concerning Reduction of Old Ordinances as New Ones are Added

Councilman Whitesides has requested that time be made on the agenda for a discussion related to City ordinances, such that as new ordinances are passed and added to the statutes, a like number of antiquated ones be terminated and removed. Certainly, there are ordinances on the books for which may have outgrown their usefulness and for which no current purpose is served. Deletion would reduce the total and make reference, retrieval and maintenance easier. It may also foster more thought in the passage of new ordinances. To do, in essence, a purging of the existing files, legal staff time would be required to research each ordinance before submitting to Council for approval to remove. This would take valuable staff time as well as Council time to review. Council would have to decide if that is where staff's and their own efforts should be directed. Typically, obsolete ordinances would be candidates for removal as they became evident, through the normal course of business.

Staff Contact: David Springer