

CHAPTER 175

ZONING CODE – SIGN REGULATIONS

175.01 Purpose	175.09 Nonconforming Signs
175.02 Definition of Terms	Table 175-1 Permitted Signs by Type and Zoning District
175.03 General Sign and Street Graphics Regulations	Table 175-2 Auxiliary Design Elements by Zoning District
175.04 Basic Design Elements for On-Premises Signs	Table 175-3 Permitted Signs by Maximum Permitted Area and District
175.05 Other Design Elements	Table 175-4 Permitted Signs by Numbers, Dimensions and Locations
175.06 Use of Compatible Materials	
175.07 Method of Measurement for Regulators	
175.08 General Permit Procedures	

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

175.2 DEFINITION OF TERMS. The following definitions shall be used for terms contained in this chapter that are not otherwise defined in this Code of Ordinances.

1. "Abandoned sign" means a sign, including sign face and supporting structure, which refers to a discontinued business, profession, commodity, service, or other activity or use formerly occupying the site; or which contains no sign copy on all sign faces for a continuous period of six months.
2. "Attached sign" means a sign which is structurally connected to a building or depends upon that building for support.
3. "Auxiliary design elements" means terms which describe secondary characteristics of a sign, including its method of illumination and other features within the bounds of its basic shape.
4. "Awning" and "awning sign" mean a temporary or movable shelter supported entirely from the exterior wall of a building and composed of non-rigid materials, except for a supporting framework. An awning sign is a message printed on such a shelter.
5. "Banner" means material with a printed message or graphic secured or mounted from a structure in such a way as to allow wind movement.
6. "Building marker" means an historic or commemorative plaque, or a building name or cornerstone carved into a masonry surface.
7. "Business center identification sign" means a sign which identifies a building or group of commercial buildings in single ownership or control, sharing parking and access.
8. "Canopy" means a projecting non-movable structure cantilevered or suspended from a building, supported by the main structural members to which it is attached, and used only as a roof or fixed shelter.
9. "Canopy sign" means a sign which is attached or made an integral part of a canopy.
10. "Clearance" means the distance from the bottom of a sign face elevated above grade and the grade below.
11. "Detached sign" means a sign which is self-supporting and structurally independent from any building.
12. "Directional sign" means a sign which serves only to designate the location or direction of any area or place.

13. "Double-faced sign" means a sign consisting of no more than two parallel faces supported by a single structure.
14. "Frontage" means the length of a property line of any one premises abutting and parallel to a public street, private way, or court.
15. "Ground sign" means a detached on-premises sign built on a freestanding frame, mast, or poles with a clearance no greater than 3 feet.
16. "Illumination" means lighting sources installed for the primary purpose of lighting a specific sign or group of signs.
17. "Marquee" means a permanent roofed structure attached to and supported by a building and extending over public right-of-way.
18. "Maximum permitted sign area" means the maximum permitted combined area of all signs allowed on a specific property.
19. "Monument sign" means an on-premises freestanding sign with the appearance of a solid base. The width of such base shall be at least 75 percent of the width of the sign.
20. "Moving sign" means a sign which conveys its message through rotating, changing, or animated elements.
21. "Nonconforming sign" means a sign that was legally erected prior to the adoption of this chapter but which violates the regulations of this chapter.
22. "Pole sign" means an on-premises sign built on a freestanding frame, mast, or poles with a clearance greater than 3 feet, and where the support encompasses less than 75% of the width of the sign.
23. "Portable sign" means any sign supported by frames or posts rigidly attached to bases not permanently attached to the ground or a building and capable of being moved from place to place.
24. "Premises identification sign" means a sign which pertains to the use of a premises and which contains information about the owner or operator of that use, the type of business being conducted or the principal brand name of a commodity sold on the premises, and other information relative to the conduct of the use.
25. "Premises" means a tract of one or more lots or sites which are contiguous and under common ownership or control.
26. "Projecting sign" means a sign other than a wall sign that is attached to and projects from a building face.
27. "Promotional sign" means a sign that is located within a business parking lot and affixed to a light pole or cart caddy to advertise a special price or event.
28. "Residential sign" means a small detached or attached sign located on a residential premises, conveying a message communicated by the owner of the property.
29. "Roof sign" means any sign or part of sign erected upon, against, or directly above a roof or on top of or above the parapet or cornice of a building.
 - A. "Integral roof sign" means a roof sign positioned between an eave line and the peak or highest point on a roof, substantially parallel to the face of a building.
 - B. "Above-peak roof sign" means a roof sign positioned above the peak of a roof or above a parapet or cornice.

30. "Sign" means a symbolic, visual device fixed upon a building, vehicle, structure, or parcel of land which is intended to convey information about a product, business, activity, place, person, institution, candidate, or political idea.
31. "Sign type" means a functional description of the use of an individual sign, and includes owner identification, advertising, directional, electronic message, and temporary.
32. "Street façade" means any separate external face of a building, including parapet walls and omitted wall lines, oriented to and facing a public street, private way, or court. Separate faces oriented in the same direction or within 45 degrees of one another are considered part of the same street façade.
33. "Temporary sign" means a sign, flag, banner, pennant, or valance constructed of lightweight materials which is not permanently attached to building or land, and which is intended for display for a limited period of time.
34. "Wall sign" means a sign attached to and parallel with the side of a building.
35. "Window sign" means a sign painted on or installed inside a window for the purpose of viewing from outside the premises.
36. "Zone lot" means a parcel of land in single ownership that is large enough to meet the minimum zoning requirements of its zoning district and can provide such yards and other open spaces that are required by the site development regulations.

175.3 GENERAL SIGN AND STREET GRAPHICS REGULATIONS.

1. Compliance. Each sign or part of a sign erected within the zoning jurisdiction of the City must comply with the provisions of this chapter and of other relevant provisions of this Code of Ordinances.
2. Resolution of Conflicting Regulations. This chapter is not meant to repeal or interfere with enforcement of other sections of this Code of Ordinances. In cases of conflicts between Code sections, or State or federal Regulations, the more restrictive regulations shall apply.
3. Prohibited Signs. The following signs are prohibited in all zoning districts.
 - A. Signs painted on or attached to rocks, trees, or other natural objects which are not designed as integral parts of the sign.
 - B. Signs or sign structures which resemble or conflict with traffic control signs or devices, which mislead or confuse persons traveling on public streets, or which create a traffic hazard.
 - C. Signs on public property or public right-of-way, unless specifically authorized by the appropriate public agency.
 - D. Signs which create a safety hazard by obstructing the clear view of pedestrians or vehicles, or which obscure official signs or signals.
 - E. Abandoned signs, which must be removed within six months of date of abandonment.
 - F. Portable signs, including signs painted, mounted, or printed on parked vehicles and trailers.
 - G. Signs that are not clean or in substantial good repair, or are not affixed to a sound structure.
 - H. Signs advertising activities that are illegal under federal, State, or local laws and regulations.

I. Rolling LCD signs which incorporate in any manner any rolling, flashing, pulsating, rotating, beacons, or moving lights.

J. Neon lights or signs, not intended to add to the overall architectural theme of the site.

K. Hazardous signs, any sign or sign structure which is structurally unsafe, is not kept in good repair, or is capable of causing electrical shock to persons likely to come in contact;

~~L. All signage must be designed and constructed by a sign professional.~~

~~M.L. Signs which include visible moving parts, changeable copy or description by electrical or non-electrical means, or by action of wind currents; except as permitted in this section;~~

~~N.M. Pole signs;~~

~~O.N. Any sign unlawfully installed, erected, or maintained in violation of this section;~~

~~P.O. Any sign displaying any obscene matter, as that term is defined by the Iowa Code, indecent or immoral matter, as defined by this Code of Ordinances; or which signage displays or depicts any body part that is otherwise prohibited from exposure in any public place pursuant to Windsor Heights Code §40.01.07 (Public Exposure);~~

~~Q.P. Roof signs;~~

~~R.Q. Any sign, except permitted nonconforming signs, not specifically permitted in this section.~~

4. Exempt Signs. The following signs are permitted in any zoning district and are exempt from other provisions of this chapter.

A. Bulletin boards for religious assembly or school uses, provided that they have a maximum sign area of 20 square feet and are not located in a required sign setback.

B. Real estate signs under 6 square feet in area. Off-site signs directing people to real property for sale may be used only during the period of an open house of public display of such property.

C. Official signs authorized by a government or governmental subdivision which give traffic, directional, or warning information.

D. Seasonal decorations for display on private or public property.

E. On-premises construction signs.

F. One temporary sign per occupant for grand openings or special events, provided that such sign remains in place for a maximum of seven days and that the occupant has obtained a valid permit from the Zoning Administrator.

G. Works of graphic art painted or applied to building walls which contain no advertising or business identification messages.

H. Residential signs under 2 square feet in size.

I. Neighborhood or subdivision identification signs under 50 square feet.

J. Street numbers.

K. Signs which are not visible from a public right-of-way, private way, or court or from a property other than that on which the sign is installed.

5. Temporary and Civic Signs.

A. Temporary or portable signs for grand openings, sales, and special events are permitted in Commercial and Industrial zoning districts, subject to the following requirements:

- (1) Such signs are subject to the permit procedures set forth in this section.
- (2) The size of such signs does not exceed the limitations set forth in Table 175-3.
- (3) No more than one such sign is permitted for any single occupant.
- (4) Temporary or portable signs may be present at any single premises for a maximum of 90 days per year.

B. Temporary signs for nonprofit civic campaigns or events, or other noncommercial events are permitted in any zoning district and are exempt from other provisions of this chapter, subject to the following requirements:

- (1) Such signs are installed no earlier than 30 days before the date of the event or election and removed no later than 7 days after the date of the event or election.
- (2) The maximum size of such signs is 10 square feet when located in any Residential and O Office/Limited Commercial zoning district, and 100 square feet in any other zoning district.

6. Buffer Yards. No sign other than on-premises directional signs shall be placed within any buffer yard required by Chapter 173, Landscaping and Screening Regulations, except buffer yards adjacent to intervening major streets.

7. Vision-Clearance Area. No sign may project into or be placed within a vision-clearance area defined by a triangle with legs of 25 feet from the point at which the curbs or edges of two intersecting streets, private ways, or courts or an intersecting street, private way, or court and driveway, meet.

7.8. Removal of Signs. If a sign owner's business, profession, commodity, service, or other activity or use formerly occupying the site is discontinued, the sign must be removed within fifteen (15) days of closure. If the owner does not remove the sign, the City will remove it at the owners expense.

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175.4 BASIC DESIGN ELEMENTS FOR ON-PREMISES SIGNS.

1. Professional Design and Construction. All signs must be designed and constructed by an individual or company pre-approved by the City and familiar with the City's sign ordinance. The proposed individual or company shall be designated on the applicant's sign permit and approved by the City in advance of sign construction.

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

- A. A wall sign shall not extend more than 12 inches from the wall to which it is attached.
- B. A wall sign must be parallel to the wall to which it is attached.
- C. A wall sign may not extend beyond the corner of the wall to which it

is attached, except where attached to another wall sign, it may extend to provide for the attachment.

D. A wall sign may not extend beyond its building's roofline.

E. A wall sign attached to a building on its front property line may encroach upon public right-of-way by no more than 12 inches. Such a wall sign shall provide minimum clearance of eight feet, six inches.

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

G. Where permitted, canopy signs are counted as wall signs when calculating total permitted sign area.

2-3. Projecting Signs and Graphics. Projecting signs and graphics are subject to the following general regulations.

A. The maximum projection of any projecting sign shall be three feet.

B. A projecting sign may be no closer than two feet from the vertical plane of the inside curb line.

C. Each projecting sign must maintain at least the following vertical clearances:

(1) 8 feet, 6 inches over sidewalks, except that a canopy may reduce its vertical clearance to 7 feet, 6 inches;

(2) 10 feet outside of parking areas or driveways, but within 3 feet of such areas, or within 50 feet of the right-of-way lines formed by a street intersection;

(3) 14 feet over parking lots;

(4) 18 feet over alleys or driveways.

D. No projecting sign extending three feet from a property line may be located within 22 feet of any other projecting sign extending three feet from a property line.

E. Projecting signs must minimize visible support structure and may not expose guy wires, cables, turnbuckles, angle iron, or other similar external support structure.

3-4. Pole Signs. Pole signs are not permitted as new installations within the City. All pole signs that were in place on August 5, 1997, and remaining in place on December 21, 1998, shall be considered as legal nonconforming signs. The cover of such an existing sign may be changed from time to time, provided that no other changes or alterations are made to the sign's physical structure. Other than as provided in this section, a pole sign may not be modified or replaced.

4-5. Roof Signs. Roof signs are subject to the following regulations:

A. Where permitted, integral roof signs may be used interchangeably with wall signs.

B. An integral roof sign must be mounted parallel to the wall of the building that it faces.

175.5 OTHER DESIGN ELEMENTS.

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

2. Marquees and Marquee Signs. Signs placed on, attached to, or constructed on a marquee are subject to the maximum projection and clearance regulations of projecting signs.
3. Banners.
 - A. A banner sign projecting from a building may not exceed the wall height of the building.
 - B. Maximum projection for any banner is three feet with a minimum clearance of 8.5 feet.
 - C. Maximum size of a banner is the lesser of twice the permitted size of a projecting sign or 120 square feet.
4. Clocks. For the purposes of this chapter, clocks are not considered a moving sign.

175.6 USE OF COMPATIBLE MATERIALS. All signs, excluding temporary signs, shall be constructed of materials that are similar to those used on the principal building. Such signage shall be dominated with materials of permanency and strength and shall be compatible with other structures and signs in the development.

175.7 METHOD OF MEASUREMENT FOR REGULATORS.

1. Maximum Permitted Sign Area. Maximum permitted sign area for a premises is set forth as a numerical limit or as a function of the frontage of the premises on a street or private way. For properties with frontage on more than one street or private way, the total frontage shall be calculated as the longest frontage plus one-half the length of all additional frontages.
2. Sign Area.
 - A. Sign area includes the entire area within the perimeter enclosing the extreme limits of the sign, excluding any structure essential for support or service of the sign, or architectural elements of the building.
 - B. The area of double-faced signs is calculated on the largest face only.
 - C. The sign area for ground signs, monument signs, and architectural sign bands is calculated as the area enclosing the extreme limits of the copy only.
 - D. In the case of individual letters mounted to a wall, only the total area of the letters themselves is included within the sign area.
3. Height. The height of a sign is measured from the average grade level below the sign to the topmost point of the sign or sign structure.
4. Setback. The setback of a sign is measured from the property line to the supporting frame, mast, pole, or base of the sign.

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

1. Maintenance of Valid Sign Permit. The owner of a property containing signs requiring a permit under this Zoning Code shall at all times maintain in force a sign permit for such property. Sign permits may be issued for individual zoned lots, tenants, or sign owners. A sign permit may be revoked if the sign is not maintained in good condition.

2. Sign Permit Applications. All applications for sign permits shall be submitted to the Zoning Administrator in accordance with application specifications established by the Zoning Administrator.
3. Application Fees. Each application for a sign permit shall be accompanied by any applicable fees, which shall be established by the Council from time to time by resolution.
4. Action. Within ten working days of the submission of a complete application for a sign permit, the Zoning Administrator shall either:
 - A. Issue the sign permit, if the sign conforms to the provisions of this chapter.
 - B. Reject the sign permit if the sign that is the subject of the application fails in any way to conform with the requirements of this chapter.
5. Permit Expiration. If a permanent sign is not constructed in accordance with an approved permit within six months of the date of approval, such permit shall lapse. Permits on non-permanent signs lapse in accordance with the timeline identified on the permit. Temporary sign permits are for a period of 30 days with a maximum of two renewals. The number of renewals may be extended by the Zoning Administrator for additional renewals, as deemed appropriate. Promotional sign permits are for a period of one year.
6. Assignment of Sign Permits. A current and valid sign permit shall be freely assignable to a successor as owner of the property or holder of a business license for the same premises.

175.9 NONCONFORMING SIGNS.

1. Any permanent sign that was in place and lawfully established on December 21, 1998, shall be considered as a legal nonconforming sign to the extent that such a sign does not comply with the provisions of this chapter. The cover of such sign may be changed from time to time, provided that the sign area shall not be enlarged or reduced beyond the sign area in existence on December 21, 1998.
2. Any nonconforming sign which presently is or becomes structurally damaged or deteriorated, or is altered by more than 50% of its replacement cost, shall be either removed or altered so as to comply with this chapter.
3. For business centers pre-existing on the effective date of this Zoning Code which do not conform to the total permitted sign area provisions of this chapter, individual signs may be replaced, modified, or substituted prior to December 31, 2004. Each new sign shall conform to the applicable regulations of this Zoning Code for individual signs and shall be installed so as to reduce the total amount of the nonconformance on the site.

Table 175-1 – Permitted Signs by Type and Zoning Districts

Sign Types	R-1	R-2	R-3	R-4	MH	O	CC	GC	UC	TC	LI
Detached Signs											
Residential	P	P	P	P	P	P	P	N	P	N	N
Business Identification	P(C)	P(C)	P(C)	P	P	P	P	P	P	P	P
Directional	P(C)	P(C)	P(C)	P⊙	P	P	P	P	P	P	P
Ground	P	P	P	P	P	P	P	P	P	P	P
Pole	N	N	N	N	N	N	N	N	N	N	N

Attached Signs											
Awning	N	N	P	P	P	P	P	P	P	P	P
Banner	N	N	N	N	N	N	P	P	P	P	P
Building Marker	P	P	P	P	P	P	P	P	P	P	P
Business Identification	P(C)	P(C)	P	P	P	P	P	P	P	P	P
Canopy	N	N	N	N	N	P	P	P	P	P	P
Directional	PⓄ	PⓄ	P	P	P	P	P	P	P	P	P
Marquee	N	N	N	N	N	P	P	P	P	P	P
Projecting	N	N	N	N	N	N	P	P	N	P	P
Promotional	N	N	N	N	N	P*	N	N	P*	N	P*
Roof, Integral	N	N	N	N	N	N	P	P	N	P	P
Roof, Above Peak	N	N	N	N	N	N	P	P	N	P	P
Wall	P	P	P	P	P	P	P	P	P	P	P
Window	N	N	N	N	N	P	P	P	P	P	P
Miscellaneous											
Flag	P	P	P	P	P	P	P	P	P	P	P
Portable	N	N	N	N	N	N	N	N	N	N	N

* One promotional sign per 3,500 square feet of lot size is permitted, with a maximum of 15 signs.

P = Permitted for All Uses; P(C) = Permitted for Civic Uses Only; N = Not Permitted

Table 175-2 – Auxiliary Design Elements by Zoning District

Sign Types	R-1	R-2	R-3	R-4	MH	O	CC	GC	UC	TC	LI
Illumination											
Indirect	P(C)	P(C)	P(C)	P(C)	P(C)	P	P	P	P	P	P
Direct	N	N	N	N	N	N	N	N	N	N	N
Internal	P(C)	P(C)	P(C)	P	P(C)	P	P	P	P	P	P
Neon	N	N	N	N	N	N	P	P	P	P	P
Flashing	N	N	N	N	N	N	N	N	N	N	N
Flame	N	N	N	N	N	N	N	N	N	N	N
Bare Bulb	N	N	N	N	N	N	N	N	N	N	N
Other											
Electronic Information	N	N	N	N	N	N	P	P	P	N	P
Moving	N	N	N	N	N	N	N	N	N	N	N
Rotating	N	N	N	N	N	N	N	N	N	N	N
Rolling LCD	N	N	N	N	N	N	N	N	N	N	N

P = Permitted for All Uses; P(C) = Permitted for Civic Uses Only; N = Not Permitted

Table 175-3 - Permitted Signs by Maximum Permitted Area and District

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

Zoning District:	R-1 R-2 MH	R-3 R-4	O	CC	GC	UC	TC	LI
Maximum Total Square Feet	Note 1	Note 2	75 Note 3	150 Note 4	150 Note 4	150 Notes 3, 4	100	200

- Note 1: 32 square feet for civic uses; 2 square feet for residential uses, including home occupations.
- Note 2: 48 square feet for project identification signs for multi-family or mobile home developments and for nonresidential uses when permitted; 2 square feet for residential uses, including home occupations.
- Note 3: Maximum limits apply to nonresidential premises only. On-premises with a primary residential use, 75 square feet for project identification signs for multi-family developments; 2 square feet for residential uses, including home occupations.
- Note 4: One additional business center identification sign with a maximum area of 150 square feet is permitted subject to the regulations set forth by Table 175-4.

Table 175-4 – Permitted Signs by Numbers, Dimensions and Locations

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

Zoning District:	R-1 R-2 R-3 MH	R-4	O	CC Note 1 Note 3	GC Note 1 Note 3	UC Note 2 Note 3	TC Note 2 Note 3	LI
Detached Signs								
Number Permitted Per Premises	1	1	1	NA	NA	1	1	NA
Per Feet of Frontage	NA	NA	NA	1 per 300	1 per 200	NA	NA	1 per 200
Maximum Size* (square feet)	32*	48*	75*	90	90	90	90	90
Maximum Height (feet) of Structure Above Ground	10	10	10	10	10	10	10	10
Front Yard Setback (feet)	5	10	10	10	5	10	10	0
Side Yard Setback (feet)	10	10	10	5	5	10	10	0
Attached Signs								
Maximum Size* (square feet)	32*	48*	75	150	150	150	100	200
Percentage of Street Façade	NA	NA	20%	20%	20%	20%	20%	25%

* For those uses only permitted a sufficient maximum sign area in Table 175-3.

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

1. The maximum area for a center identification sign shall be 150 square feet.
2. No center identification sign shall be within 300 feet of any other center identification sign or within 150 feet of any other detached sign on the same or adjacent premises.
3. The sign shall display no more than the name and location of the business center.
4. Each sign shall be subject to all other regulations for detached signs or graphics set forth in this chapter.

Note 2: All monument signs must conform with these provisions by December 31, 2009, or will be subject to penalties for zoning code violation.

Note 3: The sign at 6601 University Avenue is a permanent, lawful, nonconforming sign as a result of a redevelopment agreement.

1.