

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there is now on file with the Planning & Zoning Commission of Cerro Gordo County, Iowa, the application of the Zoning Administrator to amend Cerro Gordo County Ordinance No. 15, Zoning Ordinance, as follows:

1. Section 19.6, "Outdoor Advertising signs and Billboards," of the Cerro Gordo County Zoning Ordinance is hereby repealed in its entirety and the following adopted in lieu thereof:

### **19.6 OUTDOOR ADVERTISING SIGNS AND BILLBOARDS**

#### A. Purpose

The purpose of this section is to establish minimum requirements to regulate the location, use, and size of signs within the various zoning districts while providing for the protection and enhancement of the aesthetic environment, creating an environment that promotes economic development, and protecting and improving pedestrian and traffic safety. Further, it is the intent of this section to permit and regulate signs in compliance with the Code of Iowa, and such administrative rules regulating outdoor advertising.

#### B. Definitions

The following definitions are to be used in the administration of this section:

##### ADVERTISING SIGN

A sign that directs attention to a business or profession conducted, or to a product or service sold, offered, rented, or manufactured, or to an entertainment offered on or off the premises on which the sign is located.

##### BUILDING-MOUNTED SIGN

A sign fastened to, supported by, or painted on a building or wall and includes terms such as wall sign, awning sign, marquee sign, and roof sign.

##### DIRECTIONAL SIGNS, PUBLIC

Signs normally erected by a governmental entity and: (1) for guiding the safe movement of pedestrian or vehicular traffic; (2) containing directional information about public places owned or operated by a governmental entity; or (3) other signs erected for a public purpose including OFFICIAL SIGNS as defined herein.

##### FACE

That part of an advertising sign that is devoted to the display of advertising and that is visible to traffic proceeding in any one direction.

##### FREESTANDING SIGN

A permanent, non-movable sign not building-mounted and which is supported by one or more uprights or braces in or upon the ground. The definition includes billboards.

##### OFFICIAL SIGN

A sign or notice placed and maintained by a public agency, including its officers and agencies, within their jurisdiction, and pursuant to and in accordance with direction or authorization contained in federal, state, or local law, for the purposes of carrying out an official duty or responsibility. The definition includes a historical marker lawfully erected by a state or local government agency.

##### OFF-PREMISE SIGN

An advertising sign which is not an on-premise sign.

##### ON-PREMISE SIGN

An advertising sign that advertises the sale or lease of, or activities being conducted upon, the property where the sign is located and: (1) consists solely of the name of the establishment or that identifies the establishment's principal or accessory products or services offered on the property; (2) is located on the same property as the advertised activity or the same property as that advertised for sale or lease; and (3) is limited to advertising the property's for sale or lease, or identifying the activities located on or products or services available on the property.

#### SIGN OR SIGNAGE

Any object, device, display, or structure, or part thereof, visible from a the public right-of-way, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including but not limited to words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected or electronic images.

#### SIGN AREA

The face or display surface used for the advertising message, exclusive of supporting structures provided there is no advertising on said supporting structures.

#### TEMPORARY SIGN

A sign that is not permanent, building-mounted, or attached to or in the ground and includes portable signs with or without a hitch and wheels, or signs constructed of light material designed or intended to be displayed for a short period of time.

### C. General Provisions Applying to All Signs

1. Distances from Intersections. No advertising sign nor any part thereof shall be placed within a distance of three hundred (300) feet from the nearest point of on or in the intersection of a road right-of-way with another road right-of-way or intersection with a railroad right-of-way. A building-mounted advertising sign is permissible within such distances if the sign does not cause any greater obstruction of vision or distraction than that caused by the building itself.
2. Distances from Certain Uses. No advertising sign shall be located within three hundred (300) feet of the nearest property line of a parcel containing a residence; church; school; historical monument; federal, state, county, or municipal park or public use area; or a cemetery.
3. Prohibited Signs. Signs meeting any of the following provisions are prohibited:
  - a. Signs placed in, encroaching on, or hanging over the right-of-way of any federal, state, county, municipal, or private street or road except those authorized by this Ordinance.
  - b. Non-public or unofficial signs creating a traffic hazard by: (1) attempting or appearing to attempt to direct the movement of traffic; (2) interfering with, imitating, or resembling any official sign, signal, or device; (3) impairing the vision of any motor vehicle driver; (4) obstructing the view of any street, road, or railroad to the extent it poses a danger; or (5) obscuring or physically interfering with an official traffic control sign, signal, or device.
  - c. Signs erected or maintained upon trees, painted or drawn upon rocks or other natural features.
  - d. Advertising signs affixed to or painted on a motor vehicle, travel trailer, semi-trailer, utility trailer, or similar device, except those in transit or in use.
  - e. Advertising signs illuminated by flashing, intermittent, or animated or moving light or lights, or automated signs that change the advertising message, except those

giving public service information such as time, date, temperature, weather, and news.

- f. Signs with illumination used in such a way that beams or rays of light are directed at any portion of the main traveled way or that cause glare or otherwise impair the vision of the driver of any motor vehicle, or otherwise interferes with any driver's operation of a motor vehicle.

4. Advertising signs located along Interstate, freeway-primary, and non-freeway primary highways will be required to comply with the Code of Iowa, and such administrative rules regulating outdoor advertising, and obtain approval from the Iowa Department of Transportation.

D. Signs Permitted in All Zones. The following signs are permitted in all zones without a permit, provided they comply with the requirements of Section 19.6(C) and do not exceed the requirements herein:

1. **Farm Product Signs.** Advertising signs located on any farm which do not exceed 20 square feet in size and which relate in whole or in part to farm products, merchandise, or service sold, used, produced, manufactured, or furnished on such farm including signs indicating the type of seed or hybrid used or farm product supplier affiliation.
2. **For Sale Signs.** Real estate signs, not exceeding 20 square feet in size, advertising the sale, rental, or lease of property upon which they are located.
3. **Church, Municipal Recognition, Institutional or other Public Signs.** Church, municipal recognition, institutional or other public signs of a non-profit nature and which do not singularly exceed 20 square feet in size or when used in a series do not exceed 35 feet in their total aggregate.
4. **Utility, Safety, and Public Agency Signs.** Miscellaneous traffic or other signs of a public agency, utility, or common carrier such as railroad crossing signs, and signs warning of danger, hazards, or unsafe conditions.
5. **Required Signs.** Signs and notices required to be displayed, maintained, or posted by law or by any court or governmental order, rule, or regulation.
6. **Incidental signs.** Incidental signs, including no spraying, no hunting, and no trespassing signs.
7. **Agricultural Products and Produce.** Signs advertising the on-premise sale of agricultural products and produce.
8. **Construction Signs.** Construction signs identifying the architects, engineers, contractors, or other individuals involved in the construction of a building on property upon which such a sign is located, or directing traffic related to construction. Such signage shall not exceed thirty-two (32) square feet in area per sign and shall not exceed ten (10) feet above ground level. Such signs shall remain no longer than ninety (90) days following the initial occupation of the buildings.
9. **Political Signs.** Political signs not in violation of Iowa Code Section 68A.406, announcing candidates seeking public office, a political or ballot issue, or a sign containing other information relating to a specific election.

E. Sign Regulations by Zoning District.

1. All Agricultural Districts.

- a. One nameplate per residence, mounted on a structure or free-standing, shall be allowed provided the nameplate is limited to two (2) sides, does not exceed twelve (12) square feet in size on any side, and is non-illuminated. Nameplates shall be limited to the address, name(s) of occupants, and/or terms descriptive of any farming operation (for example, "Century Farm" or "Smith Acres"). If not a farming operation, then no information other than address and/or name(s) of occupants are permitted. Such nameplates shall not require a permit.
- b. No off-premise advertising sign shall exceed thirty-two (32) square feet in area on a single face or a height of more than twelve (12) feet above finished grade, exclusive of supporting structures. All parts of such advertising signs shall be limited to two faces. Such signs shall be placed no less than twenty-five (25) feet from the nearest right-of-way line and meet required side and rear yard setbacks for the district in which it is located. No off-premise advertising sign shall be placed within six hundred sixty (660) feet of another lawful off-premise advertising sign. Off-premise signs shall comply with the Code of Iowa as applicable.
- c. One illuminated, on-premise sign for churches, public buildings, hospitals and institutions permitted in the A-1 and A-2 districts shall be allowed provided such signs do not exceed twenty-four (24) square feet in face area on each side, do not exceed six (6) feet in height above finished grade, and are located in the front yard. Such signs shall be placed no less than twenty-five (25) feet from a right-of-way line and meet required side and rear yard setbacks for the zoning district in which it is located.
- d. Temporary signs of a nature listed in Section 19.6(D) shall be allowed without a permit as long as all requirements of this Ordinance are met.
- e. Illuminated signs are prohibited, except as authorized by this Ordinance.

2. All Residential Districts.

- a. One nameplate per residence, mounted on the residence or free-standing, containing only names of occupants and/or the address of the residence shall be allowed provided the nameplate is limited to two (2) sides and does not exceed one and one-half (1½) square feet in size on any side. Nameplates may be illuminated by recessed or landscape lighting. Such nameplates shall not require a permit.
- b. Advertising signs shall be prohibited, unless authorized as part of a home occupation or by variance or special use permit granted by the Board of Adjustment.
- c. One double-faced, illuminated, on-premise sign for churches, public and buildings, hospitals and institutions permitted in the R-1, R-2, R-3, and R-4 districts shall be allowed provided such signs do not exceed twenty-four (24) square feet in area on each face, do not exceed six (6) feet in height above finished grade, and are located in the front yard. Such signs shall be placed no less than ten (10) feet from a right-of-way line and meet required side and rear yard setbacks for the zoning district in which it is located.
- d. One double-faced, illuminated, on-premise sign shall be allowed for a permitted use in an R-4 district, provided that such sign does not exceed twenty-four (24) square feet in area on each face, and do not exceed six (6) feet in height above finished grade. Such signs shall be placed no less than ten (10) feet from a right-of-way line and meet required side and rear yard setbacks for the R-4 district.

- e. Temporary signs of a nature listed in Section 19.6(D) shall be permitted without a permit as long as all requirements of this Ordinance are met.
  - f. Illuminated signs are prohibited, except as authorized by this Ordinance.
3. All Commercial and Industrial Districts.
- a. Signs permitted in Residential Districts are permitted in the Commercial and Industrial Districts.
  - b. On-premise Advertising Signs. On-premise advertising signs not in violation of the Code of Iowa shall be permitted as follows:
    - 1) Advertising signs shall be limited to a maximum of one hundred (100) square feet of total advertising surface area on any one (1) face, and limited to a maximum of two (2) faces.
    - 2) On any single development property, no more than one (1) advertising sign shall be permitted for every one hundred fifty (150) feet of adjoining highway, road or frontage road frontage. A minimum of one hundred fifty (150) foot spacing shall be maintained between advertising signs, whether on or off the property. In the case of shopping centers or other groupings of businesses, individually sized-limited advertising signs may be grouped on one sign that meets all of the requirements of this Ordinance.
    - 3) Where the property fronts upon a frontage road, such advertising signs may be located anywhere within the buildable area or within the front yard of the developed property. Where the subject property does not front upon a frontage road, a twenty-five (25) foot front yard setback shall be required of all advertising signs, except within the C-1 Local Commercial District.
    - 4) Side yard and rear yard setbacks, including corner lot side yards on the street side, shall be not less than those specified for structures in the respective districts.
    - 5) No advertising sign shall overhang adjacent property lines or frontage road, road, or highway right-of-way lines.
    - 6) The advertising sign shall advertise only the product produced, the business conducted or the manufacturing conducted upon the premises.
    - 7) Building-mounted advertising signs shall be limited to a sign area not to exceed twenty-five (25) percent of the area of the front wall of the principal building occupied by the commercial or industrial operation.
    - 8) No free-standing or building-mounted advertising sign shall exceed the maximum height permitted for a structure within the zoning district in which the sign will be located.
    - 9) One (1) temporary, on-premise advertising sign shall be permitted on a lot for a period of no more than thirty (30) days without a permit.
  - c. Off-Premise Advertising Signs. Off-premise advertising signs are permitted only on developed commercial and industrial-zoned lots. Off-premise advertising signs not in violation of the Code of Iowa shall be permitted as follows:
    - 1) Front, side, and rear yard setbacks, including corner lot side yards on the street side, shall be not less than those specified for structures in the respective districts.

- 2) The advertising sign shall not exceed the lesser of five hundred (500) square feet of advertising surface area on any one (1) face, with a maximum of two (2) faces, or an area in square feet on any one (1) face which is equal in number to the front foot width of the property on which the sign is located.
- 3) The advertising sign shall not be located within six hundred sixty (660) feet of another lawful off-premise advertising sign.
- 4) Such advertising signs may be illuminated subject to the restrictions of Section 19.6(C)(3)(e) and (f).

F. Permit Requirements.

1. Any sign that is to be erected, modified, or placed on a lot or building shall obtain a permit, unless not required to do so under this Ordinance. The owner of such sign shall secure a sign permit prior to the sign being erected, constructed, reconstructed, moved, enlarged, altered or illuminated. Non-compliance with this section shall result in the assessment of the administrative fee stated in Section 22(l) of this Ordinance in addition to the permit fee for the sign.
2. No permit of any kind shall be issued for an existing or proposed sign unless such sign is in conformity with these regulations.
3. An application for a sign permit shall be accompanied by the following:
  - a. The dimensions of the sign face; and where applicable, the dimensions of the wall surface to which the sign will be attached.
  - b. The dimensions of the sign support structure on a free-standing sign.
  - c. A dimensioned site plan showing the location of the sign in relation to the boundaries of the lot and all existing and/or proposed buildings or structures on the lot.
  - d. A dimensioned elevation drawing of the proposed sign, including the support structure of a free-standing sign, if applicable.
4. Fees. Upon approval of an application for a sign permit, the owner of the sign shall pay the required fee in accordance with the following schedule:
  - a. \$25.00 if the advertising area of the sign does not exceed fifty (50) square feet.
  - b. \$50.00 if the advertising area of the sign exceeds fifty (50) square feet but does not exceed two hundred (200) square feet.
  - c. \$100.00 if the advertising area of the sign exceeds two hundred (200) square feet.

G. Non-Conforming Signs.

1. Signs that do not conform these regulations, and existing at the time of adoption of these regulations, shall not be altered or enlarged in any way to exacerbate the non-conforming condition. The non-conforming sign shall not be moved or replaced unless to bring the sign more into conformity with these regulations.
2. If a non-conforming sign is destroyed, then replacement shall be according to the requirements of this Ordinance.

3. The message of a non-conforming sign may be changed, but shall not create any new non-conformity.

You are further notified that said application will be heard by the Planning & Zoning Commission on **February 7, 2008, at 4:00 p.m.** in the Board of Supervisors meeting room at the Courthouse in Mason City, Iowa.

Any person interested in this matter may be present at this time and place to be heard thereon.

Notice dated this 22nd day of January, 2008.

Ken Smith, Chairperson  
Cerro Gordo County Planning & Zoning Commission

Publish in the Mason City Globe-Gazette January 28, 2008.

**Bill and Proof of Publication to Cerro Gordo County Planning & Zoning**