

ARTICLE XX

Sign Regulations

Article 20: Sign Regulations

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20.1. INTENT.

This Article is established to protect the health, safety, general welfare and order within Sioux County through the establishment of comprehensive and uniform sign standards, regulations and procedures governing the type, number, size, structure, location, height, lighting, erection, use or display of devices, signs, or symbols serving as a visual communications media. Sign regulations are intended to encourage opportunity for effective, aesthetically compatible, and orderly communication by reducing confusion and hazards resulting from unnecessary or indiscriminate use of signs. Hereafter no sign shall be erected, constructed, altered, or modified except as regulated by the provisions of this Article.

20.2. DEFINITIONS.

For use in this article, the following terms are defined.

- 20.2.1 **AWNING:** A device made of cloth, metal, or other material affixed to and projecting from a building in such a manner that the device is either permanently fixed or so erected as to allow it to be raised or retracted and return to a flat position against the building when not in use.
- 20.2.2 **BILLBOARD:** Any sign, structure or portion of a building used for the display of advertising of a business or attraction which is located or operated off-premises from where the billboard is located. This also includes painted exterior walls with pictures, words, or logos.
- 20.2.3 **ERECT:** To build, construct, attach, hang, suspend or affix, and shall also include the painting of wall signs.
- 20.2.4 **FACING (or SURFACE):** The surface of the sign upon; against or through which the message is displayed or illustrated on the sign.
- 20.2.5 **INCOMBUSTIBLE MATERIAL:** Any material that will not ignite at or below a temperature of 120 degrees Fahrenheit and will not continue to burn or glow at that temperature.
- 20.2.6 **PERSON:** Any one being, firm, partnership, association, corporation, company or organization of any kind.

- 20.2.7 SIGN: The use of any words, numerals, pictures, figures, devices or trademarks by which anything is made known such as are used to show an individual, firm, profession or business, and are visible to the general public.
- a. ABANDONED SIGN: A sign which no longer correctly directs any person, advertises a business, lessor, owner, product, or activity.
 - b. ADDRESS SIGN: A sign communicating street address only, whether written or in numerical form.
 - c. AWNING SIGN: A sign consisting of either an operating or permanently affixed awning containing letters, graphics, pictures, or other images which portray the business or other advertising of the establishment in which it is attached to. Awning signs shall not encroach more than four (4) feet out in front of a building, but shall meet all other size requirements addressed in this chapter. Permanent awnings may be lighted (from the backside); however, awning signs shall not have any flashing, strobe, or otherwise intermittent light emitting from the awning sign.
 - d. CAMPAIGN SIGN: A temporary sign promoting the candidacy of a person running for a governmental office, or promoting an issue to be voted upon at a governmental election.
 - e. CONSTRUCTION SIGN: A sign placed at construction site identifying the project or the name of the architect, engineer, contractor, financier or other involved parties.
 - f. DIRECTIONAL SIGN: A sign erected on public or private property which bears the address and name of a business, institution, church, or other use or activity plus directional arrows or information on location.
 - g. FLASHING SIGN: Any illuminated sign that has artificial light or color which is not maintained at a constant intensity or color when such sign is in use. A sign providing public service information, such as time, weather, date, temperature or similar information, shall not be considered a flashing sign.
 - h. FREE STANDING SIGN: Any sign or sign structure, not securely attached to the ground or to any other structure. This shall not include trailer signs as defined in this section
 - i. GOVERNMENTAL SIGN: A sign which is erected by a governmental unit.
 - j. ILLUMINATED SIGN: Any sign which has character, letters, figures, designs or outline illuminated by electric lights or luminous tubes as a part of the sign proper.
 - k. INFORMATION SIGN: Any sign giving information to employees, visitors or delivery vehicles, but containing no advertising or identification.
 - l. JOINT IDENTIFICATION SIGN: A free-standing sign which identifies a subdivision, a multiple residential complex consisting of three (3) or more structures, a shopping center consisting of three (3) or more separate business concerns, an industrial area, an office complex consisting of three (3) or more structures or any combination of the above.
 - m. NON-CONFORMING SIGN: A sign which lawfully existed at the time of the passage of this Ordinance or amendments thereto but which does not conform to the regulation of this ordinance.
 - n. POLE SIGN: Any sign which is supported by structures or supports in or upon the ground and independent of support from any building.

- o. **PORTABLE SIGN:** Any sign not permanently attached to a building, structure, or the ground, capable of being moved at periodic intervals.
 - p. **PROJECTING SIGN:** A sign, other than a wall sign, which projects perpendicular to the wall surface of a building or structure, and is supported by a wall of the building or structure.
 - q. **REAL ESTATE SIGN:** A business sign placed upon a property advertising that particular property for sale, for lease or for rent.
 - r. **ROOF SIGN:** A sign erected upon or above a roof or parapet of a building or structure.
 - s. **SWINGING SIGN:** A sign installed on an arm or spar that is not, in addition, permanently fastened to an adjacent wall or upright pole.
 - t. **TRAILER SIGN:** Any sign mounted on a vehicle normally licensed by the State of Iowa as a trailer and used for advertising or promotional purposes.
 - u. **WALL SIGN:** All flat signs of solid face construction placed against a building or other structure and attached to the exterior front, rear or side wall of any building or other structure. Such signs may extend no more than twelve (12) inches from the surface of the building or structure to which they are attached. Wall signs are also known as "flush mounted signs".
- 20.2.8 **SIGN AREA:** That area within the marginal lines of the surface which bears the advertisement or, in the case of messages, figures or symbols attached directly to the part of a building; that area which is included in the smallest connecting geometric figures which can be made to circumscribe the message, figure or symbol displayed thereon. Only changeable copy areas of marquee or canopies shall be considered in determining the total sign area.
- 20.2.9 **SIGN STRUCTURE:** The supports, uprights, bracing and framework for a sign including the sign area.
- 20.2.10 **STREET LINE (or PROPERTY LINE):** The place where the street right of way line begins and the private property line ends.
- 20.2.11 **STRUCTURAL TRIM:** The molding, battens, cappings, nailing strips, latticing and platforms that are attached to the sign structure.
- 20.2.12 **TEMPORARY SIGN:** Any sign which is erected or displayed for a specified period of time.

20.3. REQUIREMENTS.

Signs and billboards in conjunction with principal permitted non-agricultural uses are allowed subject to the following regulations:

- 1) *All Residential (RR, RS, RM, & MH) and Environmental Conservation Districts.*
 - a. Home occupation signs are allowed subject to the requirements in Article XVI, Section 4.5.
 - b. Signs, for non-residential businesses located in residential areas, shall be limited to no more than forty (40) square feet on one (1) free standing sign not to exceed a height of six (6) feet from the ground to the top of the sign. One (1) additional wall mounted sign not to exceed six (6) square feet is also permitted for non-residential businesses.

c. Prohibited Signs:

1. Flashing sign

d. Permitted signs:

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|---------------------|---------------------------------|
| 1. Address sign | 6. Joint Identification sign |
| 2. Real Estate sign | 7. Wall sign |
| 3. Government sign | 8. Pole sign |
| 4. Campaign sign | 9. Portable (or temporary) sign |
| 5. Directional sign | 10. Informational sign |

2) *Commercial and Rural Commercial Districts.*

a. All signs shall be limited to:

- (i) Identifying uses conducted within the building
- (ii) Identifying the commercial enterprise by name or symbol
- (iii) Necessary for directional purposes
- (iv) Used to advertise the sale or lease of real property on buildings on which displayed

b. The total aggregate area of all signs shall not exceed 400 square feet and freestanding or pole signs shall not exceed a maximum of 200 square feet or a height of 25 feet.

c. For the purposes of this section, the sign area allowed by section b above shall:

- (i) For freestanding letters, be computed by taking the area enclosed within the smallest rectangle needed to completely encompass each word or insignia of the sign.
- (ii) For signs other than freestanding letters, be computed by taking the total area of the facing or the area within the outer edge of any existing border of the sign.

d. All signs shall be fixed and shall not be audible. No intermittent flashing-type signs are permitted and no sign or illumination shall be revolving or animated. No signs shall have moving parts including devices set in motion by movement of air.

e. Only one permanent type sign identified in subsection a. above will be allowed for each principal use, except for corner lots or double frontage lots in which case one permanent sign shall be permitted per each street frontage; (*See Section 20.6.10*)

f. Permitted signs:

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|---------------------|------------------------------|-------------------------------------|
| 1. Real Estate sign | 6. Informational sign | 11. Portable (or temporary) sign |
| 2. Government sign | 7. Illuminated sign | 12. Projecting sign (not in R.O.W.) |
| 3. Address sign | 8. Joint Identification sign | 13. Swinging sign (not in R.O.W.) |
| 4. Campaign sign | 9. Wall sign | 14. Awning sign |
| 5. Directional sign | 10. Pole sign | |

3) *Light Industrial (LI), Heavy Industrial (HI) and Agricultural (A) Districts.*

a. Signs shall be limited to those identifying uses conducted on the property.

b. The total aggregate area of all freestanding signs shall not exceed 300 square feet, or a height of 25 feet.

c. For the purposes of this section, the sign area allowed by section b above shall:

- (i) For freestanding letters, be computed by taking the area enclosed within the smallest rectangle needed to completely encompass each word or insignia of the sign.

- (ii) For signs other than freestanding letters, be computed by taking the total area of the facing or the area within the outer edge of any existing border of the sign.
- d. All signs shall be fixed and shall not be audible. No intermittent flashing-type signs are permitted and no sign or illumination shall be revolving or animated. No signs shall have moving parts including devices set in motion by movement of air.
- e. Only two (2) permanent type signs will be permitted, except for corner lots or double frontage lots in which case one (1) additional permanent sign shall be permitted per each additional street frontage; (*See Section 20.6.10*). One (1) sign may be placed on the principal use structure, and one (1) sign may be placed on an independent structure located not more than one hundred fifty (150) feet from the principal use building not containing more than one hundred fifty (150) square feet. The independent sign shall not be less than fifteen (15) nor more than twenty-five (25) feet in height as not to restrict sight distance.
- f. Billboard type signs will be limited to one hundred fifty (150) square feet, and must not impair sight distance or create a traffic hazard.
- g. Permitted signs:
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|---------------------|------------------------------|-------------------------------------|
| 1. Real Estate sign | 7. Informational sign | 13. Portable (or temporary) sign |
| 2. Government sign | 8. Illuminated sign | 14. Projecting sign (not in R.O.W.) |
| 3. Address sign | 9. Joint Identification sign | 15. Swinging sign (not in R.O.W.) |
| 4. Campaign sign | 10. Wall sign | 16. Awning sign |
| 5. Directional sign | 11. Pole sign | |
| 6. Roof sign | 12. Freestanding sign | |

20.4. SPECIAL EXCEPTIONS.

In all districts, for uses permitted as special exceptions, signs will be allowed only through approval from the Board of Adjustment. Additionally, any sign type may be granted special exception status after review by the Board of Adjustment and subject to any conditions deemed by the board to be appropriate.

20.5. ADDITIONAL REGULATIONS.

In all districts, signs and billboards shall adhere to pertinent state regulations and other local ordinances.

20.6. OFF-PREMISE SIGNS AND BILLBOARD REGULATIONS.

- 1) All off-premise signs and billboards are permitted provided they:
- are not within 150 feet of a highway or interstate intersection, residence, cemetery, public or semi-public building;
 - are not within 75 feet of the centerline of a county road, or 100 feet of a state or federal highway;
 - are limited to one (1) structure per lot and must be a minimum of one thousand (1,000) feet from any other billboard sign, regardless of which side of the road the sign is located;
 - do not exceed 35 feet in height
- 2) *Size Requirements:*
- Billboards or other outdoor advertising structures located along or adjacent to 2-lane roadways or highways shall have a maximum of 300 square feet per sign face.

- b. Billboards or other outdoor advertising structures located along or adjacent to 4-lane roadways, highways, expressways or interstates shall have a maximum of 1,200 square feet for single faced signs and a maximum of 750 square feet for back-to-back or “V” style signs.
- 3) All off-premise signs and billboards shall be maintained in neat and presentable condition. In the event they become illegible or cease to be used, they shall be removed within thirty (30) days and the area occupied restored to a condition free from refuse and debris.
- 4) Off-premise signs and billboards shall be located in such a manner so not to obscure or interfere with the effectiveness of a traffic signal or which does not obstruct or interfere with the driver’s view of approaching, merging, or intersecting traffic, as determined by the Zoning Administrator.
- 5) Off-premise signs and billboards must have an approved permit form the Zoning Administrator prior to being erected.
- 6) Off-premise signs and billboards are not be permitted within the following zoning districts: RR- Rural Residential District; RS- Single Family Residential District; RM- Multiple Family Residential District; MH- Mobile Home District
- 7) Off-premise signs or billboards located along highways and interstates are governed by state and federal regulations and must be approved by the Iowa Department of Transportation (IDOT) along with compliance with the Sioux County Zoning Ordinance.

20.7. GENERAL SIGN PROVISIONS.

- 1) *Safety*
 - a. *Obstructions to doors, windows or fire escapes.* No sign shall be erected, located or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign of any kind shall be attached to a standpipe or fire escape.
 - b. *Signs not to constitute a traffic hazard.* No sign or other advertising structure as permitted by this ordinance shall, by reason of its location, lighting, size, color or intensity, create a hazard to the safe, efficient movement of vehicular or pedestrian traffic. No signs shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision. No private sign shall contain words which might be construed as traffic controls, or be confused with any authorized traffic sign, signal or device; or which makes use of the words “STOP”, “LOOK”, “WARNING”, “CAUTION”, “DANGER”, or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic. No sign or other advertising structure as regulated by this ordinance shall have posts, guides or supports located within any street or road.
- 2) *Interference:* No sign, nor any guys, stay or attachment thereto shall be erected, placed or maintained by any person on rocks, fences, or trees; nor in such a manner as to interfere with the effective use of fire fighting equipment or personnel, or any electric light, power, telephone, fiber optic, or cable wires or supports thereof.
- 3) *Signs in Right-of Way:* No signs other than government signs shall be permanently erected or temporarily placed within any public rights-of-way except as specifically provided herein.
- 4) *Temporary Signs:* The temporary use of portable or moveable signs, search lights, banners, pendants, and similar devices shall be allowed in excess of and in addition to the sign limitations of this Article for continuous periods of thirty (30) consecutive days in residential districts. For

business purposes, only one (1) temporary sign shall be permitted to be located on the property, of which such sign shall not be located within any public right-of-way or be situated as to cause traffic or parking hazards.

- 5) *Clearance:* All signs located over public rights-of-way or any public access route shall be located a minimum of fifteen (15) feet above grade.
- 6) *Signs Required by Law:* All signs required by law shall be permitted in all zoning districts.
- 7) *Back to Back Signs:* If a free-standing sign or sign structure is constructed so that the faces are not back to back, the angle shall not exceed thirty (30) degrees. If the angle is greater than thirty (30) degrees, the total area of both sides added together shall be the calculated sign area. Back to back signs shall be considered as one sign.
- 8) *Illumination:* All external illuminated signs shall be constructed so as to direct the source of light away from adjacent properties or public streets.
- 9) *Animated Signs:* Animated signs may be allowed as a special exception requiring a hearing before the Board of Adjustment.
- 10) *Double Frontage:* Lots having frontage on two streets or on a street and an alley shall be permitted to provide the maximum number and square footage of signs on each of the opposite ends of said lot, provided however, that not more than the maximum number of square feet of signs per frontage may be viewed simultaneously.

20.8. PERMITS REQUIRED.

It shall be unlawful for any person to erect, alter, or relocate within Sioux County any sign or other advertising structure as defined in this ordinance, without first obtaining a sign permit and making payment of the fee required by this section.

- 1) *Application for Sign Permit.* Application for sign permits shall be made available upon request by the Zoning Administrator and contain or have attached thereto the following information:
 - Name, address and telephone number of the applicant.
 - Location of building, structure, or lot upon which the sign is to be attached or erected.
 - Position of the sign or advertising structure in relation to nearby buildings or structures.
 - Name of person, firm, corporation or association erecting structure.
 - Inscription of what the sign will say.
 - For signs located along a state primary highway, a state sign permit will also need to be included with the application.
 - Other information as the Zoning Administrator shall require in compliance with this ordinance.
- 2) *Permit Issued.* It shall be the duty of the Zoning Administrator, upon the filing of an application for a sign permit to examine such plans and the premises upon which the sign or advertising structure is to be placed. If the proposed structure is in compliance with all the requirements of this ordinance and all other ordinances of county, the sign permit shall then be issued. If work authorized under a sign permit has not been completed within six (6) months after date of issuance, the permit shall become null and void.
- 3) *Permit Fees.* Every applicant, before being granted a sign permit, and to defray administrative costs of processing requests for sign permits, shall pay to the Zoning Administrator, a fee in the amount established by resolution of the Board of Supervisors.

- 4) *Permit Revocation.* Any permit holder who fails to comply with a valid order of the Zoning Administrator within the allotted time period, or who fails to pay reasonable removal or repair expenses shall have the permit as to such sign revoked, and another permit for the erection or maintenance of such sign or signs shall not be issued to said permit holder for a period of one (1) year from the date of revocation.

20.9. UNSAFE AND UNLAWFUL SIGNS.

All signs and sign structures shall be properly maintained and kept in a safe, orderly condition. Additionally, all parts and supports shall be properly painted. Any sign or sign structure which is rotted, unsafe, deteriorated, defaced, or otherwise altered, shall be repainted, repaired, or replaced by the property owner or agent of the owner of the property upon which the sign is located, within thirty (30) days after written notice by the Sioux County Zoning Administrator. Such notice shall include a statement explaining the alleged violations and deficiencies, an order to repair or remove said sign, and an explanation of the consequences of failure to comply with said order. If the permit holder fails to remove or alter said sign so as to comply with the order, said sign or other advertising structure may be removed or altered to comply by the Zoning Administrator at the expense of the permit holder, or owner of the property on which it is located. The permit holder may appeal the order of the Zoning Administrator to the Board of Adjustment and, if such an appeal is on file, the compliance period shall be extended until following the Board of Adjustment's decision on the matter. If, however, the Zoning Administrator finds that any sign or other advertising structure poses a serious and immediate threat to the health or safety of any person, he/she may order the removal of such sign summarily and without notice to the permit holder.

20.10. EXEMPTIONS.

The following signs are allowed without a permit but shall comply with all other applicable provisions of this ordinance.

- 1) **Real estate signs (on-site)** Real estate signs advertising for sale, rental, or lease only, the premises, lots or tracts on which they are located will be allowed in all districts. The area of such sign shall not exceed four (4) square feet in the residential districts or thirty-two (32) square feet in the other districts. Illuminated real estate signs are not permitted. Real estate signs shall be removed within seventy-two (72) hours of the date of closing.
- 2) **Commemorative signs, Memorial signs or Professional name plates** not exceeding two (2) square feet in area and attached to the building, including names on buildings, date of construction, commemorative tablets and the like, which are a part of the building or structure.
- 3) **Address Signs** identifying street address only, whether in written or numerical form.
- 4) **Construction Signs** as a non-illuminated sign announcing the names of architects, engineers, contractors, future use, and other individuals or firms involved with the construction, alteration, or repair of such building (but not including any advertisement of any product). Such signs shall be confined to the site of the construction, alteration or repair and shall be removed within thirty (30) days from when the particular project is completed. One (1) sign, not to exceed 32 sq. ft. shall be permitted on the project site.
- 5) **Traffic or municipal signs**, legal notices, railroad crossing signs, danger signs, and other such temporary, emergency or non-advertising signs may be approved by the Board of Adjustment.
- 6) **Temporary signs** up to a maximum of thirty-two (32) square feet on owned property or with owner's consent, to be removed within 24 hours following the advertised event.

- 7) **Political signs** as allowed by Section 306C.22, Code of Iowa.
- 8) **Government signs** of a public, non-commercial nature to include safety signs, danger signs, trespassing signs, traffic signs, signs indicating scenic or historical points of interest, memorial plaques and the like, when signs are erected by order of a public officer or employee in the performance of official duty.
- 9) **Directory signs** which identifies the business, owners, manager, or resident occupant and sets forth the occupation or other address information but contains no advertising. There may be one directory sign per lot, business or occupant.
- 10) **On-site Directional and Parking Signs** intended to facilitate the movement of vehicles and pedestrians upon which the sign is located. Signs shall not exceed six (6) square feet of area.

20.11. REMOVAL OF SIGNS.

Any sign now or hereafter existing which no longer advertises a bona fide business conducted, or a product sold, shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure upon which such sign may be found within ninety (90) days from date of notice provided by the Zoning Administrator. The owner of the property on which the sign is located shall have ninety (90) days from date of notice to remove any such sign. If after the expiration of the ninety (90) day period, the sign has not been removed, Sioux County may cause the sign to be removed and any expenses may be charged back to the property owner.