

## **ORDINANCE NO. 2025-01**

### **AN ORDINANCE AMENDING CHAPTER 175, REVISING SUBSECTION 175.05 AND 175.09 OF THE CODE OF ORDINANCES FOR THE CITY OF WINDSOR HEIGHTS, WITH REGARD TO DESIGN ELEMENTS FOR ON-PREMISES SIGNS**

WHEREAS, the City of Windsor Heights seeks to protect and preserve the rights, privileges and property of the City of Windsor Heights and its residents and business owners; and

WHEREAS, the City Council deems it necessary to adopt this ordinance to benefit the residents and business owners of the community, our review staff, and allow for flexibility where needed; and

WHEREAS, the City Council of the City of Windsor Heights do hereby find and declare that the revisions to the design elements for on-premises signs ordinance are necessary and will protect and preserve the rights, privileges and property of the City of Windsor Heights and its residents and business owners.

### **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, POLK COUNTY, IOWA:**

SECTION 1. Purpose. The purpose of this ordinance is to amend Chapter 175, Section 175.05 and 175.09 of the City Code to support businesses and allows for said businesses to promote their services effectively.

SECTION 2. Revised. Revised Chapter 175, Section 175.05 and 175.09, as follows:

#### **175.05 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.
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 a 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 the total permitted sign area.
- 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 **measured from the average ground level below the sign to the lowest point of the sign:**
    - A. 8 feet, 6 inches over sidewalks, except that a canopy may reduce its vertical clearance to 7 feet, 6 inches;
    - B. 14 feet over parking lots;
    - C. 18 feet over alleys or driveways;
    - D. Unless noted above, no projecting sign shall be placed over a roadway.
  - 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. The support structure for projecting signs cannot be visible.
- 4. Roof Signs. Roof signs are subject to the following regulations:
  - a. Where permitted, integral roof signs may be used interchangeably with wall signs.
  - b. Above peak roof signs are prohibited.

#### 175.09 PERMITTED SIGNS

*Table 175.09-01 – Permitted Signs by Type and Zoning Districts*

Sign Types	R-1	R-2	R-3	MH	CC	UC	LI
<b>Detached Signs</b>							
Monument	P	P	P	P	P	P	P
Ground	P	P	P	P	P	P	P
Pole	N	N	N	N	N	N	N
<b>Attached Signs</b>							
Awning	N	N	N	P	P	P	P
Banner	N	N	N	N	P	P	P
Building Marker	P	P	P	P	P	P	P
Canopy	N	N	N	N	P	P	P
Marquee	N	N	N	N	P	P	P
Projecting	N	N	N	N	P	<b>P</b>	P
Roof, Integral	N	N	N	N	P	N	P
Wall	P	P	P	P	P	P	P
Window	N	N	N	N	P	P	P
<b>Miscellaneous</b>							

Portable	N	N	N	N	P	P	N
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P = Permitted for All Uses; N = Not Permitted

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Severability. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. Effective Date. This ordinance shall be effective after the final passage, approval and publication as provided by law.

Passed and Approved this 7<sup>th</sup> day of April, 2025.

1<sup>st</sup> Reading: March 17, 2025

2<sup>nd</sup> Reading: April 7, 2025

3<sup>rd</sup> Reading: WAIVED

Publish Date: April 11, 2025

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Mike Jones, Mayor

(SEAL)

ATTEST:

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Adam Strait, City Clerk