CHAPTER 10: SIGNS IN REXBURG

SECTION I. Originated from Ordinance 908 (December 03, 2003); Repealed by Ordinance 1027 which was repealed by Ordinance 1115 (Chapter 10 - Development Code).

SECTION II. The purpose and objectives of this ordinance are:

a. To recognize signs are a necessary means of visual communication for the public's convenience, and businesses and individuals have the right to identify themselves and convey messages by using signs, and that signs are accessory and incidental to the use of the premises where they are located; and
b. To provide a reasonable balance between the right of an individual or a business to identify itself and to convey its message, and the right of the public to be protected against the visual discord resulting from the unrestricted proliferation of signs; and
c. To insure signs are compatible with adjacent land uses and with the total visual environment of the community, and the value of nearby property and economic health of the community, as a whole are protected; and
d. To provide minimum standards for regulating the size, height, structural materials/requirements and the duration of all signs, including temporary signs and displays on the outsides of buildings visible from the public rights-of-way; and
e. To enable the fair and consistent enforcement of these sign regulations; by regulating the location, construction, duration, number and maintenance of signs in order to enhance the aesthetic environment; and by promoting public safety, health and general welfare, and providing for the greater good of the community.

SECTION III. All externally located signs visible from the public right-of-way must be located and constructed in accordance with the following parameters with respect to the location of signs out of the public right-of-way, the maximum height of the signs, area of signs, clearance required for signs, allowed location of signs, allowed sign illumination, exemptions allowed by a Conditional Use Permit, types of a signs, sign permit fees, and sign permit requirements.

a. **Clear View of Intersecting Streets*:*** No sign may be placed or constructed so that any portion thereof is placed or projects into any public right-of-way. For the purpose of ensuring reasonable visibility and safety this ordinance shall prohibit the placement of signs within the sight triangle. The sight triangle applies to corner lots on intersecting City streets. The sight triangle is defined as follows: The triangle of land formed on any corner lot by drawing two (2) lines, starting at the same afore mentioned corner point heading away from each other along the lot lines, right-of-way lines, or prescribed right-of-way lines (whichever is applicable), a distance of thirty (30) feet and then connected by a diagonal line along the endpoints of the two (2) drawn lines forming a triangle.

b. **The maximum height:** Unless further restricted in this Sign Code, the maximum height of any free standing sign not located in the US 20 Interchange Boundaries (see figures 1,2&3 below) shall be twenty-four (24) feet from ground level to the top of the sign. On lots where a 24 foot free standing sign is allowed and the building height is greater than 24 feet, the maximum height of a free standing sign may be reviewed under a Conditional Use Permit for a taller free standing sign not to exceed the building height.

Free standing signs located in the US 20 Interchange boundaries (identified in figures 1,2 &3) shall have a maximum height of forty (40) feet from ground level to top of the sign. Each parcel located in the interchange boundary is allowed one (1) pole with sign(s) that is forty (40) feet from grade (see definition in Chapter 2). The Interchange sign boundary is defined by a fifteen hundred (1500) foot radius drawn from the center of the highway interchange.

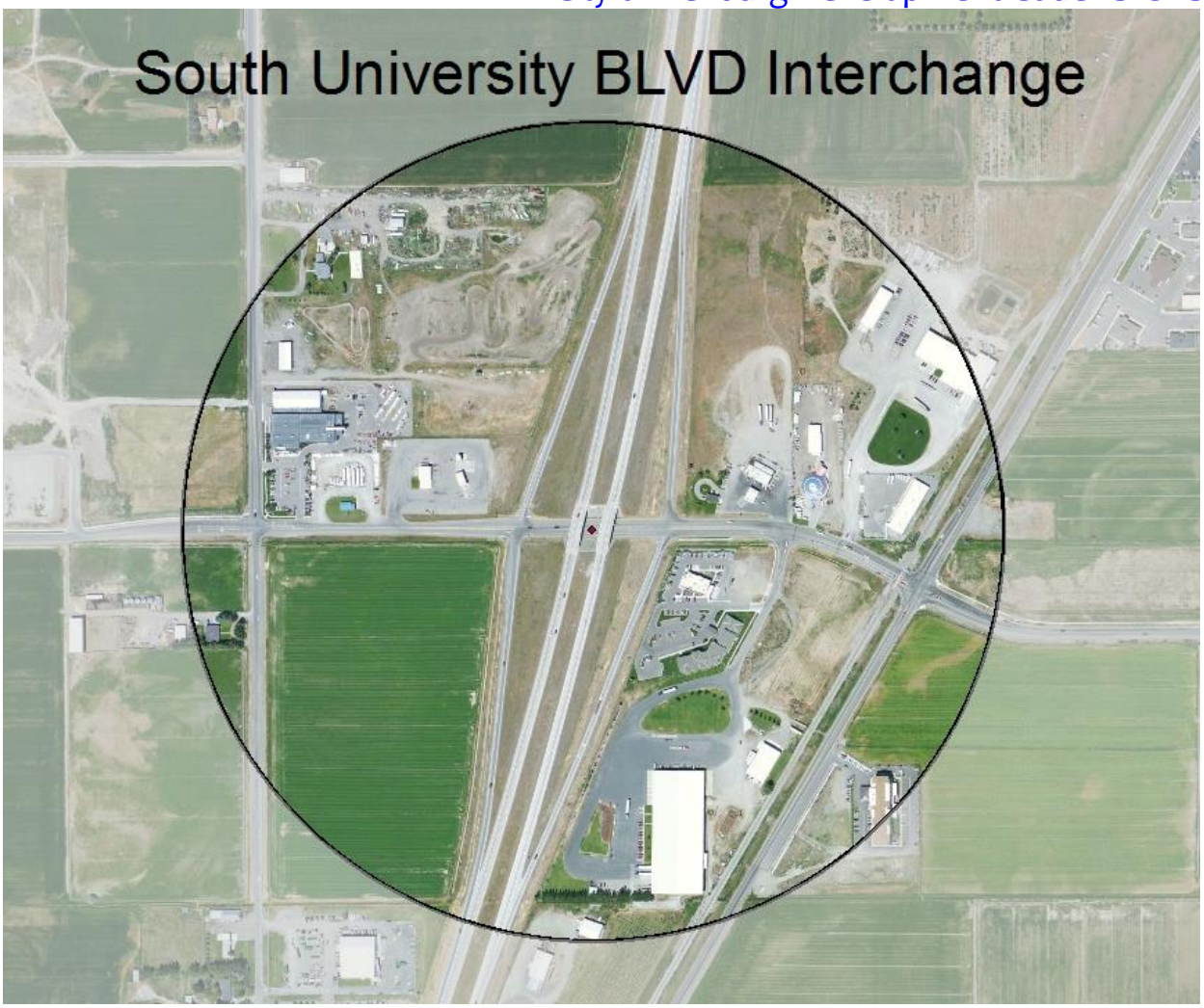

FIGURE 1

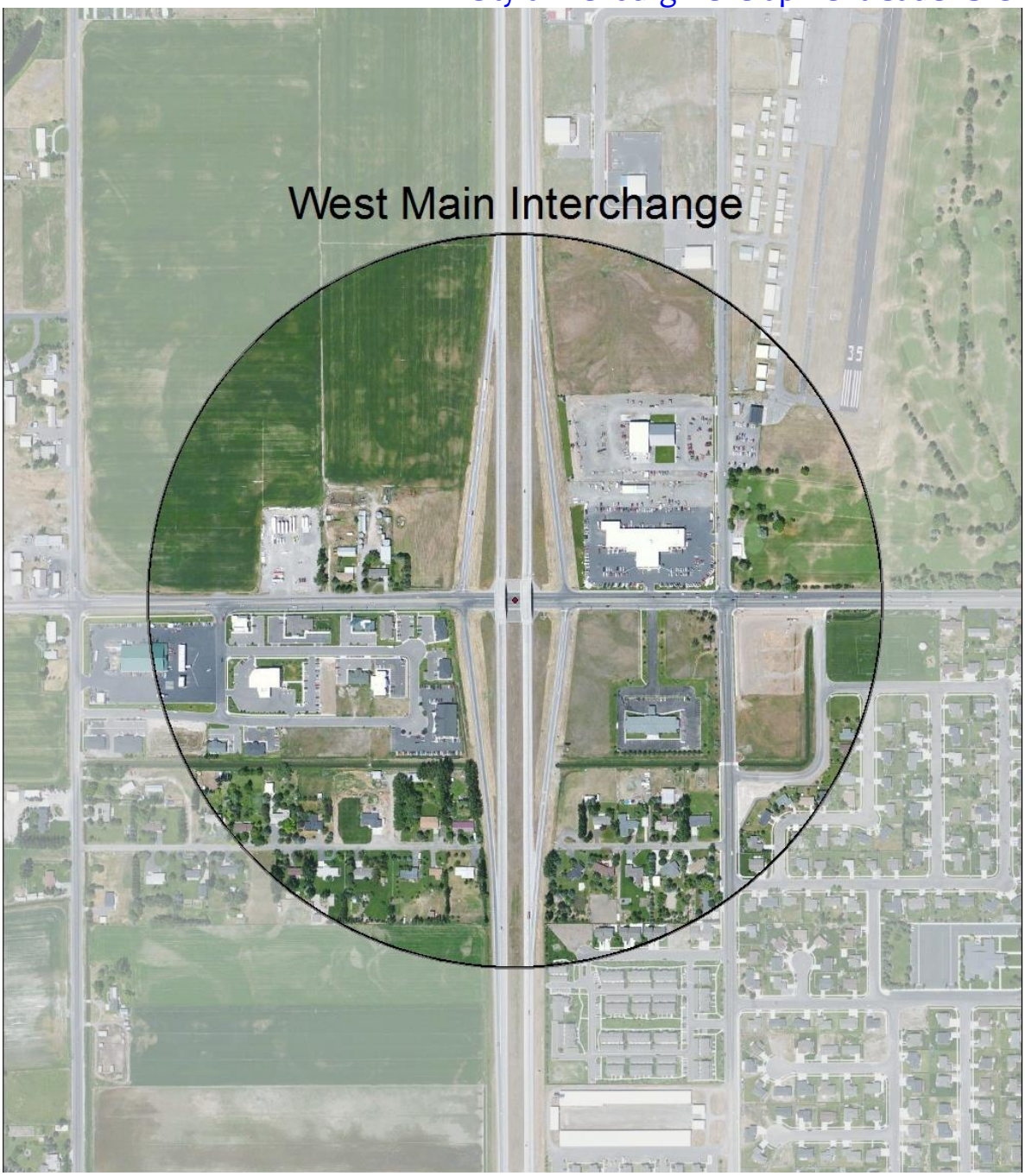

FIGURE 2

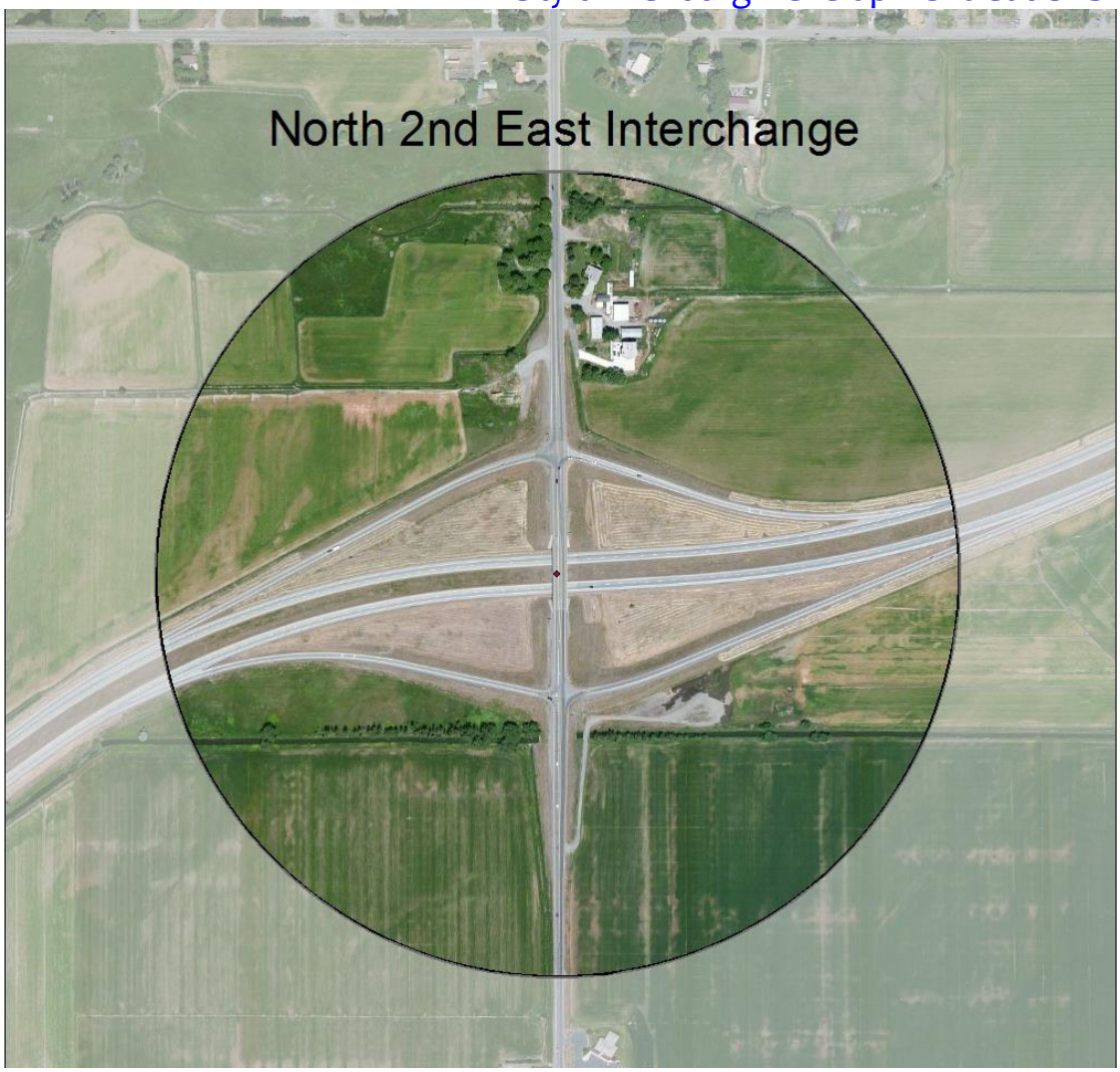

FIGURE 3

c. **<u>Definitions:</u>** Various types of signs and definitions relating to signs are attached as **Schedule "A"** hereto and incorporated as a part of this Ordinance. This Schedule is not intended to be all-inclusive, but is for definition purposes in assisting in the understanding and compliance with the intent of this Ordinance.

d. **<u>Use and Placement:</u>** **Schedule "B" including (3 spread sheets showing the separate Zones)** attached hereto, and by reference made a part hereof, is intended to set forth various types of signs, and the respective zones in which such signs shall be allowed.

e. **<u>Permits and Fees</u>**

i. *<u>Permits Required</u>*. Except as otherwise provided in this Code, it shall be unlawful for any person to erect, construct, enlarge, move or convert any sign in this City, or cause the same to be done, without first obtaining a sign permit. A permit shall not be required for a change of copy of any sign, nor for the repainting, cleaning or other normal maintenance or repair of a sign or sign structure for which a permit has previously been issued in accordance with this Code, provided that the sign or sign structure is not altered in any way.

ii. *Permission to Install*. No person shall erect, construct or maintain any sign upon any property or building without the consent of the owner or authorized representative of the owner.

iii. *Sign Not Regulated By the Code*. An application for any sign or advertising display or structure for which no specific regulation in this Ordinance is applicable shall be considered by the Planning and Zoning Commission under the Conditional Use Permit procedure as outlined in the Planning and Zoning Ordinance, and such application shall be approved or denied in harmony with the intent of these regulations.

iv. *Permit Fee*. An application fee shall be paid in accordance with the current fee schedule maintained by the City Clerk, as approved by the City Council.

SECTION IV. There shall hereafter be kept on file, in the offices of the City Clerk and the Building Department, three (3) copies of this sign code, duly certified by the Clerk, for use and examination by the public.

SECTION V. Any person, firm or corporation violating any provision of this Ordinance shall be guilty of a misdemeanor, and be subject to the following civil penalties or remedies:

a. If a sign is placed in or projects into any public right-of-way, or has been deemed unsafe by the building department and/or city engineer it may be immediately removed by the City at the owner's, sign company's and/or responsible person's expense.

b. If in violation of some other provision of this Ordinance, the City may cause a written notice to be given requiring that the violation be corrected within (14) days and if the owner, sign company and/or responsible person for the violation fails to comply, then the violator(s) shall be liable for civil penalties of up to $300. The City shall have the right to remove the sign at the violator's expense in addition to the aforementioned penalties for each day of violation.

c. The City may seek injunctive relief through the courts for enforcement of the provisions of this Ordinance and in addition to the relief sought shall also be entitled to its attorney's fees and costs.

SECTION VI. The sections of this Ordinance are severable and the invalidity of a section shall not affect the validity of the remaining sections, which should be construed as closely as possible with the overall purpose and intent of this Ordinance in the event any portion hereof is deemed to be invalid.

SECTION VII. This Ordinance shall become effective upon its passage, approval and publication in the manner provided by law.

SCHEDULE "A"
DEFINITIONS

ANIMATED SIGN:
A sign, any visible part of which moves, flashes, or changes color, regardless of the source of energy which causes the movement, flash, or, change of color.

ARCHITECTURAL BLADE:
A roof sign or projecting sign with no legs or braces which is an integral part of the building structure, rather than an object added to or standing on the building.

AWNING:

A projecting cover extending over a door, window or wall section with supports attached to the building and used as cover, protection, or as decoration.

BACKGROUND AREA:
The area comprising the message portion of a sign, not including the supporting structure, shall constitute the Background area. When computing the area of sign background, any single piece flat sign shall be calculated by measuring one side even though both sides may be used for advertising. (For example a 4'x 8' flat sign will be considered a 32 square feet background area.) For V shaped signs, or any other three dimensional sign shall have the area of sign background calculated by considering all sides of the sign facing the primary public right-of-way. This is irrespective of whether the back sides of the signs are used for advertising.

a. On pole signs the supporting structure does not count as part of the area of the sign. The area calculated in the wind loads calculation for the pole sign is for all intents and purposes, the background area of the sign.

b. On wall signs the background area of the sign is calculated by the following methods depending on which is most reasonably applicable as determined by the city.

   i. If only letters are being put on the wall then the area is computed by drawing rectangles around each letter to enclose the extremities of the letter, and then calculating the area enclosed within the rectangles.

   ii. If a cabinet or flat panel with letters is being put on the wall then the area is the area of the extremities of the flat panel or cabinet like structure.

   iii. If an area is painted out in a different shade or color on a wall (*not matching the general background of the rest of the building*) for advertising with lettering or graphics then the extremities of the entire painted out area will count as advertising area.

BANNER:
Any non-rigid material

BILLBOARD:
See definition for Off Premise Signs.

BLANKETING:
The partial or complete shutting off of the face of one sign by another sign.

BUILDING FACE OR WALL:
All windows and wall area of a building on one elevation.

CANOPY SIGN OR MARQUEE SIGN: A sign which is attached parallel to the faces of a canopy or marquee.

CHANGEABLE COPY PANEL (READER BOARD):
A sign display which is characterized by copy or illustration which may be modified at periodic intervals, regardless of the method.

CONSTRUCTION SIGN:
Any sign which warns people of construction or demolition for a project or which describes the project, builder, architect or others involved in the project.

COPY:
Any combination of letters or numbers that are intended to inform, direct or otherwise transmit information.

DIRECTIONAL SIGN:
Any sign which serves to designate the location or direction of any place or area.

a. If logos are put on the directional signs they are calculated in the area of the directional sign. In addition the logos must be less area than the directional information to be considered a directional sign.

FREE STANDING, DETACHED OR GROUND SIGNS:
A sign, which is wholly supported by columns or other vertical supports in or upon the ground (*not part of building structure)*

FRONTAGE:
Distance measured along the property line which fronts upon a street or alley. To constitute frontage, the street or alley must provide access to abutting properties.

HEIGHT OF SIGN:
The distance measured vertically from the finished elevation of the ground where the sign is placed to the highest point of the sign or sign structure, whichever is higher.

ILLUMINATED SIGN:
A sign which uses a source of light for illumination.

LIGHTED, DIRECT:
Lighting, the source of which is visible to a viewer.

LIGHTING, FLOOD LIT:
Lighting, which is reflected from the surface of a sign or building.

LIGHTING, INDIRECT OR INTERNAL:
Lighting for which the source of light is located in such a manner that the light must travel through a translucent material other than the bulb or tube necessary to enclose the light source, which material has the effect of dispersing the light before it strikes the eye of the viewer.

OFF-PREMISE SIGN: Any sign used for the purpose of displaying, advertising, identifying or directing attention to a business, service, activity or place including products, or services sold or offered for sale on premise other than on the premises where such sign is displayed. (See schedule B for regulations)

PORTABLE SIGN:
A sign that is not affixed to the ground or another structure.

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

a. If a sign is connected to wall it counts as part of wall signage
b. If a sign is connected to pole it counts as part of free standing signage

PUBLIC SERVICE INFROMATION SIGN:
A sign which provides general public service information such as time, date, temperature, weather, directional information and messages of interest to the traveling public, and which are commonly used to augment business identification signs.

REAL, ESTATE OR PROPERTY FOR SALE, RENT OR LEASE SIGN:
Any sign pertaining to the sale, lease or rental of land or buildings.

SUPER GRAPHICS:
Any abstract mosaic, mural or painting or graphic art technique or any combination thereof.

SWINGING SIGN:
A sign which is installed on an arm or spar, and which is not permanently fastened to an adjacent wall or upright pole.

TEMPORARY SIGN:
A sign which is intended to be displayed for no more than thirty (30) days consecutively, and is not permanently affixed. All devices such as search lights, twirling or sandwich type signs, sidewalk or curb signs and balloons or other air or gas filled figures are allowed, but may not be used more than sixty(60) days in total during any calendar year. Temporary signs are only intended for and therefore allowed in non-residential zones.

a. Unless otherwise regulated in this code (*such as construction sign or real estate or property for sale, rent or lease sign)* temporary signs must be reviewed by the planning and zoning administrator or designee for approval before being put up.

b. Temporary signs must be recorded and logged in at the city with the approval of the planning and zoning administrator or designee.

c. In general, temporary signs are reserved for limited activities important to the citizens of the City of Rexburg. Signs shall be located outside of the City right-of-way, be 32 sq. ft. or less, and in good taste for the surrounding environment, and must be maintained in good condition as to color, material integrity (fraying, tearing, etc.), and structural alignment.

d. Examples of uses of temporary signs are for big events such as the International Dance Festival, Rexburg Rush, close out sales, going out of business sales, or other events held at limited allotted times of year.

e. Signs located within the City right-of-way and authorized by the City are exempt from these regulations.

UNDER CANOPY OR MARQUEE SIGN:
A sign suspended below the ceiling or roof of a canopy or marquee.

WALL SIGNS:
A sign placed on the wall of a *building* as defined in the Rexburg City Planning and Zoning Ordinance.

a. For flat plane building structures the wall area can only be calculated by walls parallel and seen from one standard orthographic elevation view. No other walls can be added to this area in calculating the area of a sign allowed for that wall.

b. For dome or curved structures the wall signs cannot exceed the prescribed area of the curved or dome like structure as seen from a standard orthographic elevation view.

SCHEDULE "B"

CBD, RBC, CBC, PO (not overlay), TOZ, LI, HI, and AP

SECTION I: *FREE STANDING, ON PREMISE SIGNS* (BASIC SIGN SIZES & SIGN SIZE LOCATION FORMULAS)

a. **Maximum sign size = 200 sq. ft.** Maximum sign height to top of sign = 24ft. (*or building height* (*with conditional use permit).*

b. **An 80 sq. ft. sign** allowed for any single property up to 50,000 sq. ft. in lot size.

c. **For properties larger than 50,000 sq. ft. in area**, total allowable sign area (sq. ft.) would be increased by 0.0016 sq. ft. of sign for each sq. ft. of property in excess of 50,000 sq. ft.

EXAMPLE 1:
Lot Area = 125,386 sq. ft.
First 50,000 sq. ft. ---------- 80 sq. ft. of signage
Next 75,386 sq. ft. x 0.0016 sq. ft. sign/ sq. ft. prop.--121 sq. ft. of signage
Total allowable Sign Area------201 sq. ft.

This would allow one 200 sq. ft. sign OR one 100 sq. ft. sign + one 101 sq. ft. sign or some other similar combination of signs whose total area would not exceed 201 sq. ft.

EXAMPLE 2:
Lot area = 245,678 sq. ft.
First 50,000 sq. ft. ---------- 80 sq. ft. of signage
Next 195, 678 sq. ft. x 0.0016 sq. ft. sign/ sq.ft. prop. -- 313 sq. ft. of signage.
Total allowable Sign Area ---------- 393 sq. ft.

This would allow one 200 sq. ft. sign, a 100 sq. ft. sign and a 93 sq. ft. sign or any other similar combination of sign sizes whose total area would not exceed 393 sq. ft.

EXAMPLE 3:
Lot area = 845,979 sq. ft.
First 50,000 sq. ft. ---------- 80 sq. ft. of signage
Next 795,979 sq. ft. x 0.0016 sq. ft. sign/ sq.ft.prop.—1,274 sq. ft. of signage
Total allowable Signage---------- 1,354 sq. ft.

This would allow for six 200 sq. ft. signs and one 154 sq. ft. sign.

d. **Clear distance between signs:**

$$\frac{\text{Area of Sign 1 + Area of Sign 2}}{\text{Distance between Sign 1 \& sign 2}} \text{ must be equal to or less than 2.0}$$

EXAMPLE: $\frac{\text{200 sq. ft. (Area Sign 1) + 200 sq. ft. (Area Sign 2)}}{\text{200 ft. (Distance between Sign 1 \& Sign 2 (permissible)}} = 2.0$

Therefore 2 signs, each having the maximum size of 200 sq. ft. each, would have to be 200 ft. apart or greater.

EXAMPLE: $\frac{\text{200 sq. ft. (Area Sign 1) + 100 sq. ft. (Area Sign 2)}}{\text{155 ft. (Clear distance between Sign 1 \& Sign 2}}$ = 1.94

1.94 is permissible

To find minimum distance between signs divide by 2.0

EXAMPLE: $\frac{\text{200 sq. ft. (Area Sign 1) + 100 (Area of Sign 2)}}{2.0}$ = 150 ft

Clear distance between signs need to be 150 ft or greater

EXAMPLE: $\frac{\text{150 sq. ft. (Area of Sign 1) + 125 (Area of Sign 2)}}{\text{109 ft. (Clear distance between Sign 1 \& Sign 2)}}$ = 2.523

2.523 is not permissible therefore 109 ft. is too small. To find the minimum clear distance you would have to do the following:

$\frac{\text{(150 sq. ft. + 125 sq. ft.)}}{2.0}$ = 137.5 ft

therefore 137.5 ft. or greater is permissible

EXAMPLE: $\frac{\text{80 sq. ft. (Area of Sign 1) + 80 sq. ft. (Area of Sign 2)}}{\text{85 ft. (Clear distance between Sign 1 \& Sign 2)}}$ = 1.88

1.88 is permissible

e. Distance from property lines. $\frac{\text{Sign Area}}{10}$ =

Distance from sign to nearest adjacent property line.
(Not street right-of-way (ROW) line.)

EXAMPLE: $\frac{\text{200 sq. ft. (Sign Area)}}{10}$ = 20 ft.

20 ft = distance from sign to nearest adjacent property line

EXAMPLE: $\frac{\text{80 sq. ft. (Sign Area)}}{10}$ = 8 ft

8 ft = distance from sign to nearest adjacent property line

The distance between the aforementioned sign examples would require the signs to be:
$\frac{\text{200 sq. ft. + 80 sq. ft.}}{2}$ = 140 ft. apart. Factor of 2 or less

f. Any banners on property other than wall banners must meet and are included as part of freestanding sign area unless considered temporary and approved by the Rexburg City Building Department.

SECTION II: **ALLOWABLE SIGN AREAS FOR WALL SIGNS**
(INCLUDING PROTRUDING SIGNS & ROOF SIGNS)

a. **Maximum Area of Wall Sign Allowed = 10%** of the area of the building wall for walls located within 0

ft. to 100 ft. from the street ROW (right-of-way) line.

b. **Maximum Area of Wall Sign Allowed = 12%** of the area of the building wall for walls located within 100 ft. to 200 ft. from the street ROW (right-of-way) line.

c. **Maximum Area of Wall Sign Allowed = 14%** of the area of the building wall for walls located more than 200 ft. from the street ROW (right-of-way) line.

i. **Wall banners up for 60 days or less are considered temporary; all others are considered permanent as shall adhere to applicable sign standards.** These banners must be logged and recorded with the City of Rexburg to assure time and condition limitations are being followed. These banners may be up with permanent wall signs as long as the coverage does not exceed 20% of wall. This 20% coverage is the total of the permanent and temporary signs combined. Any banners up for more than sixty (60) consecutive days are considered permanent and must adhere to permanent sign standards. These banners will be covered as aforementioned in maximum area (*depending on distance from right-of-way (ROW)* of wall signs and must have a sign permit. A business wishing to have an area for wall mounted banner signs that allow interchangeability of promotional signs may do so by providing a tasteful, permanent looking frame that does not include strings or other temporary looking devices. These "permanent" banner sign locations shall be counted towards maximum wall sign allotment, and does not include the wall banner 20% provision. All framed banners shall be sized appropriately for the frames so that there shall be no gaps between sign and frame edging and so that the banner does not overhang the frame in any way.

SECTION III: **ALLOWABLE "SIGN SIZE" and "SIGN PERMIT CONDITIONS" BY ZONE**

a. **Construction Signs** are defined as temporary and they must be removed **within thirty day**s of project completion.

b. Applications are through the Building Department (BD).

c. **Zones: CBC, RBC, CBD, PO (not overlay), TOZ, LI, HI, and AP**

Type	**Sign Area (Sq Ft)**	**Max Height**	**Location From Property Line**	**Lighting Style**	**Restrictions**	**(BD) or (CUP)**
Rent	32	10	5 feet	None	1 per street frontage	BD
Lease	32	10	5 feet	None	1 per street frontage	BD
Sale	32	10	5 feet	None	1 per street frontage	BD
Construction & Temporary	32	12	5 feet	None	1or more With max. 96 SQ. FT.	BD
Directional	6	Code	Code	Internal	Code	BD
Public Service	6	Code	Public ROW	Internal	Code	CUP
Accessory On premise Wall signs	Sec. II	8 ft over Building			Single story Less than 30 feet	BD
Accessory	Sec. II	6 ft over			Buildings	BD

On premise Wall signs		Building			greater than 30 feet	
Projected Signs	Sec. II	Sec. II	Not in Public ROW	Sec. II	Sec. II	Public ROW w/CUP
Marquee & Canopy	Sec. II	No Pro-jections	Face Parallel w/sign	Indirect Internal	1 per street frontage	CUP
Under Marquee & Canopy	Sec. II Length Only 75% Of sign Width	8 ft Min. Clearance To Ground	Code	Internal	1 per Business	BD
Non-Accessory Off Premise Free standing or Wall	32	10 ft Max. Height	Sec. I Sec. II	Indirect Internal Floodlit	1 per property (Wall or Free Standing)	CUP
Accessory On-Premise Free Standing	Sec. I	24 ft Max or Bldg Height w/CUP	Sec. I	Indirect Direct Internal	Sec. I	BD or CUP
Portable signs (A-frame style)	Sec. I	4 ft Max.	Sec. I Not in Public ROW	None	Only allowed as Temporary Signs.	BD

C1. **Zones**: TAG1, TAG2, RR1, RR2, RBD, LDR1, LDR2, LDR3

Type	**Sign Area (Sq Ft)**	**Max Height**	**Location From Property Line**	**Lighting Style**	**Restrictions**	**(BD) or (CUP)**
Rent	6	6	5 feet +	None	1 per street frontage	BD
Lease	6	6	5 feet +	None	1 per street frontage	BD
Sale	6	6	5 feet +	None	1 per street frontage	BD
Home Occupation	2	Limited by Wall	Must be Parallel To wall	None	1 per street frontage	BD
Construction	32	8	5 feet +	None	1or more With max. Total of 96 SQ. FT.	BD
PUD, Subdivision Identification	64	8	5 feet +	Indirect Internal	1or more With max. total of 64 SQ. FT.	CUP

Directional	6	Code	Public ROW	Internal	Code	CUP
Public Service	6	Code	Public ROW	Internal	Code	CUP
All other signs Prohibited						

C2. **Zones**: MDR1, MDR2, HDR1, HDR2

Type	**Sign Area (Sq Ft)**	**Max Height**	**Location From Property Line**	**Lighting Style**	**Restrictions**	**(BD) or (CUP)**
Rent	32	10	5 feet +	None	1 per street frontage	BD
Lease	32	10	5 feet +	None	1 per street frontage	BD
Sale	32	10	5 feet +	None	1 per street frontage	BD
Home Occupation	2	Limited by Wall	Must be Parallel To wall	None	1 per street frontage	BD
Construction	32	12	5 feet +	Indirect Internal	1or more With max. 96 SQ. FT.	BD
PUD, Subdivision Identification	64	8	5 feet +	Indirect Internal	1or more With max. 64 SQ. FT.	CUP
Directional	6	Code	Not in Sight Triangle	None	Code	CUP
Public Service	6	Code	Public ROW	None	Code	CUP
Project signs for Identification Attached/detached 50 sq ft Max.	1 sq ft Per 3 Lineal ft Of bldg	12	Bldg wall Facing the Street	Indirect Internal	Not in set-back Or higher than The eave line; 1 per parcel	CUP
All other signs Prohibited						

C3 **Zones**: PROFESSIONAL OFFICE OVERLAY, NBD, MU1,and MU2

Type	**Sign Area (Sq Ft)**	**Max Height**	**Location From Property Line**	**Lighting Style**	**Restrictions**	**(BD) or (CUP)**
Rent	32	10	5 feet +	None	1 per street frontage	BD
Lease	32	10	5 feet +	None	1 per street	BD

					frontage	
Sale	32	10	5 feet +	None	1 per street frontage	BD
Home Occupation	2	Limited by Wall	Must be Parallel To wall	None	1 per street frontage	BD
Construction & Temporary	32	12	5 feet +	Indirect Internal	1or more With max. 96 SQ. FT.	BD
PUD, Subdivision Identification	64	8	5 feet +	None	1or more With max. 64 SQ. FT.	CUP
Directional	6	Code	Not in Sight Triangle	None	Code	CUP
Public Service	6	Code	Public ROW	None	Code	CUP
Accessory On-Premise, Wall, Free Standing, or Canopy Marquee 50 Sq ft Max.	1 sq ft Per 3 Lineal ft Of bldg	Less than Height of Wall; FS Max. 12 Feet high	Bldg wall Facing the Street	Indirect Internal Flood light	1 per parcel	CUP
Open Lands	Code	Code	Code	Code	Code	BD
All other signs Prohibited						