

Chapter 134. Zoning

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134-5.1 General

5.1.1 INTENT

Regulation of the size, height, number and spacing of signs throughout the city is necessary to promote public health, safety and welfare by:

- A. Promoting the aesthetic and environmental values of Des Moines by providing for signs that serve as effective means of communication and do not impair the attractiveness of the city as a place to live, work, visit, and shop;
- B. Protecting public investment in and the character and dignity of public buildings, streets, and open spaces;
- C. Protecting the distinctive community character of Des Moines which is produced by its unique natural features, neighborhoods, street patterns, skyline, architectural features, historic resources, rivers, and tree canopy;
- D. Ensuring that signs are designed and proportioned in relation to the structures to which they are attached, adjacent structures, and the streets on which they are located;
- E. Enhancing public right-of-way and other public spaces by preserving views and fostering the unobstructed growth of trees;
- F. Providing an environment which will safeguard and enhance neighborhood livability and property values, and promote the development of business in the city;
- G. Encouraging sound practices in respect to size and placement of signs; and
- H. Reducing hazards to motorists, bicyclists, and pedestrians caused by visual distractions and obstructions.

5.1.2 SEVERABILITY

This article must be interpreted in a manner consistent with the First Amendment to the United States Constitution. If one or more provisions of this article, or the application of this article, is found by a court of competent jurisdiction to be unlawful, invalid, unenforceable, or preempted by applicable state or federal law or regulations, such provisions are deemed to be severed from this article. The remaining provisions of this article remain in full force and effect.

5.1.3 FINDINGS

In conjunction with the adoption of the regulations of this article and consistent with the purposes set forth in section 134-5.1.1 of this article, the city council makes

all of the following findings:

- A. Signs can obstruct views, distract motorists, displace alternative uses for land, contribute to blight and visual clutter, and pose other problems that legitimately call for regulation.
- B. A sign placed on land or on a building for identification, protection or directing persons to a use conducted therein must be deemed to be an integral but accessory and subordinate part of the principal use of land or building.
- C. The intent of this article is to regulate the size, color, illumination, movement, materials, location, height and condition of all signs for exterior observation, thus ensuring the protection of property values, the character of the various neighborhoods, the creation of a convenient, attractive and livable community, protection against destruction of or encroachment on convenience to citizens and encouraging economic development.
- D. The further intent of this article is to establish limitations on signs in order to ensure they are appropriate to the land, building or use to which they are appurtenant while balancing the purposes and individual and community interests identified in section 134-5.1.1 of this article.
- E. This article further is intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.
- F. This article allows adequate communication through signage while encouraging aesthetic quality in the design, location, size and purpose of all signs.
- G. This article and the regulations herein are not anticipated to entirely eliminate all of the harms that may be created by the installation and display of signs. Rather they strike an appropriate balance that preserves ample channels of communication by means of visual display while reducing and mitigating the extent of the harms caused by signs.

5.1.4 SCOPE AND APPLICABILITY

All signs are subject to the regulations of this article and all other applicable provisions of this chapter and the design regulations of chapter 135 of this code. Signs erected, maintained, or otherwise posted, owned, or leased by local, state, or federal governmental entities in the public right-of-way are not subject to the regulations of this article.

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Prohibited Signs and Sign Characteristics

5.1.5 SUBSTITUTION

Any non-commercial message may be substituted for the copy on any commercial sign allowed by and compliant with this article, and any commercial message may be substituted for the copy on any non-commercial sign allowed by and compliant with this article.

134-5.2 Prohibited Signs and Sign Characteristics

The following signs and sign characteristics are prohibited:

5.2.1 Signs for which a required permit has not been issued;

5.2.2 Signs located and maintained in such a manner as to constitute a nuisance as provided in the municipal code;

5.2.3 Signs or other attention-getting devices that are permanently attached to the ground or to a structure and that contain or consist of banners, balloons, posters, pennants, ribbons, streamers, spinners or other similarly moving devices, except as expressly allowed in this article;

5.2.4 Signs that are permanently attached to the ground or to a structure and that swing or otherwise noticeably move as a result of wind pressure because of the manner of their suspension or attachment;

5.2.5 Building mounted and fascia signs that encroach more than 18 inches on or over a street right-of-way at a height less than eight feet above grade without an areaway permit pursuant to chapter 102 of this code;

5.2.6 Signs that extend above the roof line of the building to which they are attached, except in cases where roof signs are expressly allowed, or signs that cover all or a portion of the roof of a building surface;

5.2.7 Electronic display signs and multi-vision signs that do not comply with applicable operational regulations pursuant to section [134-5.7 of this article](#);

5.2.8 Search lights, strobe lights, rotating beacon lights, and flashing lights that are visible from public right-of-way, except as otherwise expressly allowed by this article or required by law;

5.2.9 Signs located in or obstructing a required parking or loading space, or that otherwise obstruct vehicular or pedestrian access or circulation, or that pose any other hazard to motorized or non-motorized travel;

5.2.10 Signs that obstruct any fire escape, required exit, window or door opening used as a means of egress;

5.2.11 Signs that interfere with an opening required for ventilation, except that signs may cover transom windows when not in violation of applicable building and fire safety codes;

5.2.12 Signs affixed directly to a tree, utility pole or traffic control device which signs are not owned, operated, or otherwise permitted by the city;

5.2.13 Signs that obstruct, impair, obscure, interfere with the view of, or that may be confused with, any authorized traffic control sign, signal, or device;

5.2.14 Sign displays with a brightness of such intensity or brilliance that they impair the vision or endanger the safety and welfare of any pedestrian, cyclist, or person operating a motor vehicle;

5.2.15 Signs attached to or painted on an inoperable or unlicensed vehicle, motorized or non-motorized;

5.2.16 Signs attached to or painted on a licensed motor vehicle that is parked on the same property for more than 10 hours per day and:

- A.** Is uncovered and visible from the public right-of-way, or
- B.** Is parked within 25 feet of the street right-of-way.

5.2.17 Pole signs except as expressly allowed by the regulations of this chapter;

5.2.18 Painted signs, other than historic signs, murals, and signs in or on windows;

5.2.19 Signs located within the public right-of-way unless an applicable permit is obtained pursuant to chapter 102 of this code;

5.2.20 Signs located on city-owned property that are not owned, operated, or otherwise permitted by the city;

5.2.21 Temporary signs posted or maintained in exchange for a fee;

5.2.22 Any section that is located in a vision clearance triangle; and

5.2.23 Any sign that is posted or maintained in violation of this article.

134-5.3 Regulations of General Applicability

5.3.1 SETBACKS, SEPARATION AND SPACING

- A. Unless otherwise expressly stated in the sign regulations of this article, all freestanding signs must be located outside the vision clearance area per chapter 114 of this code.
- B. All projecting signs, roof signs and freestanding signs must be separated from all other roof signs, projecting signs and freestanding signs by a minimum distance of 30 feet.
- C. Signs with an area of more than 250 square feet that are visible from N-zoned lots must be separated from any N-zoned lot by a minimum distance of 200 feet.

5.3.2 ILLUMINATION AND SERVICE LINES

- A. The lighting or illumination of any sign must be effectively shielded to prevent glare or light from being directed at any portion of the travel lanes of any street or be of such low intensity or brilliance so as to not cause glare or to impair the vision of motorists or interfere with any driver's operation of a motor vehicle.
- B. Except for authorized electronic display signs, the illumination on the face of any allowed illuminated sign must be by constant light and may not exceed 70 foot candles measured at a distance of two feet from the face of the sign and must comply with the supplemental regulations that apply to electronic and multi-vision displays contained in section 134-5.7.6 of this article.
- C. All electrical, telephone, and cable television transmission systems serving a sign shall be placed underground whenever reasonably practicable.

5.3.3 LOTS OR BUILDINGS WITH MULTIPLE PUBLIC STREET FRONTAGES

Lots or buildings with multiple public street frontages earn signage facing each specific street based on the length of the applicable frontage to that street. The sign allowance earned on one street frontage may not be transferred to another street frontage. Utilized signage shall not exceed earned signage for the frontage where the signage is or will be installed.

5.3.4 PLACEMENT OF WALL SIGNS

- A. A non-frontage wall may use up to 50% of the signage area earned on one frontage wall.

- B. Illuminated signs may not be placed on a wall facing an N or NX district.

134-5.4 Signs Allowed in All Districts

5.4.1 INTEGRAL SIGNS

Non-illuminated signs carved, extruded or embedded into the subject building or made of bronze, aluminum, or other similar permanent material and made an integral part of the building to which they are attached are allowed in all zoning districts. Such signs may not exceed four square feet in area.

5.4.2 SIGNS APPURTENANT TO DRIVEWAYS

- A. One sign may be installed at each driveway serving a lot occupied by an allowed nonresidential use, or a residential use with more than 15 household units or 50 residents. Such signs must be located within 10 feet of the intersection of the driveway and the street right-of-way and may not exceed four square feet in area or five feet in height including sign base.
- B. Off-street parking areas with a capacity of more than 10 vehicles, multi-tenant developments and uses on lots exceeding 50,000 square feet in area may display internal site driveway signs. Such signs must be located within 10 feet of an internal site driveway or drive aisle and may not exceed 12 square feet in area or eight feet in height including sign base.
- C. Signs appurtenant to driveways are subject to the illumination requirements of the district in which they are located.
- D. All signs appurtenant to driveways that are visible from public right-of-way must be monument signs in accordance with section 134-5.6.5 of this article. Interior signs that are not visible from the public right-of-way may be pylon signs or monument signs.
- E. Signs painted on or installed flush with the driveway surface are not be subject to the regulations in this subsection.

5.4.3 SIGNS APPURTENANT TO DRIVE-THROUGH USES

Signs appurtenant to drive-through uses are permitted on the site of any allowed drive-through use, subject to the regulations of this subsection.

- A. Signs appurtenant to drive-through uses must be located within 10 feet of a drive-through lane.
- B. One primary sign appurtenant to a drive-through use not to exceed 36 square feet in area or eight feet in height is allowed per order station up to a maximum of two primary signs appurtenant to drive-through

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Signs Allowed in All Districts

use per lot. One secondary sign appurtenant to a drive-through use not to exceed 15 square feet in area or six feet in height is allowed per lot.

- C. All signs appurtenant to drive-through uses that are visible from public right-of-way must be monument signs in accordance with section 134-5.6.5 of this article. Interior signs that are not visible from the public right-of-way may be pylon signs or monument signs.
- D. Signs appurtenant to drive-through uses must be set back at least 25 feet from N-zoned lots.
- E. Signs appurtenant to drive-through uses must be oriented to be visible by motorists in allowed drive-through lanes.

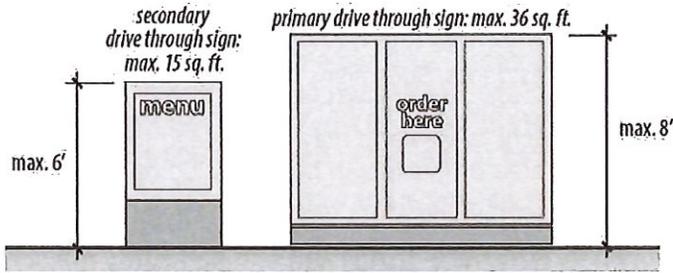


Figure 134-5.9-G. Drive-through Sign

5.4.4 SIGNS IN OR ON WINDOWS

Non-illuminated signs displayed inside a window or on a window including decal or painted signs, and neon and similar signs displayed inside a window, are allowed in all zoning districts. Such signs may not exceed 8.5 inches by 11 inches in size per window opening in N or NX districts and may not cover more than 25% of the window in all other districts.

5.4.5 SIGNS ON A CAMPUS

One sign may be installed for each sidewalk intersection or building entrance along a pedestrian route serving a lot or lots occupied by an allowed educational, commercial, residential, or similar campus use. Such signs shall be the same size, color and general design, and should be located within five feet of a sidewalk intersection or building entrance and may not exceed four square feet in area or eight feet in height including sign base. If visible from the public right-of-way, such signs must be monument signs; interior signs that are not visible from the public right-of-way may be pylon signs or monument signs.

5.4.6 SIGNS USED ON A TEMPORARY BASIS

Signs used on a temporary basis are intended to be temporary in nature rather than permanently attached to the ground or to a structure. The following

temporary signs are allowed with the consent of the subject property owner.

- A. **A, N, NX, and NM Districts.** Signs used on a temporary basis is permitted at any time, for a limited period of time not to exceed six months, in the A, N, NX, and NM districts. Any sign used on a temporary basis in these districts shall not exceed four square feet in area and three feet in height.
- B. **All Districts other than A, N, NX, and NM Districts.** One sign used on a temporary basis is permitted at any time, for a limited period of time not to exceed six months, in all districts other than A, N, NX, and NM districts. Any sign used on a temporary basis in these districts shall not exceed 32 square feet in total area or eight feet in height. Type 1 and Type 2 zoning exceptions are available to the number and size of signs used on a temporary basis, pursuant to sections 134-6.5.2.8 and 134-6.6.2.7 of this chapter.

5.4.7 SIGNS REQUIRED FOR PUBLIC SAFETY OR GOVERNMENTAL INTEREST

Signs that are an important component of measures necessary to serve the compelling governmental interest of protecting public safety, traffic safety, complying with legal requirements, serving the requirements of emergency response and protecting property rights or the rights of persons on property, including the following:

- A. Where a federal, state or local law requires a property owner to post a sign on the owner's property to warn of a danger or to prohibit access to the property either generally or specifically, the owner or occupant must comply with the federal, state or local law to exercise that authority by posting a sign on the property. If the federal, state or local regulation describes the form and dimensions of the sign, the property owner or occupant must comply with those requirements, otherwise, when not defined, the sign shall be no larger than two square feet and located in a place on the property to provide access to the notice that is required to be made.
- B. Official notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of official or directed duties; provided, that all such signs must be removed by the property owner or occupant no more than ten days after their purpose has been accomplished or as otherwise required by law.

134-5.5 Signs in A, N, NX, and NM Districts

5.5.1 APPLICABILITY

The regulations of this subsection apply in A, N, NX, and NM zoning districts.

5.5.2 PERMITTED SIGN TYPES

Monument signs are permitted in A, N, NX, and NM districts, in addition to those signs identified in section 134-5.4 of this article.

5.5.3 ILLUMINATION

- A. Signs on A- or N-zoned lots may be illuminated only by indirect illumination.
- B. Electronic displays are expressly prohibited in A, N, NX, and NM districts.

5.5.4 MONUMENT SIGNS

A. Maximum Number, Area and Height

The maximum number, area and height of signs allowed in A, N, NX and NM districts may not exceed the limits established in Table 134-5.5-1 of this article.

B. Sign Base

1. The sign base must have a height of at least two feet or 25% of the overall sign height, whichever is greater.
2. The sign base must be at least as wide as the sign face.
3. The sign base must be solid and opaque, and constructed of brick, stone, concrete block, or similar permanent, durable material complementing the exterior of the primary building on the lot.

TABLE 134-5.5-1. SIGNS IN A, N, NX, AND NM DISTRICTS

Principal Use	Maximum		
	No. Permitted	Area (sq. ft.)	Height (ft)
RESIDENTIAL USES			
Household Living			
1 – 7 units	Only those signs allowed in all districts pursuant to section 134-5.4 of this article		
8 – 15 units	1	4	8
16 + units	1	24	8
Group Living			
1 – 49 residents	1	4	8
50+ residents	1	24	8
PUBLIC, CIVIC, & INSTITUTIONAL USES			
Permitted Uses	Option A: 1 per building and 1 per street frontage	24 each	8
	Option B: in lieu of multiple signs, 1 single sign	75	8

134-5.6 Signs in DX, MX, RX, CX, EX, I and P Districts

5.6.1 APPLICABILITY

The regulations of this section apply in DX, MX, RX, CX, EX, I and P districts.

5.6.2 PERMITTED SIGN TYPES

The sign types identified in Table 134-5.6-1 of this article are allowed in DX, MX, RX, CX, EX, I and P zoning districts in addition to those signs identified in section 134-5.4 of this article.

5.6.3 ILLUMINATION

- A. Signs on DX-, MX-, RX-, CX-, EX-, I- and P-zoned lots may be indirectly illuminated or internally illuminated, unless otherwise specified.
- B. Electronic displays in DX, MX, RX, CX, EX, I and P districts may be allowed in accordance with section 134-5.7 of this article.

5.6.4 WALL SIGNS

A. Maximum Number and Area. The maximum number and area of all wall signs allowed in DX, MX, RX, CX, EX, I and P districts may not exceed the limits established in Table 134-5.6-1 of this article.

B. Supplemental Regulations

1. Wall signs may not cover windows or other building openings.

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Signs in DX, MX, RX, CX, EX, I and P Districts

- Wall signs may not cover significant architectural building features, such as sculptural elements, cornices, expression lines or similar features.



Figure 134-5.6-A. Wall Sign Example

5.6.5 MONUMENT SIGNS

- Maximum Number and Area.** The maximum number and area of all monument signs allowed in DX, MX, RX, CX, EX, I and P zoning districts may not exceed the limits established in [Table 134-5.6-1](#) of this article.
- Maximum Height.** Monument signs are subject to the following height limits, as measured from grade to the highest point on the sign:
 - If located at or within 25 feet from the front lot line, the sign may not exceed eight feet in height.
 - If located more than 25 feet from the front lot line, the sign may not exceed 15 feet in height.
- Sign Base**
 - The sign base must have a height of at least two feet or 25% of the overall sign height, whichever is greater.
 - The sign base must be at least as wide as the sign face.
 - The sign base must be solid and opaque, and constructed of brick, stone, concrete block, or similar permanent, durable material complementing the exterior of the primary building on the lot.

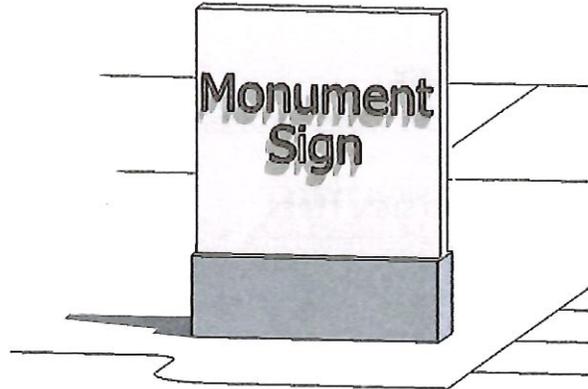


Figure 134-5.6-B. Monument Sign Example

5.6.6 PROJECTING SIGNS

- Maximum Number and Area.** The maximum number and area of all projecting signs allowed in DX, MX, RX, CX, EX, I, and P districts may not exceed the limits established in [Table 134-5.6-1](#) of this article.
- Supplemental Regulations**
 - In calculating the area of a projecting sign, the area of the largest sign face must be counted twice.
 - The encroachment of any projecting sign into the public right-of-way is subject to chapter 102 of this code.

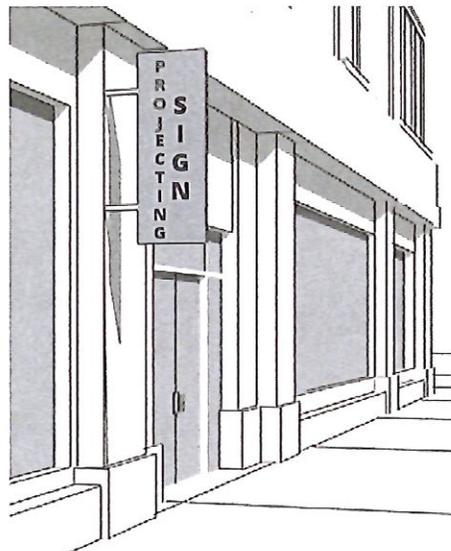


Figure 134-5.6-C. Projecting Sign Example

TABLE 134-5.6-1. SIGNS IN DX, MX, RX, CX, EX, I AND P DISTRICTS

	DX1	DX2 DXR	MX1 MX2	MX3	CX	RX	EX I	P	
PERMITTED SIGN TYPES									
Wall	●	●	●	●	●	●	●	●	
Monument	●	●	●	●	●	●	●	●	
Projecting	●	●	●	●	●	●	●	●	
Roof	●	●	—	—	●	—	●	—	
WALL SIGNS: MAXIMUM NUMBER AND AREA									
Maximum Number per Occupant	2	2	2	2	2	2	2	2	
Maximum Total Sign Area (sq. ft.)	2 per linear foot of building frontage for floors 1-3	1.25 per linear foot of building frontage for floors 1-3					2 per linear foot of building frontage for floors 1-3		
Maximum Area of Any Single Sign	200 sq. ft.	100 sq. ft.	100 sq. ft.	200 sq. ft.	200 sq. ft.	100 sq. ft.	200 sq. ft.	200 sq. ft.	
Other Regulations	See section 134-5.6.3 of this article								
MONUMENT SIGNS: MAXIMUM NUMBER, AREA AND HEIGHT									
Maximum Number per Street Frontage	1	1	1	1	1 per 250 linear feet of frontage	1	1 per 250 linear feet of frontage	1	
Maximum Sign Area (sq. ft.)	25	25	1 per linear foot of street frontage or 75 sq. ft., whichever is less	75	1 per linear foot of street frontage or 200 sq. ft., whichever is less	15	1 per linear foot of street frontage or 200 sq. ft., whichever is less	75	
Maximum Height (ft.)	8 if setback less than 25 feet from property line; 15 if setback at least 25 feet from property line								
PROJECTING SIGNS									
Maximum Number	May be used in lieu of wall signs or in addition to wall signs, but the total number of wall signs, projecting signs and roof signs may not exceed the maximum number of wall signs allowed in accordance with this table.								
Maximum Sign Area	Same as apply to wall signs								
Maximum Projection	May not project more than seven feet from the wall of the building to which they are attached.								
Minimum Vertical Clearance	Must be mounted to provide at least nine feet vertical clearance above the sidewalk, driveway or other ground surface beneath the sign								
Other Regulations	See section 134-5.6.6 of this article								
AWNING AND CANOPY SIGNS									
Regulations	See section 134-5.6.7 of this article								
ROOF SIGNS									
Maximum Number	May be used in lieu of wall signs or in addition to wall signs in those districts that expressly allow roof signs, but the total number of wall signs, projecting signs and roof signs may not exceed the maximum number of wall signs allowed in accordance with this table.								
Maximum Sign Area	Same as apply to wall signs								
Maximum Height	Mounted height of a roof sign may not exceed eight feet. The combined height of a roof sign and the building upon which the sign is mounted may not exceed the maximum height limit of the subject zoning district or the subject building type.								
Other Regulations	See section 134-5.6.8 of this article								
ELECTRONIC AND MULTI-VISION DISPLAYS ON MONUMENT SIGNS									
Regulations	See section 134-5.7 of this article								

Table Notes: ● = Permitted, subject to compliance with all applicable regulations of this article | — = Prohibited

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Electronic and Multi-Vision Displays

5.6.7 AWNING AND CANOPY SIGNS

- A. Non-illuminated awnings or canopies with no more than six square feet of sign area on awning or canopy may be used in addition to wall signs. Other awning signs or canopy signs may be substituted for allowed wall signs, provided that the total combined number of wall signs, projecting signs, awning signs and canopy signs may not exceed the maximum number of wall signs allowed in accordance with Table 134-5.6-1 of this article.
- B. Awning and canopy signs that encroach into the public right-of-way are subject to chapter 102 of this code.

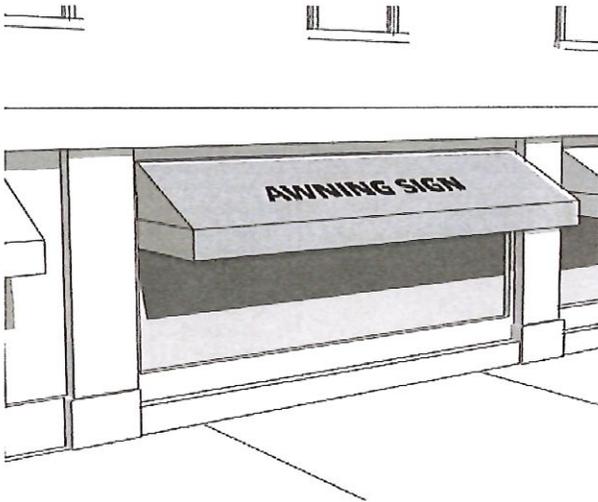


Figure 134-5.6-D. Awning Sign Example

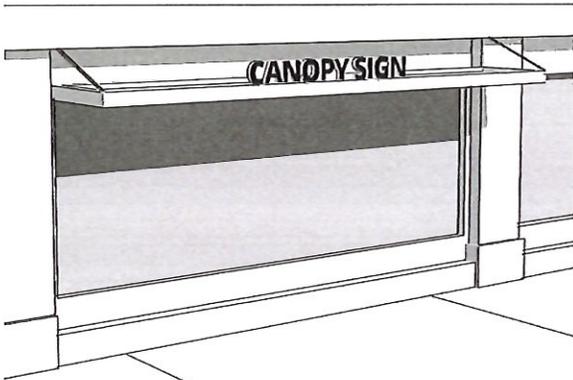


Figure 134-5.6-E. Canopy Sign Example

5.6.8 ROOF SIGNS

- A. **Maximum Number, Area and Height.** The maximum number, area and height of all roof signs allowed in DX, MX, RX, CX, EX, I and P districts may

not exceed the limits established in Table 134-5.6-1 of this article.

B. Supplemental Regulations

1. The non-display side back of roof signs must be effectively shielded from view by the building wall, by backing the sign against another sign face, or by painting the exposed back of the sign a color that generally matches the color of the building or roof.
2. Roof signs may not cover windows or other building openings.
3. Roof signs may not cover significant architectural building features, such as sculptural elements, cornices, expression lines or similar features.



Figure 134-5.6-F. Roof Sign Example

134-5.7 Electronic and Multi-Vision Displays

5.7.1 APPLICABILITY

The regulations of this section apply to all electronic displays and multi-vision displays.

5.7.2 SIGN TYPES

Any sign utilizing an electronic display or multi-vision display is limited to the following sign types:

- A. A monument sign where no more than 24 square feet of the allowed sign area shall be utilized for the electronic or multi-vision display.
- B. A general advertising sign where permitted by this chapter.

5.7.3 DISPLAY TYPE

Signs may not display full-motion video or otherwise use multiple pictures or graphics in a series of frames to give the illusion of motion or video unless such sign

is located on a lot occupied by an events center and the sign has been approved in accordance with the Type 2 zoning exception procedures. This provision is intended to prohibit television screens, plasma screens, LED screens, holographic displays and other technology used to display video images.

5.7.4 DWELL TIME

The images and messages displayed on electronic displays and multi-vision displays must have a minimum dwell time of at least eight seconds before changing to the next image or message. This dwell time regulation supersedes any more restrictive regulation applicable to a previously approved electronic display or multi-vision display.

5.7.5 TRANSITION

The transition or change from one message to another must be instantaneous and involve no animation or special effects.

5.7.6 ILLUMINATION

- A. The brightness of any electronic display or multi-vision display may not exceed a maximum illumination of 5,000 candelas per square meter (nits) during daylight hours and a maximum illumination of 250 candelas per square meter (nits) between dusk and dawn, as measured from the brightest element on the sign's face.
- B. Electronic displays must be equipped with a light detector or photocell that automatically adjusts the display's brightness according to natural ambient light conditions.

5.7.7 SEPARATION FROM RESIDENTIAL

- A. Monument signs with electronic displays and multi-vision displays are prohibited within 100 feet of:
 1. Any lot in an N or NX district that is used for residential purposes or is vacant, or
 2. Any lot in a non-N or non-NX district that is occupied by a one-household or two-household use.
 3. These separation distance requirements do not apply for monument signs on lots in a P district that are separated from an N or NX district by a public right-of-way.
- B. General advertising signs with electronic displays and multi-vision displays are prohibited within 200 feet of:
 1. Any lot in an N or NX district that is used for residential purposes or is vacant, or

2. Any lot in a non-N or non-NX district that is occupied by a one-household or two-household use.
- C. These separation distance requirements do not apply if the electronic or multi-vision display is not visible from the referenced district, area or lot.
 - D. Required separation distances must be measured horizontally in a straight line from the nearest point on a sign face to the nearest point of the protected district or lot.

5.7.8 LEGACY PROVISIONS

- A. In lieu of compliance with the regulations of sections [134-5.7.3 of this article](#), [134-5.7.4 of this article](#), and [134-5.7.5 of this article](#), electronic displays under 24 square feet in area that were in place before June 1, 2014, under authority of a sign permit are subject to the following regulations until June 1, 2024 or such earlier date as the electronic components of the display are replaced, after which date said signs are prohibited. This provision does not prevent the replacement of the sign's individual components as part of normal maintenance of the sign when such replacement cost does not exceed 50% of the value of the original sign.
- B. No such sign may display multiple pictures or images in a series of frames so as to give the illusion of motion or video, except that:
 1. Such signs may be used to display a series of images consisting of pictures, graphics, text or a combination thereof, provided that the entire display is static for at least two seconds between changes of image, and the change of images is instantaneous.
 2. Such signs may be used to display text that scrolls in one direction, either vertically or horizontally, at a rate that is legible to the average person. Any change in the direction of scrolling must be separated by an intervening display of a static image for at least two seconds. The scrolling text can be combined with a background image that is static for at least two seconds between changes, and instantaneously changes between images.

5.7.9 FUTURE AMENDMENTS

The city reserves the right to amend the regulations that apply to electronic displays and multi-vision displays for which a permit was issued after June 1, 2014, regardless of size. Issuance of a permit for an electronic sign or multi-vision display shall not be construed as establishing a right for continued operation of the sign in accor-

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General Advertising Signs

dance with the regulations then in effect. No permit may be issued for a new electronic sign or multi-vision display without a written acknowledgment by the owner or tenant of the premises that they have received notice that the future use of the sign is subject to all applicable regulations, as amended from time to time.

134-5.8 General Advertising Signs

General advertising signs shall be permitted only in those zoning districts where general advertising signs are specifically classified as permitted uses by applicable district regulations pursuant to article 3 of this chapter; only on lots with frontage along a major commercial corridor identified in section 134-5.8.8 of this article; and subject to section 134-5.8.9 of this article. For the purposes of this chapter, general advertising signs may be allowed and regulated as a second primary use on a lot. In each zoning district where general advertising signs are classified as a permitted use, general advertising signs shall be subject to the following regulations, in addition to section 134-5.7 of this article and section 134-7.3 of this chapter for those signs that have an electronic or multi-vision display.

5.8.1 SIZE LIMITATION

The size of any general advertising sign shall be no less than 300 square feet and no more than 672 square feet.

5.8.2 HEIGHT LIMITATION

The height of any general advertising sign shall not exceed 45 feet.

5.8.3 SETBACKS

General advertising signs shall be located no less than 25 feet from the front lot line.

5.8.4 SIGN FACES

General advertising sign may contain separate side-by-side, back-to-back, or V-type sign faces, provided all sign faces are attached to a single supporting structure and all new sign faces are subject to credit requirements pursuant to section 134-5.8.9 of this article.

5.8.5 ROOF-MOUNTED SIGNS

General advertising signs shall not be roof-mounted.

5.8.6 SEPARATION FROM RESIDENTIAL, CIVIC AND HISTORIC USES

A. No general advertising sign shall be permitted within 200 feet of any:

1. Lot in any residential district which either is used for residential purposes or is vacant, or
2. Portion of a PUD district devoted to single- or two-household use.

B. No general advertising sign shall be permitted within 500 feet of any:

1. Lot on which is located a public square, public park or recreation area, school, place of worship, funeral or mortuary service, cemetery, or public library, or
2. Lot which is part of a designated city landmark or historic district or a National Register historic district.

C. Required separation distances must be measured horizontally in a straight line from the nearest point on a sign face to the nearest point of the protected district or lot.

5.8.7 SEPARATION BETWEEN SIGNS

No general advertising signs shall be located within 1,000 feet of any other general advertising sign. Required separation distances must be measured horizontally in a straight line from the nearest point on a sign face to the nearest point of the sign face of any other general advertising sign.

5.8.8 GENERAL ADVERTISING SIGNS ON MAJOR COMMERCIAL CORRIDORS

General advertising signs may only be located on the following designated major commercial corridors:

- A. Euclid Avenue from East 14th Street to Interstate 235.
- B. Interstate 235 (west side) from extension of Tiffin Avenue to north city limits.
- C. East Martin Luther King, Jr. Parkway from Southeast 15th Street to Southeast 24th Street, and from Southeast 30th Street to east city limits. For that portion of East Martin Luther King Jr. Parkway not yet constructed, the zoning enforcement officer shall obtain, review and reasonably utilize the available data from the state department of transportation, the city engineering department and from any other reliable source in determining the location of the future right-of-way.
- D. Southeast 14th Street from Pleasantview Drive to Bloomfield Road.
- E. Army Post Road (south side) from Southwest 9th Street to Southwest 2nd Street, and from Southeast 6th Street to and including the 2100 block of Army Post Road.

- F. 63rd Street/ Iowa Highway 28 from Watrous Avenue to Army Post Road.
- G. Park Avenue from Southwest 46th Street to Southwest 63rd Street.
- H. Northeast 14th Street from Douglas Avenue to north city limits.

5.8.9 USE OF EARNED CREDITS FOR NEW GENERAL ADVERTISING SIGN FACE CONSTRUCTION

An applicant for a permit to construct a new general advertising sign on a lot with frontage on a major commercial corridor shall relinquish credits that have been previously earned pursuant to section 134-7.3.4 of this chapter, which earned credits shall be used in the amounts set forth in Table 134-5.8-1 of this article for each new sign face.

TABLE 134-5.8-1. USE OF EARNED CREDITS FOR NEW GENERAL ADVERTISING SIGN FACE

Type and Area of New Sign Face	Credits to be Relinquished for New Sign Face
A static display sign face at least 300 square feet and less than 450 square feet	1.0 credit
A static display sign face at least 450 square feet and less than or equal to 672 square feet	2.0 credits
A digital or multi-vision display sign face at least 300 square feet and less than 450 square feet	2.0 credits
A digital or multi-vision display sign face at least 450 square feet and less than 672 square feet	4.0 credits

134-5.9 Sign-Related Measurements

5.9.1 SIGN AREA

A. Signs Enclosed in Frames or Cabinets

The area of a sign enclosed in a frame, box or cabinet is determined based on the outer dimensions of the frame or cabinet surrounding the sign face pursuant to Figure 134-5.9-A.

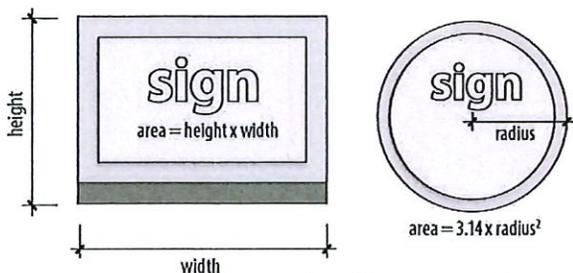


Figure 134-5.9-A. Area of Sign Enclosed in Frame or Cabinet

B. Multi-Sided Signs

Unless otherwise expressly stated, when the sign faces of a multi-sided sign are parallel or within 30 degrees of parallel, only one side is counted for the purpose of determining the area and number of signs. If the sign faces are not parallel or within 30 degrees of parallel, each sign face is counted as a separate sign pursuant to Figure 5.10-C. If the size of one sign face is larger than another, the size of the largest sign face is the area of the sign pursuant to Figure 134-5.9-B.

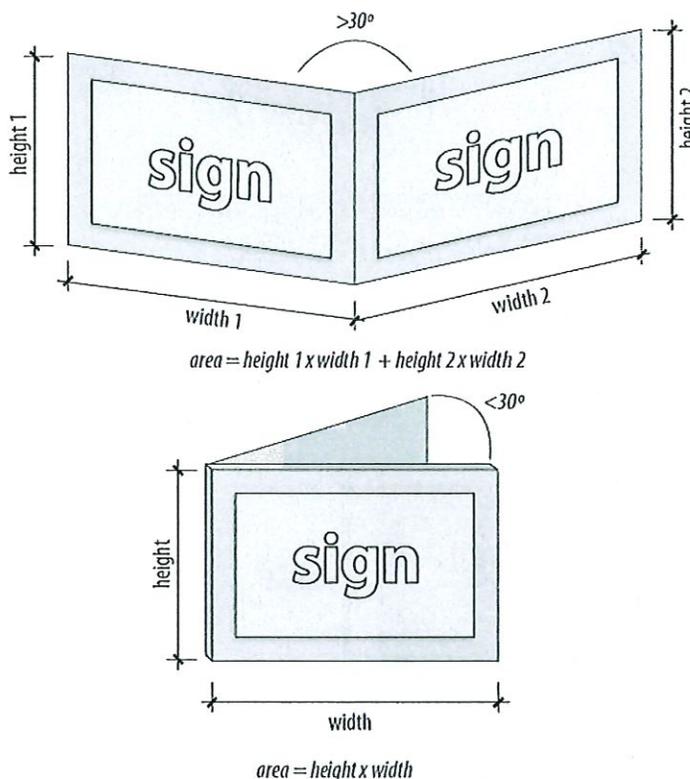


Figure 134-5.9-B. Area of Multi-Sided Sign

C. Channel (Individual) Letter Signs

The area of a sign comprised of individual letters or elements attached directly to a building wall is determined by calculating the area of the smallest rectangle that can be drawn around the letters or elements pursuant to Figure 134-5.9-C.

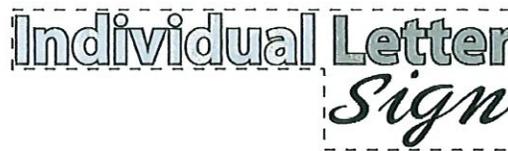


Figure 134-5.9-C. Area of Channel (Individual) Letter Sign

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Sign-Related Measurements

D. Non-Planar Signs

Spherical, free-form, sculptural or other non-planar sign area is measured as 50% of the sum of the areas using only the four vertical sides of the smallest four-sided rectangle that will encompass the sign structure pursuant to Figure 134-5.9-D. Signs with greater than four rectangle faces are prohibited.

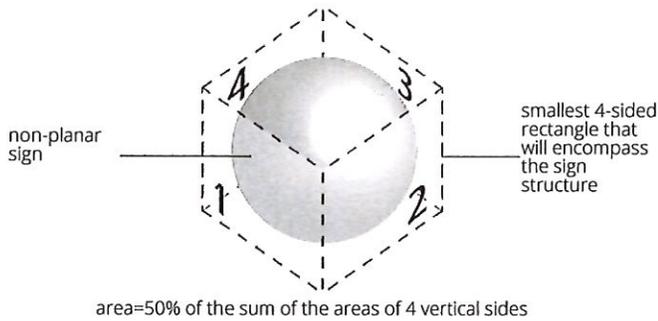


Figure 134-5.9-D. Area of Non-Planar Sign

5.9.2 SIGN HEIGHT

The height of a sign is measured as the vertical distance from ground level to the top of the sign pursuant to Figure 134-5.9-E. The sign height includes the sign base.

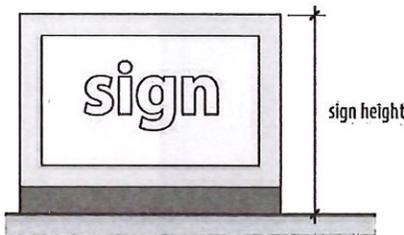


Figure 134-5.9-E. Sign Height

5.9.3 SETBACK, SPACING AND SEPARATION DISTANCES

Unless otherwise expressly stated, required setback, spacing and separation distances between signs must be measured in a straight line from the nearest points on the respective signs or sign structures. Required separation distances between signs and zoning districts, area or lots must be measured in a straight line from the nearest point on the sign structure to the nearest point of the subject district, area or lot.

5.9.4 ILLUMINATION AND LUMINANCE

- A. Foot-Candles.** Sign illumination in foot-candles is measured two feet from the sign face.
- B. Nits.** For the purpose of verifying compliance with maximum brightness level limits expressed in nits (candelas per square meter), brightness levels must

be measured with the dynamic display set to run full white copy with a luminance meter positioned at a location perpendicular to the sign face center. When taking the luminance reading, the sign face must be the only subject visible in the viewfinder.

5.9.5 WINDOW AREA

The area of a window includes only the glass or glazed elements of the window. Frames, mullions and similar features are not counted as part of the window area pursuant to Figure 134-5.9-F.

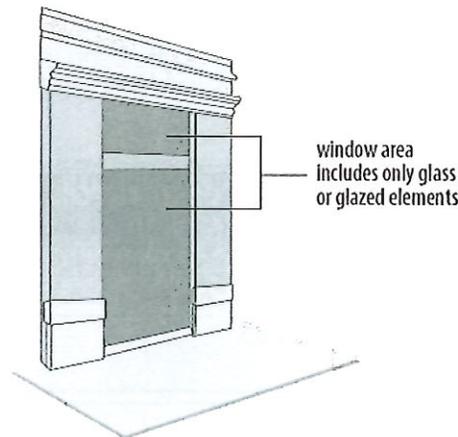


Figure 134-5.9-F. Window Area