

ORDINANCE NO. 2113, as amended

AN ORDINANCE AMENDING ORDINANCE NO. 1489 OF THE ORDINANCES OF THE CITY OF FORT DODGE, IOWA: THE SAID ORDINANCE NO. 1489 BEING ENTITLED: "AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION, CONSTRUCTION AND USE OF BUILDINGS AND STRUCTURES, AND THE USE OF LAND IN THE CITY OF FORT DODGE, IOWA, AND FOR SAID PURPOSES DIVIDING THE CITY INTO DISTRICTS AND CREATING BOARD OF ADJUSTMENT, REPEALING ORDINANCES IN CONFLICT WITH THIS ORDINANCE, AND PROVIDING FOR PENALTIES FOR VIOLATION OF THE REGULATIONS."

BE IT ORDAINED BY THE CITY COUNCIL OF FORT DODGE, IOWA:

SECTION I

This Ordinance amends said Ordinance No. 1489 by directing the deletion and incorporation of language within the zoning regulations.

SECTION II

That Ordinance No. 1489 of the City of Fort Dodge, Iowa, as adopted, enacted and passed on the 17th day of October, 1978, be the same is hereby amended by making the following change:

By deleting the following definitions from "Section 17.03 DEFINITIONS" of the Zoning Ordinance:

GROUND SIGNS	SIGNS
HEIGHT-SIGNS	SIGNS, OFF-PREMISE
ILLUMINATED SIGNS	SIGNS, ON-PREMISE
PROJECTING SIGNS	TEMPORARY AND/OR PORTABLE SIGNS
ROOF SIGNS	WALL-SIGNS

By deleting the following sections from the Zoning Ordinance:

17.07.02(F)
17.07.03(F)
17.07.04(F)
17.07.05(F)
17.07.06(F)
17.07.07(C)
17.07.08(F)
17.07.09(F)
17.07.10(F)
17.07.11(F)
17.07.12(F)
17.07.13(F)
17.07.14(E)
17.07.15(F)
17.07.16(F)
17.08.01(Q)

By adding the following definitions in alphabetical sequence to “Section 17.03 DEFINITIONS”:

ABANDONED SIGN: A sign, including sign face and sign structure, which refers to a discontinued business, profession, commodity, service, or other activity or use formerly occupying the site.

ANIMATION: The movement of any object or light used in conjunction with a sign such as blinking, flashing, traveling, scrolling, or changing degree of intensity of any light movement other than burning continuously.

ATTACHED SIGN: A sign which is structurally connected to a building and/or depends upon that building for support.

AWNING SIGN: A sign or graphic printed or fixed upon awning material.

BEACON: A stationary or revolving light which flashes or projects illumination, single color or multi-colored, in any manner which is intended to attract or divert attention: except, however, this term is not intended to include any kind of lighting device which is required or necessary under the safety regulations of the Federal Aviation Agency or similar agencies.

BILLBOARD: An advertising sign with sign height over ten (10) feet from the ground surface on which same is located to the top of such billboard, and sign area greater than seventy-two (72) square feet and is a structure especially constructed for the display and/or advertising of characters, posters or other materials attached to the surface of such structure, together with such other structures of similar nature on which the advertising or display is painted.

BLADE SIGN: A sign located below a marquee or awning and attached to a wall, marquee or awning with the exposed face of the sign in a plane perpendicular to the plane of the building wall and with a total maximum surface area of four square feet per sign face.

BULLETIN BOARD: An advertising sign with sign height not more than twelve (12) feet from the ground surface on which same is located to the top of such bulletin board, and the area of which does not exceed seventy-two (72) square feet.

CANOPY SIGN: A sign which is attached to or made an integral part of a canopy.

CHANGEABLE COPY SIGN: Any sign on which message copy can be changed through the use of attachable letters and numerals or by electronic switching of lamps, light emitting devices, or illuminated tubes. This includes public message displays or any sign which features automatic switching such as time and

temperature signs.

CLEARANCE: The distance between the bottom of the sign face elevated above grade and the grade below.

CURB LINE: The line at the face of the curb nearest to the street or roadway. In the absence of a curb, the curb line shall be established by the city engineer.

DETACHED SIGN: A sign which is self-supporting and structurally independent from any building.

DIGITAL BILLBOARD: An off-premise sign capable of displaying multiple static images controlled by electronic communications.

DIRECTIONAL SIGN, OFF-PREMISES: A sign which is designed and erected on a lot solely to designate the location or direction of any area or place on another said lot.

DIRECTIONAL SIGN, ON-PREMISES: A sign which is designed and erected on a lot solely to designate the location or direction of any area or place on that lot.

ELECTRIC SIGN: A sign containing electrical wiring, but not including signs illuminated by an exterior light source.

ELECTRONIC CHANGEABLE COPY SIGN: An on-premise sign containing a computer or digital software generated message or other automated or remote method of changing copy.

FADE: A transition from one message to another by means of varying light intensity, where the first message gradually reduces intensity to the point of not being legible and/or gradually increases intensity to become legible.

FLASHING: A pattern of changing light illumination where the sign illumination alternates suddenly between fully illuminated and fully non-illuminated for the purpose of drawing attention to the sign.

FRAME EFFECT: A visual effect on an electronic message sign applied to a single frame to transition from one message to the next.

FRONTAGE: The length in feet of a property line of any one premises abutting and parallel to a public street.

GROUND SIGN: A billboard or similar type of sign which is supported by one or more uprights, poles or braces in or upon the ground other than a pole sign, as defined by this code.

ILLUMINATED SIGN: A sign or signs with lighting sources installed for the primary purpose of improved visibility and/or attraction and/or any sign which is directly lighted by any electrical light source, internal or external, regardless of technology (this definition shall not include signs which are illuminated by street lights or other light sources owned by any public agency or light sources which are specifically operated for the purpose of lighting the area in which the sign is located rather than the sign itself) and is further “including but not limited to” defined as follows:

1. “Bare bulb illuminated sign” means illumination or emphasis of sign using unshielded bulbs.
2. “Direct flood illuminated sign” means illumination or emphasis of sign with visible flood lights.
3. “Flame illuminated sign” means illumination or emphasis of sign using open flame or torches as a light source.
4. “Flashing illuminated sign” means illumination or emphasis of sign using intermittent light source, including the illusion of intermittence through animation or other external light sources.
5. “Indirect illuminated sign” means sign using light source not visible directly to traffic beyond boundaries of the subject lot.
6. “Internal illuminated sign” means sign using a light source concealed or contained within the sign and visible through a translucent surface.
7. “Neon or gas tube illuminated sign” means sign using a light source supplied by a neon or other gas tube, bent to form letters, symbols, and other shapes.

MONUMENT SIGN: An on-premise freestanding sign with the appearance of a solid base. The width of such base shall be at least seventy-five (75) percent of the width of the sign.

NONCONFORMING SIGN: A sign that was legally erected prior to the adoption of this chapter but which violates the regulations of this chapter.

OFF-PREMISE SIGN: A sign which directs attention to a business, profession, commodity, or service offered on property other than that on which the sign is located.

ON-PREMISE SIGN: A sign which directs attention to a business, profession, commodity, or service offered on the property on which the sign is located.

POLE SIGN: An on-premise sign built on a freestanding frame, mast, or pole(s)

with clearance greater than three feet, and where the support structure encompasses less than seventy-five (75) percent of the width of the sign.

POLITICAL SIGN: A sign installed for a limited period of time which displays information pertaining to an upcoming governmental subdivision, city, county, state, or federal election.

PORTABLE SIGN: Any sign not permanently attached to the ground or building and capable of being moved from place to place, including signs attached to vehicles and trailers and portable temporary attraction sign boards.

PREMISES: A tract of one or more lots or sites which are contiguous and under common ownership and control.

PROJECTING SIGN: A sign other than a wall sign, which projects from and is supported by a wall of a building or structure.

PROJECTION: The distance by which a sign extends over public property or beyond the building line.

REAL ESTATE SIGN: A temporary sign which is used exclusively for the sale or lease of the property upon which it is located.

ROOF SIGN: 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.

ROTATING SIGN: Any sign or portion of a sign which moves in a revolving or similar manner.

SCROLL OR TRAVEL: A message transition where the message that is leaving or appearing appears to move vertically or horizontally across the display surface.

SIGN: Any letter, figure, character, mark, plane, point, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter or illuminated service, which shall be constructed, placed, attached, painted, erected, fastened or manufactured in any manner whatsoever, so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine or merchandise, whatsoever, which is displayed in any manner outdoors. Every sign shall be classified and conform to the requirements of that classification as set forth in this chapter.

SIGN AREA: The entire area within the largest single continuous perimeter enclosing the extreme limits of a sign face, but not passing through or between any elements of the sign. Sign area does not include any structure for support or service of the sign, or architectural elements of the building. Sign area for wall, ground and monument signs are calculated as the area enclosing the extreme

limits of the copy only. All area shall be calculated in square feet.

SIGN HEIGHT: For signs located in a front yard, height is the vertical dimension measured from the grade of the sidewalk to the topmost point of the sign or sign structure. Where no sidewalk exists, sidewalk grade is determined by the City Engineer. For signs located on other portions of a lot, grade shall be the same as that for buildings. Where no building exists, grade shall be determined at the sidewalk as if in a front yard.

SIGN STRUCTURE: Any structure which supports or is capable of supporting a sign as defined in this code. A sign structure is permitted to be a single pole and is not required to be an integral part of the building.

SIGN TYPE: A functional description of the use of an individual sign. Sign types include but are not limited to: advertising, abandoned, attached, awning, banner, beacon, canopy, combination, detached, directional, electric, electronic message board, ground, illuminated, monument, moving, pole, political, portable, projecting, real estate sales, roof, temporary, wall, and window signs.

TEMPORARY SIGN: Any sign, banner, pendant, valance, sandwich board, collapsible sign, or advertising display constructed of cloth, canvas, light fabric, cardboard, wall board or other light materials, with or without frames that is 12 square feet or larger and intended to be displayed for a limited period of time only. Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs.

TOTAL PERMITTED SIGN AREA: The maximum permitted combined area of all on-premise signs allowed on a specific property.

VISIBILITY TRIANGLE: A generally triangular area at an intersection of a street, alley or driveway formed by extending the street or alley right-of-way lines or driveway paving lines to form an intersection and connecting the two points located on said lines a certain distance from their intersection.

WALL SIGN: Any sign attached to or erected against the wall of a building or structure, with the exposed face of the sign in a plane parallel to the plane of said wall.

WINDOW SIGN: A sign painted on or installed inside a window for the purpose of viewing from outside the premises.

By adding the following to the Zoning Ordinance as “Section 17.08.04 Signs”:

A. Intent and purposes.

The purposes of this chapter are: to encourage the effective use of signs as a means of communication in the city; to maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign restrictions. The intent of this chapter as more specifically set out is:

1. Ensure that the informational needs of sign users are met in a way that is compatible with the surrounding urban environment;
2. Improve the legibility, efficiency and graphic design of individual signs;
3. Provide for the design, location, and maintenance of signs in a manner that does not endanger public safety, or increase the probability of traffic congestion and accidents;
4. Reduce conflict among signs and lights and between public and private information systems;
5. Provide flexibility for sign users to communicate effectively within certain standards;
6. Recognize the special characteristics of specific areas and the impact of signage on urban environmental design.

B. Applicability.

A sign may be erected, placed, established, painted, created or maintained within the city only in conformance with the standards, procedures, exemptions and other requirements of this chapter. The effect of this chapter as more specifically set out is:

1. To implement a permit system to allow a variety of types of signs in commercial and industrial zones and a limited variety of signs in other zones, subject to the standards and permit procedures of this chapter;
2. To allow certain signs that are small, unobstructive, and incidental to the principal use of respective lots on which they are located, subject to the substantive requirements of this chapter, but without a requirement for permits;
3. To provide for temporary signs without commercial messages in limited circumstances in the public right-of-way;

4. To prohibit all signs not expressly permitted by this chapter;
5. To provide for the enforcement of the provisions of this chapter.

C. Definitions and interpretations.

Words and phrases used in this chapter have the meanings set forth in this chapter. Words and phrases not defined in this chapter but defined elsewhere in the zoning ordinance or in the adopted building code shall have the meanings set forth in the zoning or adopted building code, respectively. All other words and phrases shall have their common, ordinary meanings unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this chapter.

D. Compliance and conflicts.

Each sign or part of a sign within the jurisdiction of the City of Fort Dodge, Iowa, must comply with the terms and provisions of this chapter of the Municipal Code of Fort Dodge, Iowa. In the event of conflicts between or among code sections, the most restrictive of these provisions shall apply.

E. Computations.

The following principles shall control the computation of sign area and sign height:

1. **Computation of Area of Individual Signs.** The area of sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing or decorative fence or wall when such fence or wall otherwise meets zoning regulations and is clearly incidental to the display itself.
2. **Computation of Area of Multi-Faced Signs.** The sign area from a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of one of the faces.
3. **Computation of Maximum Total Permitted Sign Area.** The permitted sum of the area of all individual signs (attached, detached

and on-premise directionals) on a lot shall be limited to the frontage of the premises along a street or private way. For property with frontage on more than one street, the total frontage shall be calculated as the longest frontage plus one-half the length of all additional frontages.

4. For purposes of this chapter, that part of a property line abutting the right-of-way of a divided four-lane highway, including ramps, shall not be considered street frontage for calculating the maximum total permitted sign area.
5. The maximum allowable area of each monument or ground sign face will be measured from the finish grade to the top of the structure and from one end of the structure to the other. The maximum allowable square feet per sign face shall not be greater than each property's linear feet of street frontage, as measured on one adjacent street, or one hundred fifty (150) square feet, whichever is less.

F. Zoning district designations.

(a) For purposes of this chapter, agricultural/conservation districts shall include the following zoning districts:	
(1) AG	Agricultural District
(2) CN	Conservation District
(b) For purposes of this chapter, residential districts shall include the following zoning districts:	
(1) RS	Residential Single Family District
(2) RM	Residential Multiple Family District
(3) RR	Residential Redevelopment District
(4) MH	Mobile Home District
(5) RH	Residential Historical District
(6) PD	Planned Development District
(7) OC	Office Commercial District
(8) HM	Hospital Medical District
(c) For purposes of this chapter, commercial districts shall include the following zoning districts:	
(1) AC	Arterial Commercial District
(2) BC	Business Commercial District
(3) SC	Shopping Center Commercial District
(d) For purposes of this chapter, industrial districts shall include the following zoning districts:	
(1) LI	Light Industrial District
(2) HI	Heavy Industrial District

G. Prohibited signs.

All signs not expressly permitted in these regulations or exempt from regulation in Section 17.08.04(H) are prohibited in the city. The following signs are prohibited in all zoning districts:

1. Signs painted on or attached to rocks, trees, or other natural objects;
2. Signs painted directly upon a building or fence;
3. Signs placed on utility poles (e.g., garage sale signs);
4. Signs on or over public property and right-of-way unless specifically authorized by the City Engineer;
5. Signs or sign structures which resemble or conflict with traffic control signs or devices any official, directional, or warning sign erected or maintained by the State, County, Municipal or other governmental subdivision; which mislead or confuse persons traveling on public streets, or which create a traffic hazard;
6. Signs or sign structures which create a safety hazard by obstructing the clear view of pedestrians, vehicles, or railroads, or which obscure official signs or signals;
7. Signs or sign structures placed in a ten (10) foot by ten (10) foot visibility triangle at the intersection of a street and a drive nor within a twenty-five (25) foot by twenty-five (25) foot visibility triangle at any street intersection;
8. Signs which obstruct doors, windows, or public right-of-way;
9. Flashing signs;
10. Searchlights, beacons, pennants, streamers, inflatable, and suspended signs (including tethered balloons) except for grand opening and/or special events subject to the limitations in Section 17.08.04(I);
11. Signs painted on or attached to parked vehicles, trailers, or other stationary conveyances where the sign is the primary use of the conveyance;
12. Roof signs;
13. Off-premises directional signs;

14. Abandoned signs;
15. Signs in the public right-of-way, except for the following:
 - a. Public signs erected by or on behalf of a governmental body limited to public owned street name signs, traffic control signs, legal notices, railroad crossing signs, danger and temporary warning or emergency signs, and, emblems, names, logos, and symbols on motor vehicles and equipment being used for purposes other than the display of signs or advertising devices;
 - b. Bus stop signs erected by the transit authority;
 - c. Informational signs of a public utility regarding its poles, lines, pipes or facilities.

H. Exempt signs.

The following signs are permitted in any zoning district and are exempt from the provisions of this title, except as otherwise provided for in Section 17.08.04(G):

1. Signs affixed to vehicles and trailers only where the sign is incidental and accessory to the primary use of the vehicle or trailer and the primary purpose of such a vehicle or trailer is not the display of signs and the vehicle or trailer is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used or available for use in the daily function of the business to which such signs relate;
2. Signs, not exceeding four (4) square feet in total sign area, which provide direction or instruction to guide persons to facilities intended to serve the public, if such signs contain no advertising of any kind. Such signs include those identifying restrooms, public telephones, public walkways, and other similar signs providing direction or instruction to persons using a facility, but shall not include those signs accessory to parking areas;
3. Flags, emblems and insignia of political, professional, religious, or educational organizations for noncommercial purposes only. Flags of the United States, the state, the city, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction, must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Any flag not meeting any one or more of these conditions shall be

considered a banner sign and shall be subject to regulation as such;

4. Governmental signs for control of traffic and other regulatory purposes, street signs, warning signs, railroad crossing signs, signs of public service companies indicating danger and aids to service or safety which are erected by, or at the order of a public officer or employee in the performance of the officer's or employee's duties;
5. Traffic control signs on private property, such as stop, yield and similar signs, the face of which meets the Manual on Uniform Traffic Control Devices standards and which contain no commercial message;
6. Signs or other materials temporarily displayed on or about traditionally accepted civic, patriotic or religious holidays;
7. Signs which are fully located within the interior of any building intended solely for the information relating to the interior operation of the building in which it is located;
8. Signs which are fully located within the interior of a sports complex or arena intended solely to be viewed by occupants or patrons of the site and not intended to be viewed from any public right-of-way or adjacent property;
9. Murals as works of graphic art painted or applied to building walls, which contain no advertising or identification message;
10. Freestanding works of public art;
11. Ground, monument, or wall signs for on-premise religious assembly or school use only; up to a maximum sign area of thirty-two (32) square feet per sign face and not to exceed one (1) sign per premises, provided other provisions of this ordinance are met;
12. Memorials, plaques or tablets, grave markers, statuary, or other remembrances of persons or events that are noncommercial in nature;
13. Non-illuminated signs, not exceeding one (1) square foot in area, denoting only the name and profession/business of an occupant in a commercial building, public institutional building, or dwelling.
14. Street and house numbers;

15. Plaques identifying property on the National Register of Historic Places or recognized as a local landmark, landmark site or historic district;
16. Temporary signs as defined in Section 17.08.04(I).

I. Temporary signs.

The following signs are permitted in any zoning district and are exempt from this title except as provided for in Section 17.08.04(G):

1. Non-illuminated real estate signs located on private property only and advertising the sale, lease, or rent of a premise subject to the following:
 - a. Maximum of one (1) on-premise real estate sign for each parcel except where a parcel abuts two (2) or more streets, additional signs, one (1) oriented to each abutting street, shall be permitted;
 - b. Maximum of two (2) off-premise real estate signs per residential listing providing direction or open house information for said listing only;
 - c. Maximum sign area of six (6) square feet per sign face in all residential zoning districts;
 - d. Maximum sign area of thirty-two (32) square feet per sign face in all agricultural/open space, commercial, and industrial zoning districts;
 - e. Maximum height six (6) feet in all zoning districts;
 - f. All real estate signs shall be removed within seven (7) days of the sale or lease of the premise upon which the sign is located or refers to.
2. Construction signs identifying the parties involved in the construction to occur or occurring on the premises on which the sign is placed shall be subject to the following:
 - a. No more than one (1) construction sign for each project or development, except that where a project or development abuts two (2) or more streets, additional signs, one (1) oriented to each abutting street, shall be permitted;

- b. Maximum of thirty-two (32) square feet per construction sign in all agricultural/open space and residential zoning districts;
 - c. Construction signs shall be located only upon the premise upon which construction is about to occur or is occurring. Such signs may be located in any required yard but shall not extend over any lot line or within fifteen (15) feet of any point of vehicular access from a parcel to a public roadway;
 - d. Maximum height is eight (8) feet in all zoning districts;
 - e. Construction signs shall be permitted only as accessory to an approved building permit for a project or development;
 - f. Construction signs may be erected and maintained for a period not to exceed sixty (60) days prior to the commencement of construction and shall be removed within fourteen (14) days of project or development completion.
3. Political signs announcing political candidates seeking public office, political parties, and/or political and public issues contained on a ballot subject to the following:
- a. Political signs shall not be placed within a right-of-way, street or on public grounds;
 - b. Political signs may be erected or maintained for a period not to exceed sixty (60) days prior to the date of the election to which such signs are applicable is scheduled to occur and shall be removed within seven (7) days following said election.
4. Event signs announcing a campaign, drive, activity or event of a civic, philanthropic, educational, government or religious organization for noncommercial purposes shall be subject to the following:
- a. The Zoning Administrator shall determine permitted number, area, height, location, and construction of such signs with consideration given to the public safety and the signage reasonably necessary and appropriate for the intended purpose;
 - b. Such signs may be erected and maintained for a period not to exceed thirty (30) days prior to the date of which the campaign, drive, activity, or event advertised is scheduled to

- occur and shall be removed within three (3) days of the termination of such campaign, drive, activity, or event;
- c. No more than four (4) permits for such signs shall be issued for the same premises and not more than one hundred and twenty (120) days per calendar year per premise with special permit only.
 - d. Permits may be obtained for either a fifteen (15) or thirty (30) day period.
5. Temporary signs for the advertising of grand openings and special events located on-premise only, under the following conditions:
- a. Such signs shall be limited to no more than five (5) occurrences and not more than one hundred and twenty (120) days per calendar year per premise with special permit only.
 - b. Permits may be obtained for either a fifteen (15) or thirty (30) day period.
 - c. No more than two permit periods may run consecutively.
6. Non-illuminated signs advertising sales, specials or similar commercially related messages that are less than 12 square feet, under the following conditions:
- a. One per premise.
 - b. The same message may not be displayed more than five (5) days in a row.

J. On-premise signs--General provisions.

1. Wall signs are subject to the following regulations:
 - a. Wall signs shall be mounted to the primary face of the use. A wall sign may not extend beyond the corner of the wall to which it is attached, except where extension permits attachment to another permitted wall sign;
 - b. Wall signs may be placed on the secondary face for corner property or those with dual frontage, when the total does not exceed one hundred fifty (150) percent of the total allowable

for attached sign area as calculated by the initial lineal foot frontage measurement;

- c. A wall sign shall not extend more than thirty (30) inches from the wall to which it is attached;
- d. A wall sign must be parallel to the wall to which it is attached;
- e. Wall signs may not cover in whole or in part any wall opening or major architectural feature of the building;
- f. A wall sign may not extend beyond or above the building's roofline;
- g. A wall sign attached to a building on its front property line may encroach upon public right-of-way by no more than eighteen (18) inches. Such a wall sign shall provide minimum vertical clearance of nine (9) feet;
- h. Where permitted, canopy signs are counted as wall signs when calculating total permitted sign area.

2. Projecting Signs. Projecting signs, including blade signs where permitted, are subject to the following regulations:

- a. The maximum projection of any projecting sign shall be five (5) feet from a building with a maximum thickness of two (2) feet;
- b. Each projecting sign must maintain at least the following vertical clearances:
 - i. Nine (9) feet over private sidewalks; except that a canopy may reduce its vertical clearance to seven (7) feet, six (6) inches;
 - ii. Fourteen (14) feet over parking lots and driveways.
- c. Projecting signs must minimize visible support structure and may not expose guy wires or cables for structural support;
- d. Projecting signs are limited to one (1) per premise.

3. Pole Signs. Pole signs are subject to the following general regulations:

- a. Pole signs may be used on a premise if the front wall of the building or structure which the sign serves is set back at least twenty-five (25) feet from the right-of-way line of the street, private way, or court to which the sign is oriented;
- b. Maximum height shall not exceed twenty (20) feet;
- c. Pole signs shall be located a minimum of five (5) feet from any property line;
- d. Pole sign copy area shall not project beyond the property line;
- e. Each pole sign must maintain at least the following vertical clearances:
 - i. Nine (9) feet over private sidewalks;
 - ii. Fourteen (14) feet over parking lots and driveways.
- f. Pole signs are limited to one (1) per premise, unless otherwise permitted in that zoning district.

4. Ground and Monument Signs.

- a. Ground and monument signs may be used on a premise if the front wall of the building or structure which the sign serves is set back at least fifteen (15) feet from the right-of-way line of the street, private way, or court to which the sign is oriented;
- b. Ground and monument signs shall be located along the frontage of the premises. On corner lots, the sign may be placed on either frontage;
- c. Ground and monument signs shall be located a minimum of five (5) feet from any property line;
- d. Ground and monument signs are limited to one (1) per premise, unless otherwise permitted in that zoning district.

5. Signs may be illuminated, except as otherwise provided in residential districts subject to the following:

- a. All illuminated signs shall have an indirect or diffused light source and be designed so as not to direct rays of light onto public streets or adjacent property, thereby creating a nuisance or safety hazard;
 - b. No sign shall flash;
 - c. No sign shall move, rotate, revolve, or simulate animation by means of spinning, fluttering, or reflective devices or lighting;
 - d. No message on an electronic changeable copy sign shall be animated or flash. Transitions between messages are permitted but such frame effects shall be subject to the following limitations:
 - i. In commercial, industrial, hospital medical or planned development that includes any of the aforementioned uses such signs shall display static images that hold for at least one (1) second before transitioning to another static image. The use of frame effects is permitted so long as the transition does not exceed durations of one (1) second.
 - ii. In residential districts such signs shall display static images that hold for at least three (3) seconds before instantaneously transitioning to another static image.
 - e. Electronic changeable signs shall be permitted in all commercial and industrial districts shall not exceed eighty (80) square feet of sign area and such sign area shall be included as part of the maximum permitted sign area for the premises on which it is located. In all other districts, such signs shall not exceed the maximum sign size allowed by the zoning district in which the subject property is located; and
 - f. Electronic changeable signs shall be required to adjust in intensity related to ambient light levels.
6. Special Signage Conditions. The following special conditions apply to stand-alone ATM's, coffee and other kiosks. Where the use is allowed, this signage is excluded from the calculation for maximum sign area for the premise.
- a. Stand-alone ATM's may have the following:

- i. One wall sign on each exterior wall not to exceed ten (10) percent of the applicable exterior wall and not to exceed forty (40) square feet in size;
 - ii. Where a canopy is integrated into the ATM, the canopy signs may be placed on each face of the ATM, provided the overall height of the canopy and sign do not exceed twenty-four (24) inches. In addition, the overall area of all canopy signs shall not exceed forty (40) square feet or ten (10) square feet per side;
 - iii. Directional signage shall be contained on the ATM, painted within the drive lane or in any curbing defining a drive lane;
 - iv. All signs are subject to the required permitting process of this chapter;
 - v. Signage shall be incorporated into the lighting plan and backlit to provide greater security for the premises.
- b. Coffee kiosks and other kiosks may have the following:
- i. One wall sign on each exterior wall not used for drive-up service, provided each wall sign does not exceed ten (10) percent of the applicable exterior wall and the total does not exceed forty (40) square feet in size;
 - ii. Where a canopy is integrated into the kiosk, a canopy sign may be placed on each face of the kiosk provided the overall height of the canopy and sign do not exceed twenty-four (24) inches. In addition, the overall area of all canopy signs shall not exceed forty (40) square feet or ten (10) square feet per side;
 - iii. Directional signage shall be contained on the kiosk, painted within the drive lane or in any curbing defining a drive lane;
 - iv. Window signs limited to menu boards and daily specials shall not require a sign permit;
 - v. All other signs are subject to the required permitting process of this chapter.

K. Neighborhood identification signs.

Ground or monument signs for the purpose of identifying neighborhoods or subdivisions are permitted in any residentially zoned district subject to the following conditions:

1. When constructed as a landscaping element in an easement or platted lot, the location and dimensioned site plan for the neighborhood sign shall be submitted with the final subdivision plat for approval. All other neighborhood signs shall be limited to the following criteria;
2. Maximum height shall not exceed eight (8) feet;
3. Maximum sign area shall not exceed thirty-two (32) square feet per sign face;
4. Such signs are placed at an entrance to the neighborhood or development;
5. A maximum of two (2) signs may be placed at each entrance to a subdivision or neighborhood.

L. Business Highway 20 corridor.

Additional restrictions for detached signage apply in the Business Highway 20 Corridor.

1. Business Highway 20 corridor. The Business Highway 20 corridor for the purposes of this section shall be defined as any lot or part of lot which falls within 150 feet of the right of way of Business Highway 20 including P-59/Quail Avenue, 5th Avenue South, Kenyon Road, or Highway 169 south of its intersection with Avenue O;
2. Detached signs shall be ground or monument signs. No support posts shall be visible on these signs. Monument signs shall not have more than two (2) sign faces. The sides of the monument sign that are not used for signage shall not exceed forty-two (42) inches in width. The maximum height for monument signs shall be twelve (12) feet. The maximum allowable square feet of each monument sign face will be measured from the finish grade to the top of the monument structure and from one end of the monument structure to the other. The maximum allowable square feet per sign face shall not be greater than each property's linear feet of street frontage, as measured on one adjacent street, or one hundred fifty (150) square feet, whichever is less. Pole signs as allowed by the

underlying base zoning district may be approved by the Board of Adjustment as a Special Exception if the Board finds all of the following criteria to be true:

- a. The granting of the Special Exception will not adversely affect the public interest.
 - b. The granting of the Special Exception is necessary to allow the site an adequate amount of signage due to site constraints prohibiting the placement of a monument sign in a permitted location.
 - c. The granting of the Special Exception will not adversely affect the purposes and intent of this ordinance.
3. No off-premises sign shall be located within a one thousand (1,000) foot radius of any other existing off-premises sign whether conforming or not;
 4. Refacing existing signs are allowed only in conformance with this chapter.

M. Agricultural and Conservation district signs.

In addition to the exempt signs in Section 17.08.04(H) and temporary signs in Section 17.08.04(I), the following types of signs are permitted, subject to the following limitations:

1. AG Agricultural District and CN Conservation District signs requiring permits.
 - a. One (1) non-illuminated on-premise sign of either type with maximum area of eight (8) square feet identifying a permitted use in the zoning district;
 - b. Detached ground or monument sign - maximum height – five (5) feet;
 - c. Attached wall sign.

N. Residential district signs.

Only the exempt signs in Section 17.08.04(H), temporary signs in Section 17.08.04(I) and neighborhood identification signs in Section 17.08.04(K) are permitted in RS, RM, RR, MH, and RH districts. In addition to the exempt signs in Section 17.08.04(H), temporary signs in Section 17.08.04(I) and neighborhood identification signs in Section 17.08.04(K), the following types of signs are permitted in the residential districts listed below, subject to the following

limitations:

1. Ground or monument signs for the purpose of identifying a multiple family dwelling are permitted in the RM Residential Multiple Family district subject to the following conditions:
 - a. Maximum height shall not exceed three (3) feet;
 - b. Maximum sign area shall not exceed twenty-four (24) square feet per sign face.
2. Additional signage types allowed in PD Planned Development, OC Office Commercial, and HM Hospital Medical districts:
 - a. Attached wall, awning or canopy signs;
 - b. Detached ground or monument signs;
 - c. On-premise directionals.
3. PD Planned Development, OC Office Commercial and HM Hospital Medical district sign regulations. In case of conflicts between these conditions, the most restrictive condition shall apply.
 - a. Total permitted sign area shall not exceed one (1) square foot per lineal foot of street frontage;
 - b. Detached signs shall not exceed thirty-two (32) square feet and three (3) feet in height;
 - c. On-premise directionals shall not exceed three (3) square feet per face or exceed three (3) feet in height.

O. Commercial district signs.

In addition to the exempt signs in Section 17.08.04(H), temporary signs in Section 17.08.04(I), the following types of signs are permitted in commercial districts, subject to the following limitations. In case of conflicts between these conditions, the most restrictive condition shall apply.

1. Permitted sign types as limited below:
 - a. Detached.
 - i. Ground and monument signs;
 - ii. Pole signs;

- iii. On-premise directionals.
- b. Attached.
 - i. Wall, awning or canopy signs;
 - ii. Projecting signs, including blade signs.
- 2. Total permitted maximum sign area is limited as follows. With corner or double frontage premises, additional total sign area is based on the longest abutting street frontage plus one-half of the other length feet of the other street frontage, not to exceed four hundred (400) square feet.

District	Maximum Sign Area
AC	2 x street frontage
BC	1.5 x street frontage
SC	1.5 x street frontage

- 3. Design Regulations for Detached Signage. If the property lies within the Business Highway 20 corridor as defined in Section 17.08.04(L), additional regulations apply.
 - a. Ground or monument signs, maximum of one per premise, exclusive of directional signs, subject to the limitations in Section 17.08.04(J).

District	Maximum Size	Maximum Height	Maximum Number
AC	1.5 x street frontage	12 feet	1 per premise
BC	1 x street frontage	12 feet	1 per premise
SC	1 x street frontage	12 feet	1 per premise

- b. Pole signs, maximum of one per premise and subject to the limitations in Section 17.08.04(J). Pole signs are not permitted within the Business Highway 20 corridor as defined in Section 17.08.04(L).
- c. On-premise directional signs, which are included in the calculations for total permitted sign area for the premises, shall not exceed the following in each commercial district:

District	Maximum Size	Maximum Height	Maximum Number
AC	3 square feet	3 feet	2 per entrance drive

BC	3 square feet	3 feet	2 per entrance drive
SC	3 square feet	3 feet	2 per entrance drive

d. Attached wall, awning, or canopy signs.

District	Maximum Sign Area
AC	1.5 square feet per lineal foot of the building to which it is attached
BC	1.5 square feet per lineal foot of the building to which it is attached
SC	1.5 square feet per lineal foot of the building to which it is attached

e. Projecting signs, where permitted, are treated as wall signs for calculating maximum sign area. Blade type signs are permitted in the BC district, subject to the limitations in Section 17.08.04(J).

P. Industrial district signs.

In addition to the exempt signs in Section 17.08.04(H) and temporary signs in Section 17.08.04(I), the following types of signs are permitted in industrial districts, subject to the following limitations. In case of conflicts between these conditions, the most restrictive condition shall apply:

1. Permitted sign types as limited below:

a. Detached.

- i. Ground and monument signs;
- ii. Pole signs;
- iii. On-premise directionals.

b. Attached.

- i. Wall, awning or canopy signs;
- ii. Projecting signs.

2. Total permitted sign area is limited by the following conditions. In case of conflicts between these conditions, the most restrictive condition will apply.

District	Maximum Number
LI	1.5 x street frontage
HI	1.5 x street frontage

3. Design Regulations for Detached Signage. If the property lies within the Business Highway 20 corridor as defined in Section 17.08.04(L), additional regulations apply.

a. Ground or monument signs, maximum of one (1) per premise, exclusive of directional signs, subject to the limitations in Section 17.08.04(J).

District	Maximum Size	Maximum Height	Maximum Number
LI	1.0 x street frontage	12 feet	1 per premise
HI	1.0 x street frontage	12 feet	1 per premise

b. Pole signs, maximum of one per premise and subject to the limitations in Section 17.08.04(J). Pole signs are not permitted within the Business Highway 20 corridor as defined in Section 17.08.04(L).

c. On-premise directional signs shall not exceed the following in each industrial district:

District	Maximum Size	Maximum Height	Maximum Number
LI	3 square feet	3 feet	2 per entrance drive
HI	3 square feet	3 feet	2 per entrance drive

d. Attached wall, awning or canopy signs.

District	Maximum Sign Area
LI	1.5 square feet per lineal foot of the building to which it is attached
HI	1.5 square feet per lineal foot of the building to which it is attached

Q. Off-premises signs (billboards).

This section contains the regulations for signs directing attention to a business, profession, commodity or service which is not located on the same property on which the sign is located. For purposes of this section, off-premises signs shall include billboards, bulletin boards and advertising signs as defined within this ordinance. Off-premises signs shall be subject to the provisions of this section, notwithstanding any other applicable regulation of the zoning district in which the off-premises sign is located.

1. Zoning. Off-premises signs may be placed on property zoned AC, LI, and HI, subject to all other restrictions in this section.

2. Spacing.

- a. Unless otherwise provided, no off-premises sign shall be located within a three hundred (300) foot radius of any other existing off-premises sign whether conforming or not. On-premises signs shall not be counted nor shall measurements be taken from them for the purpose of determining compliance with the off-premises spacing requirements;
- b. No more than one (1) off-premises sign may be erected at any one (1) sign location, each sign may have not more than two (2) sign faces, provided that:
 - i. The sign faces are oriented in opposite directions; and
 - ii. The maximum perpendicular distance between parallel sign faces is five (5) feet; or
 - iii. Nonparallel sign faces must be connected at one point and must have an angle of separation no greater than thirty (30) degrees.
- c. The minimum distance between any two (2) off-premises signs with electronic changeable copy shall be five thousand (5,000) feet measured in all directions.

3. Setbacks.

- a. Off-premises signs shall meet the minimum setback requirements for principal structures in the underlying zoning district;
- b. No portion of any off-premises sign shall encroach into any required front yard, rear yard, or side yard;
- c. No portion of any off-premises sign shall project beyond the average distance of the actual building line of all structures along the street frontage in the same block where the off-premises sign is to be located. However, this shall not be construed to require a distance of more than fifty (50) feet from the property line, subject to all other applicable regulations in Section 17.08.04(J);
- d. No portion of any off-premises sign shall be placed or maintained in such a manner as to cover or obscure the front

of any adjacent building or structure fronting on the same street.

4. Sign Size. Off-premises signs up to a maximum sign area of three hundred (300) square feet are permitted, subject to all other provisions of this section.
5. Ground Clearance. Off-premises signs shall be no less than eight (8) feet above the natural level of the ground upon which it is located, exclusive of foundation.
6. Roof Mounted Signs. Off-premises signs shall not be installed upon or against a roof or on top of or above the parapet of any building.
7. Illumination. Off-premises signs may be illuminated by indirect and internal lighting, subject to the following:
 - a. Signs shall not contain or be illuminated by flashing lights. Neon or incandescent illumination, which is integral to the design of the sign, shall be permitted provided the illumination does not cause glare or impair vision;
 - b. Digital billboards shall be permitted subject to the following limitations:
 - i. Digital billboards shall display static images that hold for at least ten (10) seconds before instantaneously transitioning to another static image;
 - ii. Animation, frame effects and flashing are prohibited;
 - iii. Such signs shall be required to adjust to intensity related to ambient light levels; and;
 - c. Lighting shall be shielded to direct light away from streets and surrounding property and shall not cause glare or impair vision when viewed from any public right-of-way.
8. Conflicts with Traffic Control. Off-premises signs shall not resemble an official marker erected by any governmental body nor shall it obstruct or conflict with the proper functioning of any traffic sign or signal. Off-premises signs shall not create a safety hazard by obstructing the clear view of pedestrians or vehicles.
9. Measurement and Design Standards.

- a. **Setback.** The setback of the sign is measured from the nearest portion of any part of the sign or sign structure to the property line;
 - b. **Sign Size.** The sign size is the area including the dimensions of the sign face and the supporting frame surrounding the sign face.
10. **Installation After Approval.** Off-premises signs shall be installed within six (6) months of the date of issuance of the sign permit. The permit becomes invalid six (6) months from the date of issue. An extension of time is not permitted. A new application with all fees and reviews is required.
11. **Sign Maintenance.** All off-premises signs shall be continuously maintained in safe structural condition.
12. **Abandoned Signs.** In addition to all other applicable regulations, an off-premises sign which contains no sign copy on all faces for a continuous period of ninety (90) days shall be considered an abandoned sign and shall be removed. Removal shall include the sign face, along with all of the supporting structure. Removal shall be complete within thirty (30) days of the abandonment.

R. Signage permit application.

1. If a sign requiring a permit under the provisions of this chapter is to be placed, constructed, erected or modified, the owner or authorized representative shall secure a sign permit prior to the construction, placement, erection or modification of such sign.
2. Modification shall include a change of the sign face while retaining the existing frame or support structure. Off-premises signs are exempt from the permitting requirements for refacing, except for initial placement and any change incorporating electronic changeable copy.
3. No permit shall be issued for an individual sign requiring a permit unless and until a sign permit for the lot upon which the sign will be erected has been submitted to the city and approved by the Zoning Administrator as conforming to the requirements of this chapter.
4. All signage permit applications shall be submitted on forms provided by the City and shall include all information necessary to evaluate compliance with the provisions of this ordinance.

S. Nonconforming signs--Legal.

1. Any sign lawfully existing or under construction on the effective date of this chapter which does not conform to one or more provisions of the municipal code may be continued in operation and maintained indefinitely as a legal nonconforming sign subject to the following:
 - a. Normal maintenance of legal, nonconforming signs, including necessary nonstructural repairs, and incidental alterations which do not extend or intensify the nonconforming features of the sign shall be permitted;
 - b. No structural alteration, enlargement, or extensions shall be made to a legal, nonconforming sign unless the alteration, enlargement, or extension will eliminate the nonconforming features of the sign. If a legal, nonconforming sign is damaged or destroyed by any means to the extent of fifty (50) percent or more of its replacement value at that time, the sign may not be rebuilt or used thereafter unless it conforms to all applicable sign regulations. If the damage or destruction of the nonconforming sign is less than fifty (50) percent of its replacement value at that time, the sign may be rebuilt to its original condition and may continue to be displayed.

T. Nonconforming signs--Illegal.

1. Any sign installed or erected after the effective date of this chapter which does not conform with one or more provisions of the municipal code shall be considered an illegal nonconforming sign.
2. An illegal nonconforming sign shall be removed within ten (10) days after receipt of written notice from the building official. If such sign is not removed after the conclusion of said ten (10) day period, the building official is authorized and empowered to declare such sign a nuisance for purposes of this chapter, and to cause the sign to be removed, pursuant to the terms and conditions of the codes and ordinances of the City of Fort Dodge.
3. Any sign installed or placed on public property, except in conformance of this section, shall be forfeited to the public and subject to confiscation. In addition to other remedies in the municipal code, the city shall have the right to recover from the owner or person placing such sign the full costs of removal and disposal of such sign.

U. Abandoned signs.

If a business ceases operation for a period of time in excess of thirty (30) calendar days, the sign owner or lessee, or the property owner, shall immediately remove any sign identifying or advertising the business or any product or service sold thereby; provided however, this requirement shall not apply where under the provisions of this chapter an existing conforming sign may be altered to advertise a new business, product, or service sold thereby, and there is evidence that a new business will be in operation on the premises within thirty (30) calendar days.

If a business ceases operation for a period of time in excess of ninety (90) days, the sign owner or lessee, or the property owner, shall remove all posts, columns, or supports of a freestanding sign and all supporting structures of "projecting", "roof", or "wall" signs.

Upon failure of the sign owner or lessee, or property owner, to comply with this section, the Zoning Administrator shall issue a written notice by certified mail to the sign owner and any lessee and to the property owner, which notice shall state that such sign/supports shall be removed within thirty (30) calendar days. If the sign owner or lessee, or property owner fails to comply with the written notice to remove said sign/supports, the Zoning Administrator is authorized to cause removal of the sign/supports, and any expense incidental to its removal shall be charged to the owner of the property upon which the sign/supports is located and shall constitute a lien upon the property.

SECTION III

That upon enactment of this Ordinance as by law provided that the City cause the change to be made upon the zoning regulations adopted in Ordinance 1489 and make notation in ink thereon of reference to the date of passage and approval of this amendatory Ordinance.

SECTION IV

If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

SECTION V

This Ordinance shall be in full force and effect from and after its publication as provided by law.

The above Ordinance passed and adopted by the City Council of the City of Fort Dodge, Iowa 9th day of November 2009.

/s/ Terry J. Lutz, Mayor
Terry J. Lutz, Mayor

ATTEST:

/s/ Barbara Barrick, City Clerk
Barbara Barrick, City Clerk

Published in The Messenger this 18th day of November 2009.