ORDINANCE NO. 6618

AN ORDINANCE TO AMEND CHAPTER 15.33 SIGNS OF THE MUNICIPAL CODE (ZONING ORDINANCE) OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 15.33.070 "PROHIBITED SIGNS"; SECTION 15.33.090 "TEMPORARY SIGNS" AND SECTION 15.33.130 "WEST BROADWAY DESIGN CORRIDOR".

BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

SECTION 1. That Chapter 15.33 Signs be and the same is hereby amended by amending Section 15.33.070 "Prohibited Signs"; Section 15.33.090 "Temporary Signs" and Section 15.33.130 "West Broadway Design Corridor" to read as follows:

15.33.070 Prohibited Signs

All signs not expressly permitted in these regulations or exempt from regulation in CBMC 15.33.080 are prohibited in the city. The following signs are prohibited in all zoning districts:

A. Signs painted on or attached to rocks, trees, or other natural objects;
B. Signs placed on utility poles (e.g., garage sale signs);
C. Signs on or over public property and right-of-way unless specifically authorized by the appropriate public agency;
D. Signs or sign structures which resemble or conflict with traffic control signs or devices, which mislead or confuse persons traveling on public streets, or which create a traffic hazard;
E. Signs or sign structures which create a safety hazard by obstructing the clear view of pedestrians or vehicles, or which obscure official signs or signals;
F. Signs which obstruct doors, windows, or public right-of-way;
G. Searchlights or beacons;
H. Flashing/blinking/pulsating signs;
I. Swinging signs with over four feet of ground clearance and/or more than eight feet in height from the ground surface;
J. Pennants and streamers, except for grand opening and/or special events by permit only;
K. Signs painted on or attached to parked vehicles or other stationary conveyances where the sign is the primary use of the conveyance;
L. Above peak roof signs;
M. Off-premises directional signs;
N. Inflatable and suspended signs, including tethered balloons, except those allowed by the city during city sanctioned events;
O. Abandoned signs;
P. Signs in the public right-of-way, except for the following:
    1. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, advertise community events and direct or regulate pedestrian or vehicular traffic,
    2. Bus stop signs erected by the transit authority,
    3. Informational signs of a public utility regarding its poles, lines, pipes or facilities,

4. Awnings or projecting signs extending over a public right-of-way as approved through a license to occupy by the public works department.

15.33.090 Temporary Signs

The following signs are permitted in any zoning district and are exempt from this title except as provided for in CBMC 15.33.070 "Prohibited signs":

A. Real estate signs advertising the sale, lease, or rent of a premise subject to the following:
   1. Maximum of one on-premise real estate sign for each zoning lot except where a lot abuts two or more streets, additional signs, one oriented to each abutting street, shall be permitted,
   2. Maximum of two off-premise real estate signs per residential listing providing direction or open house information for said listing only,
   3. Maximum sign area of six square feet per sign face in all agricultural/open space and residential zoning districts,
   4. Maximum sign area of thirty-two (32) square feet per sign face in all commercial and industrial zoning districts,
   5. Maximum height six feet from normal grade in all zoning districts,
   6. All real estate signs shall be removed within seven days of the sale or lease of the premise upon which the sign is located or refers to;

B. 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:
   1. No more than one construction sign for each project or development, except that where a project or development abuts two or more streets, additional signs, one oriented to each abutting street, shall be permitted,
   2. Maximum of thirty-two (32) square feet per construction sign in all agricultural/open space and residential zoning districts,
   3. Maximum of one hundred fifty (150) square feet per construction sign in commercial and industrial zoning districts,
   4. 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 zoning lot to a public roadway,
   5. Maximum height is eight feet from normal grade in all zoning districts,
   6. Construction signs shall be permitted only as accessory to an approved building permit for a project or development,
   7. 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;

C. Political signs announcing political candidates seeking public office, political parties, and/or political and public issues contained on a ballot subject to the following:
   1. Political signs shall not be placed within a right-of-way, street or on public grounds,
   2. Maximum size is thirty-two (32) square feet,
   3. 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 days following said election;

D. Event signs announcing a campaign, drive, activity or event of a civic, philanthropic, educational or religious organization for noncommercial purposes shall be subject to the following:
   1. The administrative authority 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,
   2. 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 days of the termination of such campaign, drive, activity, or event,
   3. No more than two permits for such signs shall be issued for the same premises with one calendar year,
   4. Signs to be erected and maintained for a period not to exceed thirty (30) days and removed within three days of the termination of the activity, service, project, or sale;

E. Temporary signs for the advertising of grand openings and special events located on-premise only, under the following conditions:
   1. Signs shall be limited to nonprojecting wall or attached ground type,
   2. Signs shall be permitted no more than twice per calendar year per premise with special permit only.

F. Business signs advertising or directing attention to a business, profession, commodity or service that is offered, subject to the following:
   1. Any person, firm, partnership, corporation or other legal entity intending to display a Business sign shall pay a fee as stated in CBMC 2.08.
   2. Business signs can be no larger than 32 square feet.
   3. Business signs shall not exceed three feet in height in any residential or C-3 or C4 zoning district.
   4. Business signs shall abide by any adopted master development plan when applicable.
   5. Business signs shall not block, restrict, or impair any of the following:
      a. The public's view of another business or activity;
      b. The public's view of the signage for another business or activity;
      c. The view or visibility of the operator of any motor vehicle;
      d. The movement of any pedestrian or motor vehicle; or
      e. Required landscape plantings or streetscapes.
   6. Business signs and any supporting appurtenances shall not be placed in, nor encroach into, the public right-of-way.
   7. Business signs shall not exceed the peak height of any structure/business for which the sign is attached to and shall conform to attach sign standards of the property's underlying zoning district.
   8. Business signs shall be securely and independently anchored to the ground in a manner that will prevent the sign from displacement due to wind, inclement weather or any other natural cause. However, such signs shall not be attached to any utility pole, traffic signal or other structure not owned by the business.
   9. Any Business sign installed in or placed on windows shall be located on the place of business where the promoted use, activity, or event is located or is to occur.
   10. No light emitting diode (LED), illuminated, audio or other alternating or moving display may be used as a Business sign under this section.
   11. A business shall be allowed one Business sign per 100 linear feet of frontage, or a total of four Business signs, whichever is less. A maximum of one Business sign is permitted for each business within a common development that share the same lot. Display of

Business signs under this Chapter shall be limited to the amount of days as stipulated on the permit application.

12. All Business signs shall be kept in good repair at all times.
13. Any person, firm, partnership, corporation or other legal entity found guilty of a civil violation of this chapter shall be subject to the penalties provided in CBMC 1.95.020.

15.33.130 West Broadway Design Corridor

Additional restrictions for detached signage apply in the corridor design overlay district (CDO) as established in CBMC 15.32. The overlay district shall overlay all other zoning districts established within the boundaries as described below:

A. West Broadway Corridor. All properties abutting West Broadway between Interstate 29 on the west end and 13th Street and Indian Creek on the east and all properties abutting streets which intersect with West Broadway including 13th Street through 36th Street between Avenue A to the north and Second Avenue to the south.
B. The on-premise sign height and area regulations available for property within seven hundred (700) feet of the interstate highway system are not applicable within the CDO district.
C. One detached on-premise sign shall be allowed for each property.
D. 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 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 ten (10) 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.
E. Off-premises signs are not permitted within the district.
F. All abandoned signs shall be removed within ninety (90) days, removal shall include the supports, poles, framing and sign face.
G. Refacing existing signs are allowed only in conformance with this chapter.
H. Temporary business signs over three feet in height are prohibited.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED
AND
APPROVED November 18, 2024

_____

MATTHEW J. WALSH Mayor

Attest: _____

JODI QUAKENBUSH City Clerk

First Consideration: 11/4/2024
Second Consideration: 11/18/2024
Public Hearing: N/A
Third Consideration: 12/16/2024