

ORDINANCE NO. 037-13

AN ORDINANCE AMENDING CHAPTER 32 OF THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, THE ZONING ORDINANCE BY AMENDING CERTAIN SUBSECTIONS THEREOF TO NEW REGULATIONS FOR OFF-PREMISE SIGNS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, as follows:

Section 1. That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.06.040 – Regulations for Off-Premise Signs, and the following Section 32.06.040 here is hereby adopted in lieu of:

32.06.040 - REGULATIONS FOR OFF-PREMISE SIGNS

A. SCOPE OF REGULATIONS

The requirements contained in Sec. 32.06.040 shall apply to off-premise signs and, together with the provisions of Sec. 32.06.020, shall regulate off-premise signs in all districts.

B. BILLBOARD SIGNS

1. Where Permitted

Billboard signs shall be permitted uses in the C-3, I-1 and I-2 districts.

Billboard signs shall be permitted as a conditional use in the Agriculture and C-2 districts. Billboard signs shall not be permitted in any other district unless allowed as part of a PUD.

2. Number Permitted

The total number of billboard signs shall not exceed the total number of billboards legally existing in the City on the adoption date of this ordinance, minus any billboards which are removed and not replaced according to section 32.06.040.B.3 of this code. Billboards are permitted to be replaced on a billboard-by-billboard basis. A variance of dimensional standards or a conditional use granted for the placement of a new billboard sign shall not waive the requirement for removal of an existing sign to place a new one.

3. Replacement of Existing Billboards

a. A permit for a new billboard sign shall require the removal of an existing billboard of equal or greater size.

- b. Two or more smaller billboards may be removed to satisfy the removal requirement, provided that the proposed sign conforms to the dimensional requirements for a new billboard sign and the combined size of the two or more signs removed is equal to or greater than the size of the proposed sign. Multiple billboard signs removed shall not be combined to allow for more than one new billboard sign. The additional signs removed to satisfy the replacement criteria shall reduce the overall number of billboard signs permitted by Section 32.06.040.B.2 of this code.
 - c. If the owner of a proposed new billboard sign owns a billboard sign which is non-conforming to Section 32.06.040.B of this code, then the sign removed to satisfy the requirements to construct a new sign must be a non-conforming sign.
 - d. Any proposed billboard sign shall meet all of the dimensional standards set forth in this section, including separation distance from other billboard signs and from certain districts and uses.
 - e. Upon removal of an existing sign, an application for a new billboard sign shall be made within 90 days. If no application is received, or if the application is denied and a new application is not made within 7 days, the sign shall be considered removed and the total number of billboard signs permitted in the community shall be reduced by one.
 - f. An application for a new billboard sign may be made in anticipation of removal of an existing billboard sign. Such an application may be approved on the condition that no permit for the construction of the new sign shall be issued until the existing sign is removed and documentation of the removal is submitted to the City.
 - g. The owner of a legal billboard sign within the community may transfer the right to build a new billboard sign to another party. The transfer shall be stated in a letter signed by both parties which is submitted with an application for a new billboard sign.
4. Height
- Maximum height measured from the ground to top of the sign structure shall be:
- a. Sixty (60) feet where the sign is placed alongside the right of way of highway where the posted speed limit exceeds 55 miles per hour.
 - b. Forty-Five (45) feet where the sign is placed alongside a major arterial road
 - c. Thirty-Five (35) feet where the sign is placed alongside any other road in the community.
5. Yard Requirements
- Billboard signs shall be subject to the yard requirements established for principal uses for the district in which they are located.
6. Maximum Sign Surface Area and Number

A billboard sign structure shall contain no more than two (2) signs per face and for each side facing one direction of traffic, the maximum surface area of all such signs shall be:

- a. Six hundred seventy-two (672) square feet where placed alongside a highway where the posted speed limit exceeds 55 miles per hour, with extensions not to exceed one hundred (100) square feet and not to extend more than five (5) feet from the sign structure. Extensions are embellishments added to the sign to enhance the advertising message.
- b. Three hundred (300) square feet in all other locations.

7. Separation Distance

The minimum distance between each billboard sign shall be 1,000 feet, with the distance to be measured from the nearest part of each sign. This dimensional standard shall apply to all newly constructed billboard signs regardless of sign visibility due to topography, tree cover, or other considerations.

8. Illumination

Illumination of billboard signs shall be permitted if the lighting is non-flashing, and is so shielded to prevent beams or rays of light from being directed at any adjacent premises or at any portion of the main traveled way of any street or highway.

9. Distance from Residential Districts

No billboard sign shall be permitted within two hundred (200) feet of any residential district, as measured from the nearest part of each sign to the nearest property line in a residential district. In addition, no billboard sign shall be located within two hundred (200) feet of a public park, public or private school, church, cemetery or any local historic district or a National Register Historic District. In each case, the required distance shall be measured from the edge of the sign nearest linearly to the closest point on the parcel of land containing the residential use, park, school, church, cemetery, or historic district, as applicable. These dimensional standards shall apply to all newly constructed billboard signs regardless of sign visibility due to topography, tree cover, or other considerations.

10. Painting Or Affixing Sign Copy Directly To Wall Or Fence Prohibited

Billboard sign message or copy shall not be painted or affixed directly on a building wall, nor on a masonry fence, nor on any other type of fence.

C. OFF-PREMISE DIRECTIONAL SIGNS

1. Where Permitted

Off-premise directional signs shall be permitted in the C-1, C-2, C-3, C-4, O-S, PUB, I-1 and I-2 districts as a permitted use subject to the requirements of this section.

2. Content

Off-premise directional signs may display the name, address, and logo of the business or organization being advertised. Off-premise directional

signs which advertise products or goods sold shall be considered Off-Premise Billboard signs and shall conform to section 32.06.040.B of this Code

3. Location

Off-premise directional signs shall be located within 500 feet of the business, organization or establishment that the sign advertises the location of. The distance shall be measured from the nearest corner of the sign or sign structure to the nearest property line on which the business or organization is located.

4. Size and Dimensional Standards

- a. The total square feet on any parcel dedicated to off-premise directional signage shall not exceed two-hundred (200) square feet.
- b. Off-Premise Directional Signage shall be calculated within the standards for on-premise signage established in this section 32.06.030. Off-Premise Directional signage shall conform to all dimensional standards set forth and allowable sign types for the zone in which the sign is located. The total combined area of off-premise directional signage and on-premise signage shall not exceed the allowable on-premise signage established in this section 32.06.030.

5. Removal

An off-premise directional sign or sign face must be removed, changed or covered once the business or organization being advertised is no longer in operation at the location being advertised.

6. Sign Master Plan

A sign master plan may be submitted with any request to establish a Planned Unit Development Zone District. A sign master plan will describe all on-premise and off-premise directional signage proposed to be contained within the Planned Unit Development. An application containing a sign master plan shall describe any reduction or combination of total signage allowed as a result of the plan. A sign master plan shall not include Billboard Signs, which shall be treated as a separate use and may be allowed as part of a Planned Unit Development Ordinance only if listed as an allowed use by the creating ordinance and placed at a location subject to the provisions of Section 32.06.040.B of the City Code.

Section 2. That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.09.020.15N – Sign, and the following Section 32.09.020.15N here is hereby adopted in lieu of:

15N. Sign

Any medium, including its component parts, that is used or intended to be used to direct attention to a business, product, service, subject, idea, premises, person, or thing.

A. Sign, Awning

Any sign attached to an awning that includes trademark or copyright material. Corporate colors are not considered a sign.

B. Sign, Banner

- Any sign in which the characters, letters, illustrations, or ornamentations are applied to cloth, paper, fabric, or other similar material, with or without a frame.
- C. Sign, Billboard
An off-premise sign which advertises or draws attention to a business, product, event, service or activity not necessarily located on an adjacent or nearby property. Billboard signs are meant to advertise the business to passing motorists or pedestrians. An off-premise sign which does not meet the standards for an off-premise directional sign set forth in this section 32.06.040.C shall be considered a billboard sign.
- D. Sign, Bracket
A freestanding sign structure supported by posts or columns at the ends.
- E. Sign, Canopy
See definition of "Sign, Awning."
- F. Sign, Free-standing
Any non-movable sign not affixed to a building, and including bracket signs, monument signs, pole signs, and construction signs.
- G. Sign, Information
A sign displayed strictly for the direction, safety, or convenience of the public such as signs that identify addresses, locations of parking areas and drives, restrooms, telephones, exits and entrances, no trespassing areas, danger areas, and similar information.
- H. Sign, Illuminated
Any sign with electrical equipment installed for illumination at night or in early morning darkness, either internally illuminated through its face by a light source contained inside the sign or externally illuminated by reflection of a light source aimed at its surface.
- I. Sign, Marquee
A sign mounted on a marquee.
- J. Sign, Monument
A free-standing sign with low overall height and a decorative base.
- K. Sign, Off-Premise
A sign directing attention to a specific business, product, service, entertainment event or activity, or other commercial activity that is not sold, produced, manufactured, furnished or conducted at the property upon which the sign is located.
- L. Sign, Off-Premise Directional
An off-premise sign of similar size and scale to on-premise signage designed to guide or direct the public to a business, service or entertainment activity located on an adjacent or nearby property. Off-Premise Directional Signs typically remain in place for as long as a business is operational and display only the name, address, and logo a nearby business.
- M. Sign, On-Premise
A sign whose message and design relates to a business, product, service, event, or other commercial activity sold, offered, or conducted on the same property where the sign is located.
- N. Sign, Pole
A free-standing sign with an elevated surface supported by one or more vertical poles or columns placed in the ground.
- O. Sign, Portable
A sign designed to be transported, and not permanently attached to the ground, a structure, or to other signs, including but not limited to signs:
With wheels, or with wheels removed.
With chassis or support constructed without wheels.
Designed to be transported by trailer or wheels.

"A" or "T" frame signs.

Attached temporarily or permanently to the ground, a structure, or to other signs.

Strings, pennants, and balloons.

Menu and sandwich board signs.

P. Sign, Projecting

A building mounted sign with the faces of the sign projecting from and not parallel with the building fascia.

Q. Sign, Roof

A sign situated upon the roof of any building.

R. Sign, Special Event

A temporary sign displayed in a yard for the purpose of notifying the public of events to be held on specific dates that are conducted by non-profit entities. Said events shall be open to the general public and include, but not be limited to, scheduled elections relating to candidates or issues, fairs, festivals, special days and commemorative celebrations. See also definition of "Sign, Temporary."

S. Sign, Temporary

A sign that is intended by the owner of the sign or the person owning or controlling the property upon which the sign is placed to be displayed for a limited period of time only.

T. Sign, Wall

A sign that is attached directly to or painted on a wall and with the exposed face of the sign in a plane parallel to the building wall, but not including a mural or work of art exempted from application of the regulations of the Section 32.06 Signs by pursuant to Chapter 13.06 of the Cedar Rapids Municipal Code.

Section 3. Separability of Provisions. It is the intention of the Council that each section, paragraph, sentence, clause, and provision of the Ordinance is separable, and, if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof than that affected by such decision.

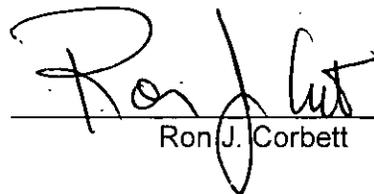
Section 4. That all ordinances or parts of ordinances in conflict herewith are repealed.

Section 5. That the afore described Amended Chapter 32 shall be included as part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

Section 6. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 28th of May, 2013.

Passed this 11th day of June, 2013.



Ron J. Corbett

, Mayor

Attest:



, City Clerk

Amy Stevenson