

**ORDINANCE NO. 5046**

**AN ORDINANCE AMENDING CHAPTER 98 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS; TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES.**

**WHEREAS**, the City Council for the City of Springdale has adopted regulations pertaining to specific sign types;

**WHEREAS**, the City Council finds that the regulations pertaining to billboards needs to be clarified;

**WHEREAS**, the City Council recognizes that protection of the City's visual environment and beauty will benefit both residential and commercial property owners and will promote a positive image of the City; and

**WHEREAS**, the City Council desires to promote the reasonable, orderly, and effective display of signs;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS:**

**SECTION 1:** Chapter 98-61(a) of the Code of Ordinances of the City of Springdale, Arkansas, is hereby amended to read as follows:

**Sec. 98-61. Requirements for specific sign types.**

- (a) Billboards. No billboard shall be constructed, erected, used or maintained within the city except in compliance with the following provisions:
- (1) Billboards shall be located only in specified commercial and industrial zones and shall not be placed within 300 feet of any residential zone.
  - (2) Each billboard shall have a maximum of two sign faces, one per side, supported by the same structural foundation. Each face shall have a maximum total area of 300 square feet, except that billboards located adjacent to a divided highway may have a maximum sign face area of 600 square feet. All measurements shall include sign face framework and decorative or other additions.
  - (3) All billboards located within the city shall meet the state's requirements for distance between billboards.
  - (4) No billboard shall exceed 45 feet in total height.
  - (5) No billboards shall be permitted in A-1 agricultural or C-3 central commercial zoning districts.

- (6) No billboards shall be erected or permitted after May 27, 2008, however, a legal existing billboard may be relocated to a different location on the same property without obtaining a new permit, so long as the billboard still meets the other requirements set out in this section. Relocation of a billboard on the same property shall not violate the city's moratorium requirements on billboards.
- (7) Every billboard which is permitted and legally existing on May 27, 2008, shall be deemed to be a legal nonconforming billboard. A nonconforming billboard may not be enlarged or altered in any way which increases its nonconformity, however, a legal existing billboard may be relocated to a different location on the same property without obtaining a new permit, so long as the billboard still meets the other requirements set out in this section. Relocation of a billboard on the same property shall not violate the city's moratorium requirements on billboards.
- (8) A legal nonconforming billboard will become an illegal sign if more than 50 percent of the sign is removed or unassembled for a period of more than six months; or if the sign is altered or relocated in any manner which increases its nonconformity or causes it to be less in compliance with the provisions of this chapter.
- (9) A legal nonconforming billboard will become an illegal sign if the nonconforming billboard is destroyed to an extent of 50 percent or more of its sign face. The board of adjustment may grant a variance to repair or replace a destroyed nonconforming billboard, upon a showing of hardship, and application for such variance shall be made within 30 days of the nonconforming billboard being destroyed. If a variance is granted, the nonconforming billboard shall be replaced or repaired according to standards of construction then in effect.
- (10) In the event an existing billboard is required to be relocated by the City of Springdale or Arkansas Highway Transportation Department (AHTD) and the sign cannot be relocated on the same parcel due to landowner consent, readability conditions, or insufficient parcel size, the sign, with up to its existing size, height, dimensions, and configuration, can be relocated in the same market area, as defined in the associated appraisal report. This relocation will require a sign permit from the City of Springdale.
- (11) In the event of existing billboards located in the downtown area, as designated in the adopted Downtown Master Plan, the billboard may be relocated to another location outside of the defined area that meets the requirements set forth in this chapter. An application for a downtown billboard relocation shall be submitted to and reviewed by the Planning Commission and then forwarded to City Council for approval. Relocation of a downtown billboard approved by the City Council shall not violate the city's moratorium requirements on billboards.

**SECTION 2:** All other provisions of Chapter 98-61 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically amended herein shall remain in full force and effect.

**SECTION 3: Emergency Clause.** It is hereby declared that an emergency exists and this ordinance being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be effective immediately upon its passage and approval.

**PASSED AND APPROVED** this 24<sup>th</sup> day of May, 2016.

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Doug Sprouse, Mayor

ATTEST:

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Denise Pearce, City Clerk

APPROVED AS TO FORM:

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Ernest B. Cate, City Attorney