



Planning Board

Darrell Watts – Chairman
Rocky Clinton-Vice-Chairman
Jim Miller-Secretary
Susan Sedberry-Member
Ken Robertson-Member

City Engineer-Terry Carpenter
City Planner-Courtney McNair
City Attorney-Harrington-Miller
Public Works Director-James Clark
Code Enforcement Officer-Brett Freeland

Planning Board Agenda

Date: Tuesday, January 23, 2018

Time: 6:00 p.m. – Tontitown Fire Department, 141 S. Zulpo, Tontitown, Arkansas

- 1. Planning Board Meeting Call to Order**
- 2. Roll Call**
- 3. Approval of Agenda**
- 4. Approval of Minutes**
 - a. Approval of December 27, 2017 Public Hearing Minutes
 - b. Approval of December 27, 2017 Planning Board Minutes
- 5. Reoccurring Items and Items for Review**
 - a. Review of Approved Projects & Expirations
 - b. Review Building Activity
- 6. Comments from Citizens**
- 7. Old Business**
- 8. New Business**
 - a. Victory Church Rezoning Request
 - b. Hidden Valley Estates Final Plat Request-to be tabled to next month
- 9. Review Items for Placement on City Council Agenda**
 - a. Victory Church Rezoning Request if applicable
- 10. Comments from Staff**
 - a. Discuss term expirations- February 2018
 - i. Darrell has agreed to renew for another two-year term. Thank you for your continued efforts.
 - ii. Ken and Jim are resigning. Thank you for your service to Tontitown.
 - b. Discussion of Subcommittee Meeting on January 8, 2018
 - i. Synopsis of meeting
 - ii. Updated draft goals
 - iii. Outline for next month and set subcommittee meeting date
 - c. Upcoming Planning Board Meeting, Tuesday, February 27, 2018
- 11. Comments from Board Members**
- 12. Meeting Adjourned**



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Board of Zoning Adjustments Public Hearing Minutes

Date: WEDNESDAY, December 27, 2017

Time: 6:00 p.m. – Tontitown Fire Department, 141 S. Zulpo, Tontitown, Arkansas

1. Board of Zoning Adjustments Meeting Call to Order

2. Roll Call

Susan Sedberry and Darrell Watts were absent

3. Approval of Agenda

- a. Tontitown Self Storage Conditional Use Permit

Motion by Ken Robertson to approve the agenda Second by Jim Miller Motion Passes

4. Comments from Citizens- None

5. Meeting Adjourned- Adjourned



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Planning Board Minutes

Date: WEDNESDAY, December 27, 2017

Time: 6:00 p.m. – Tontitown Fire Department, 141 S. Zulpo, Tontitown, Arkansas

1. Planning Board Meeting Call to Order

2. Roll Call

Susan Sedberry and Darrell Watts were absent

3. Approval of Agenda

Courtney McNair requested that Item 8 be moved- After Item 5

Ken Robertson motioned to approve the agenda Second by Jim Miller Motion Passes

4. Approval of Minutes

a. Approval of November 28, 2017 Public Hearing Minutes

Ken Robertson motioned to approve the agenda Second by Jim Miller Motion Passes

b. Approval of November 28, 2017 Planning Board Minutes

Ken Robertson motioned to approve the agenda Second by Jim Miller Motion Passes

5. Reoccurring Items and Items for Review

a. Review of Approved Projects & Expirations

Reference city website for detailed report

b. Review Building Activity

Reference city website for detailed report

6. Comments from Citizens

David and Sharon Author, who live in Springdale, said that Springdale wants to extend the Don Tyson Parkway through their property to connect with Kissinger road in Tontitown. The Author's asked if Tontitown's Master Plan was set in stone. The answer is "No, this it is just a proposal". Tontitown will most likely adjust their Master Plan to Springdale's Master Plan. According to the Author's, Springdale said they were lining up with Tontitown's Master Plan.

7. Old Business

8. New Business

a. Tontitown Self Storage Conditional Use Permit

Ken Robertson motioned to approve the agenda Second by Jim Miller Motion Passes

b. Tontitown Self Storage Preliminary Large Scale Development

Ken Robertson motioned to approve the agenda Second by Jim Miller Motion Passes

9. Review Items for Placement on City Council Agenda

- a. Conditional Use Permits do not need City Council Approval-

10. Comments from Staff

- a. Discussion of Subcommittee Meeting on December 14, 2017
 - i. Synopsis of meeting
 - ii. Updated draft goals

i. and ii. - Discussion Only

Reference the city's audio for full discussion

- iii. Outline for next month and set subcommittee meeting date

Monday January 8th of 11th, 2018 at 9:00am- Courtney McNair will let you know

- a. Upcoming Planning Board Meeting, Tuesday, January 23, 2018

11. Comments from Board Members- Need to renew planning board

Ken Robertson may not renew

Jim Miller is considering not renewing

12. Meeting Adjourned- All in Favor

Approved_Projects_Expirations

[illegible]

Building Activity Report:	YTD - 2018	# Permits
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YTD - 2017

Variance

RESIDENTIAL VALUATION	\$ 2,336,388.46	
Single Family Permits		8
COMMERCIAL VALUATION	\$ 161,091.20	
		2
RESIDENTIAL PERMIT FEES	\$ 9,562.01	
COMMERCIAL PERMIT FEES	\$ 846.82	
Other Permits	\$ 1,110.00	
Total Fees Assessed	\$ 15,445.35	
<i>For Information Only:</i>		
Water Tap	\$ 2,850.00	
Sewer Tap	\$ 1,000.00	

\$ 1,936,308.00
\$ 66,000.00
\$ 7,729.18
\$ -
\$ 1,645.00
\$ 11,805.53

\$400,080.46
\$95,091.20
\$1,832.83
\$846.82
(\$535.00)
\$ 3,639.82

As of 1/19/2018



CITY OF TONTITOWN PLANNING OFFICE

201 E. Henri de Tonti Blvd.
479-361-2700
planning@tontitownar.gov

Meeting: **November 28, 2017**
Project: **Victory Church**
Rezone Request
Planner: Courtney McNair

AGENDA ITEM

A

REZONING REQUEST

Arbor Acres and South Pianalto Road

Parcel # 830-38352-000

SUMMARY: Request to rezone a piece of land that is approx. 14.35 acres in size from **A-1** to **R-E**

CURRENT ZONING: A-1 - Agriculture district. The purpose of this district is to provide for a very low density single-family district, while helping preserve existing agricultural resources, and to guide the conversion of these lands to higher density residential use when appropriate. Agricultural areas should be protected for development by appropriate standards until they are well served by public facilities and services that will permit higher density residential development.

PROPOSED ZONING: RE - Estate Single-Family Residential – two (2) acre minimum lot size.

CITY WARD: 3 – Don Doudna and Tommy Granata

INFRASTRUCTURE SERVICE AREAS (not a guarantee of service availability):

Water: Washington Water Authority

Electric: Ozarks Electric

Sewer/Septic: Septic/Tontitown Sewer

Phone: AT&T

Natural Gas: Black Hills Energy

PROJECT SYNOPSIS:

This property is owned by Victory Church NWA, Inc., and located within the City Limits of Tontitown. It takes access from Arbor Acres Road and S. Pianalto Road. There is one (1) existing residence on site, and some barn structures. The residence was constructed in 1934, and is approximately 1024 sq. ft.

Last year, this property was split into five (5) lots, each lot was five (5) acres or more and therefore a change of zoning was not needed. The applicant would now like to split Lot 5 again.

According to City Code, zone A-1 allows for lots that are five (5) acres in size or larger. The owner would like to split this property into four (4) lots that are all less than five (5) acres in size. R-E zoning allows for lots that are two (2) acres in size or larger. All proposed lots are larger than two (2) in size.

Proposed Split:

Total Acreage of existing Lot 5: 16.13 acres

Lot 5- 3.33 acres

Lot 6- 3.27 acres

Lot 7- 3.27 acres

Lot 8- 4.48 acres

APPROVAL CRITERIA:

Not all of the criteria must be given equal consideration by the Planning Commission or City Council in reaching a decision. The criteria to be considered shall include but not be limited to the following:

(1) Consistency of the proposal with the comprehensive plan.

STAFF ANALYSIS: The current Future Land Use Plan shows this area as Low Density Residential. This request is consistent with the current Future Land Use Plan.

(2) Consistency of the proposal with the purpose of these regulations.

“The regulations are intended to provide for orderly growth and development; for protection of the character and stability of residential, commercial, industrial, recreational, and environmentally sensitive areas of the city; for protection of property from blight and undue depreciation; for efficiency and economy in the process of development for the appropriate and best use of land; for the use and occupancy of buildings; for healthful and convenient distribution of population; for good civic design and arrangement; and for adequate public utilities and facilities.”

STAFF ANALYSIS: This area is being developed with larger residential lots, much like the proposal. The property is also adjacent to R-E zoning on the west.

However, there is an issue with the public water system available. The water line that services these lots (and the ones split last year) is only a 2-inch line, and is already at capacity according to Josh Moore at Washington Water Authority. It is possible that some of the lots created last year, and some of the proposed lots will not be able to access the rural water system. Staff feels that this should be noted on each lot when this split is processed, so that potential buyers are aware prior to purchase that a well may be required.

(3) Compatibility of the proposal with the zoning, uses and character of the surrounding area.

STAFF ANALYSIS: The requested use is a residential use; surrounding properties are zoned for Agricultural/Residential uses.

North-zoned A1

East-zoned A1

South-zoned A1/R-MH

West-zoned RE

The surrounding uses appear to be mostly large lot residential.

(4) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.

STAFF ANALYSIS: This property is suitable for Agricultural uses as it is currently zoned, however, this area is being developed as residential, and this request is not out of line with other development in the area.

(5) Extent to which approval of the proposed rezoning will detrimentally affect nearby property including, but not limited to, any impact on property value, traffic, drainage, visual impairment, odor, noise, light, vibration, hours of use/operation, and any restriction to the normal and customary use of the affected property.

STAFF ANALYSIS: This proposed rezoning should not detrimentally affect nearby property. Four residential lots, all greater than three (3) acres in size should not significantly impact the surrounding uses.

(6) Length of time the subject property has remained vacant as zoned, as well as its zoning at the time of purchase by the applicant; and

STAFF ANALYSIS: Staff is unsure at what time the agricultural uses stopped on this property.

(7) Impact of the proposed development on community facilities and services, including those related to utilities, streets drainage, parks, open space, fire, police, and emergency medical services.

STAFF ANALYSIS: This impact of four residential lots will be minimal on all utilities except water. Washington Water Authority has expressed concerns that the existing 2-inch waterline is already at capacity.

TECHNICAL INFORMATION:

Utilities:

Water: Washington Water Authority, existing 2" line-Please see attached comments from Josh Moore regarding water availability for this proposal.

Electric: Ozarks Electric-No concerns were submitted for the requested rezoning.

Sewer/Septic: Septic-Lots not adjacent to the existing sewer shall have approval from the Washington County Health Department for any proposed septic systems. Lots adjacent to the existing sewer, shall connect to sewer.

Phone: AT&T-No concerns were submitted for the requested rezoning.

Natural Gas: Black Hills Energy-No concerns were submitted for the requested rezoning.

Streets:

This property access Arbor Acres Road and S. Pianalto Road.

Fire:

No concerns were submitted for the requested rezoning.

Police:

No concerns were submitted for the requested rezoning.

STAFF ANALYSIS: As this request is for four residential lots, the impact on N. Pianalto Road, on fire services, and on police response should be minimal.

NEIGHBOR COMMENTS: All neighboring properties within 200 feet of the property boundary were notified by certified mail of this project. Staff has received several phone calls from concerned neighbors, but they have been from confusion over what the applicant is proposing. The neighbors were concerned that a church was proposed in this location. The proposal submitted to Planning Staff is for 4 residential lots. No mention of a church has been made.

Additionally, churches are permitted by right in A-1 (current zoning), but allowed only by Conditional Use Permit (CUP) in R-E zoning (requested). Therefore, if a church is proposed in the future, they would be required to request a CUP and the neighbors would be notified if this rezoning is approved.

STAFF ANALYSIS: For the requested zoning, the use must be residential/agricultural in nature. No church use will be allowed without additional CUP review.

STAFF RECOMMENDATION: As this property is adjacent to RE zoning, will not have a significant impact on most infrastructure or surrounding uses, and meets the lot size requirements for the zoning requested, staff feels this project is compatible and suitable to the area. Staff has some reservations about the availability of water, but feels these concerns can be resolved with conditions.

Therefore, staff recommends approval of the Victory Church Rezone Request to change the zoning of parcel 830-38352-000 from A-1 zoning to R-E zoning.

CONDITIONS RECOMMENDED FOR APPROVAL:

1. The Minor Subdivision Plat must be reviewed administratively by Planning Staff. Correct all remaining items on the "Plat Requirement Worksheet" prior to Construction Plan approval. Planning Staff will provide a copy of the remaining requirements to the engineer for the project if it is needed.
2. Correct all comments from Washington Water Authority (listed below).
3. A note shall be added to each lot that water may not be available until a water line upgrade is completed.
4. A note shall be added to lots adjacent to the existing sewer line that they must connect to sewer.
5. The applicant must apply for all required building permits prior to construction.

Washington Water Authority Comments:

1. The Engineer's statement on his cover letter of "Availability of water and sewer: Water lines are accessible in the area" is a bit misleading. The engineer and/or owner did not check with this office to determine if water was available and/or what steps would be necessary to provide water for the lots created in this subdivision.
2. Secondly, the previous split of four lots on the North side of this property by this owner were never reviewed for water service from this office either. In order to provide water, the previous subdivision on the North, a water main extension is going to be necessary to get sufficient water capacity around the property for subdividing the property. The previous split with this split and the existing lot make a total of 8 lots created on this property and the owner never asked what they would need to do about obtaining water service for all the new lots.
3. The location of the existing water mains on the subdivision plat are incorrect. It appears that this engineer utilized information from the previous surveyor, PAYA, which used incorrect information on the first plat. There is not an existing water main along the south side of the property on the North side of Arbor Acres Road. Also, the existing water main going North along Pianalto is on the West side of the road on this property in question regarding the subdivision. The current engineer needs to call locates in and have them marked and then show the actual location of the existing water mains and other utilities correctly.
4. The utility easement along Arbor acres needs to be 40' in width to accommodate any future water main extension. This extra width is necessary since there appears to already be two high pressure gas lines within that easement.
5. If a new line needs to be run up Pianalto to service the first 4 lots of this subdivision, then the utility easement along Pianalto may need to be wider and the house and barn shown on lot 8 need to be removed to allow for utility installation.
6. 911 addresses need to be shown on the plat

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Election of Planning Board Officers February 2018

Name:	Term Expiration:	Current Position:	New Position:
Darrell Watts	Feb 2020	Chairman	_____
Rocky Clinton	Feb 2019	Vice-Chairman	_____
_____	Feb 2020	Secretary	_____
Susan Sedberry	Feb 2019	Member	_____
_____	Feb 2020	Member	_____

City of Tontitown, Arkansas
Future Land Use Plan
DRAFT Mission, Goals, and OBJECTIVES

Mission

To develop a Future Land Use Plan and Map which allow the city to thoughtfully plan, encourage, and manage growth and development while integrating the city's rich heritage and improving quality of life for all citizens and business owners.

Goal 1

Preserve the small town feel of Tontitown while leveraging and integrating its rich history into the future fabric of development to create a regionally significant destination city within Northwest Arkansas.

- OBJECTIVE 1: Explore the creation of a Heritage zoning district at the City's core that encompasses existing historical and institutional features of the City.
- OBJECTIVE 2: Explore branding opportunities for the City that reflect its heritage and key attractions.
- OBJECTIVE 3: Explore the creation of entry or gateway features for the City along thoroughfares.
- OBJECTIVE 4: Create sign ordinances and overlay districts to address appropriate signage scale and types in varying districts of the city.

Goal 2

Focus on creating complete streets, walkability, appropriate connections and physical infrastructure for existing and future development needs. Identify potential green spaces, recreational areas, water bodies and other natural resources that could potentially act as green infrastructure within the City as it grows and develops.

- OBJECTIVE 1: Consider adopting a complete streets resolution and incorporating complete streets into the Master Street Plan, subdivision, and development codes.
- OBJECTIVE 2: Update the Master Street plan including sections for sidewalks, trails, and green infrastructure.
- OBJECTIVE 3: Develop a regular update interval for the Master Street, water and sewer plans.
- OBJECTIVE 4: Consider drafting a Capital Improvements plan to prioritize and financially plan for large infrastructure projects that could have significant growth and economic development impact on the city's future.

- OBJECTIVE 4: Examine The role of Harry Sbanotto Park within the community, and future connections or expansions to this important greenspace and the City's municipal core.
- OBJECTIVE 5: Examine areas within the city to determine if important greenspace and open space areas exist and plan for their future role within the community as development occurs.
 - Little Wildcat Creek and tributaries
 - Brush Creek and tributaries
 - Historic farms or significant natural areas
 - Other important cultural areas

Goal 3

Utilizing both current and future development patterns, plan for the growth of a diversified economic base of residential, commercial, industrial, and retail business development in Tontitown.

- OBJECTIVE 1: Plan appropriately for the land use relationships and opportunities provided by adjacent cities and development.
- OBJECTIVE 2: Plan for a series of commercial nodes within the City; don't just relegate commercial uses to areas solely along thoroughfares.
- OBJECTIVE 3: Carefully consider surrounding future development and its connections and impacts on the City:
 - Don Tyson extension; ACH- 56th Street connection and development
 - 412 Northern by-pass
 - Future connection with regional airport
- OBJECTIVE 4: Create a friendly and customer service oriented development environment which effectively manages development to provide for appropriate design, protect quality of life, and ensure safe and quality construction.
- OBJECTIVE 5: Update subdivision and development codes to increase clarity and ease of use, and review the codes on a regular basis.

Goal 4

Create a diversity of residential development types that serve all sectors of the community and assure these are integrated appropriately into the existing fabric of the City.

- OBJECTIVE 1: Plan for complete neighborhood service land uses along with residential growth: commercial services, offices, parks, and institutional uses, etc.
- OBJECTIVE 2: Revise zoning codes to allow many varying types of housing by right within areas of the City to promote diverse housing opportunities within the City.
- OBJECTIVE 3: Consider allowing cluster developments in more rural areas of the city allowing for potential growth and infill as the City grows.

CITY OF TONTITOWN

SIGN REGULATIONS

Section 1 - Definitions

This Sign Code shall refer to definitions set forth in the Tontitown Code of Ordinances except as modified below:

Awning Sign. A Sign where graphics or symbols are painted, sewn or otherwise adhered to the awning material as an integrated part of the awning itself.

Banner Sign. Any sign made of fabric, vinyl or any similar non-rigid material with no enclosing framework.

Billboard. Any off-site structure or portion thereto upon which are Signs or advertisements used as an outdoor display. This definition does not include any bulletin boards used to display Government Signs.

Canopy Sign. Any Sign that is mounted, painted, or otherwise applied on or attached to a canopy or structural protective cover over an outdoor area.

Code Official. An employee of the City designated by the Mayor to administer and enforce this Code.

Construction Identification Sign. A Sign which identifies architects, engineers, contractors and other individuals or firms involved with construction on premises, the name of the building or development, the intended purpose of the building, and/or the expected completion date.

Crown Sign. A Wall Sign extending not more than three (3) feet from the building façade located on the upper horizontal band of a building at least two (2) stories in height.

Digital Billboard. An electronically displayed Billboard that is static or changes messages by any electronic process or remote control.

Digital Sign. An electronically displayed Sign that is static or changes messages by any electronic process or remote control.

Double Post Sign. A permanently affixed Sign which is wholly independent of a building for support where the primary support is supplied by two posts.

Electric Sign. Any Sign containing electrical wiring. This does not include Signs illuminated by an exterior floodlight source.

Flashing Sign. Any illuminated Sign on which the artificial light is not maintained stationary or constant in intensity and color at all times when such Sign is in use. For the purpose of this Code any moving illuminated sign, except digital billboards, must be considered a flashing Sign.

Government Sign. A government Sign is a Sign that is constructed, placed or maintained by the federal, state or local government or a Sign that is required to be constructed, maintained by the federal, state or local government either directly or to enforce a property owner's rights.

Highway Sign. A Freestanding Sign, Integral Sign or Flat Mounted Sign that is erected and maintained within the view of motorists who are driving on a highway.

Illuminated Sign. A Sign that is directly lighted by any electrical light source, internal or external. This definition does not include Signs that are illuminated by streetlights or other light sources owned by any public agency or light sources that are specifically operated for the purpose of lighting the area in which the Sign is located rather than the sign itself.

Integral Sign. A Sign that is embedded into the material of a building.

Monument Sign. A free-standing and permanently affixed Sign that is supported by a solid base (other than poles) and such that no air space is visible within or between any portion of the sign display area and sign structure. A Monument Sign may identify a project or district, or marking an entrance, which can incorporate a single or multiple licensed business listing.

Off-Premises. A sign that directs attention to a business, profession, event, entertainment, product or service that is located, offered or sold somewhere other than on the certain premises where the sign is erected.

Original Art Display. A hand-painted work of visual art that is either affixed to or painted directly on the exterior wall of a structure with the permission of the property owner. An Original Art Display does not include: mechanically produced or computer generated prints or images, including but not limited to digitally printed vinyl; electrical or mechanical components; or changing image art display.

Outdoor Advertising Sign. A Sign that advertises goods, products or services which are not sold, manufactured or distributed on or from the premises or facilities on which the sign is located.

Portable Sign. Any structure without a permanent foundation or otherwise permanently attached to a fixed location, which can be carried, towed, hauled or driven and is primarily designed to be moved rather than be limited to a fixed location regardless of modifications that limit its movability.

Projecting Sign. A Sign, other than a wall sign, that is mounted to the wall or surface of a building or structure and which is supported by a wall of a building or structure and projects from the building by twelve (12) inches or more.

Real Estate Sign. A free-standing Sign advertising the premises for sale, rent or lease.

Roof Sign. A sign located on or above the roof of any building, not including false mansard roof, canopy, or other fascia.

Sandwich Board Sign. A moveable Sign not secured or attached to the ground or surface upon which it is located.

Sign. A name, identification, description, display or illustration, which is affixed to, painted or represented directly or indirectly upon a building, or other outdoor surface which directs attention to or is designed or intended to direct attention to the Sign Face or to an object, product, place, activity, person, institution, organization or business. Signs located completely within an enclosed building, and not exposed to view from a street, must not be considered a sign. Each display surface of a Sign or Sign face must be considered to be a sign.

Sign Area: The space enclosed within the extreme edges of the Sign for each Sign Face, not including the supporting structure or where attached directly to a building wall or surface, the space within the outline enclosing all the characters of the words, numbers or design.

Sign Face: The entire display surface area of a Sign upon, against or through which copy is placed or reflected.

Shingle Sign. A small Projecting Sign that hangs from a bracket or support and is located over or near a building entrance.

Subdivision Sign. A permanently affixed Sign which is wholly independent of a building for support attached along its entire width to a continuous pedestal or wall that is used to identify the entry to or name of an entire development.

Temporary Sign. A banner, pennant, poster or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and that appears to be intended or is determined by the Code Official to be displayed for a limited period of time.

Vehicle Sign. Means any Sign attached to or displayed on a vehicle.

Wall Sign. Means any attached Sign other than a Projecting Sign or a Banner Sign, which is permanently attached to or painted on any wall of any building and projects from the plane of the wall less than twelve (12) inches. An Integral Sign shall be considered a Wall Sign.

Window Sign. An attached Sign which is not a Temporary Sign and which is attached to, painted on, etched or otherwise adhered to a window or which is displayed within twelve (12) inches of the window and is legible from outside the window.

Windblown Signs. A fluttering, spinning, windblown or inflatable device, including pennants, streamers and propeller discs.

DRAFT

Section 2 - Prohibited Signs

- A. Signs are prohibited in all Zoning Districts unless:
 - i. constructed pursuant to a valid building permit when required by this Code; and
 - ii. authorized under this Code.
- B. Prohibition of Fees. A property owner may not accept a fee for posting or maintaining a Sign allowed under Section 1.C.ii and any sign that is posted or maintained in violation of this provision is prohibited.
- C. Commercial Signs in Residential Zones. Commercial Signs are prohibited in residential zones or on property used for non-transient residential uses, except for those properties on which a home occupation or a transient residential use has been approved by the City of Tontitown.
- D. Prohibited Signs. The following Signs shall be prohibited in the City of Tontitown:
 - i. Billboards and Digital Billboards;
 - ii. Highway Signs;
 - iii. Signs with fluctuating illumination, including any Sign that flashes, blinks, fluctuate in light intensity or is animated;
 - iv. Signs which revolve, rotate or moving in whole or in part;
 - v. Windblown Signs, except that one (1) company flag shall be permitted to be flown in conjunction with the United States Flag or Arkansas Flags as provided herein;
 - vi. Signs that constitute a traffic hazard are prohibited, and no Sign or other advertising shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision;
 - vii. Off-Site Signs;
 - viii. Roof Signs;

- ix. Search lights;
 - x. Signs on or affixed to trees or utility poles, except that Signs may be placed on utility poles for utility identification purposes by the proper utility;
 - xi. Reflective or mirrored signs; and
 - xii. Signs placed or affixed within public right of ways, or encroach upon a public right- of- way, except for Government Signs and that Wall Signs, Awning Signs, Canopy Signs, Projecting Signs, Shingle Signs and Sandwich Board Signs may encroach as provided herein.
- E. Vehicles. It shall be unlawful to use a vehicle or trailer as a sign in circumvention or violation of any part of this Code.

Section 3 – Signs Authorized in Every District

The following provisions sets forth Signs that are authorized by Section 2.A.ii above in every District.

- A. Government Signs. This Code does not apply to Signs erected, maintained or posted by the State, federal or this government, but the regulations in this Code clarify that Government Signs are allowed in every zoning district of the City which form the expression of this government when erected and maintained and include the signs described herein below when erected and maintained pursuant to law.
 - i. *Traffic Control*. Traffic control devices on private or public property are allowed to be erected and maintained in order to provide for public safety and in order to comply with the traffic control laws of the State of Arkansas and the City, as well as the Manual on Uniform Traffic Control Devices adopted by the Federal Highway Administration.
 - ii. *Public Interest Signs*. Public interest Signs of a non-commercial nature and in the public interest, erected by or on the order of a public officer in the performance of their duty, such as public notices, safety Signs, danger Signs, trespassing Signs, traffic and street Signs, memorial plaques and Signs of historical, environmental or local interest.
 - iii. *Street Numbers*. Each property owner must mark their property using numerals that identify the address of the property so that public safety departments can easily identify the address from the public street. Where required under this Code or other law the identification must be on the curb and may be on the principal building on the property. The size and location of the identifying numerals and letters if any must be proportional to the size of the building and the distance from the street to the building and in no case larger than [four (4) square feet]. In cases where the building is not located within view of the public street, the identifier must be located on the mailbox or other suitable device such that it is visible from the street.
 - iv. *Required Postings By Law*. 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 must comply with the federal, state or local law to exercise that authority by posting a sign on the property. The size of such signs should be no larger than [sixteen (16) square feet] or the minimum size required by law. No more than [two (2)] such Sign are

allowed, or the minimum amount of Signs that are required by law.

- v. *Flags*. A flag may be displayed as provided under the law that adopts or regulates its use and as provided in Section 3.E below.
- vi. *Public Safety*. The Signs described in Sections 3.A.i, 3.A.ii , and 3.A.ii, are an important component of measures necessary to protect the public safety and serve the compelling governmental interest of protecting traffic safety, serving the requirements of emergency response and protecting property rights or the rights of persons on property.
- vii. *Construction Signs*. Government sign- placards and other signs required by State and/or Federal Law to be displayed during construction or remodeling of buildings, or other site/infrastructure work.

B. Temporary Signs.

- i. *Temporary Signage*. Temporary Signs are allowed at any:
 - (1) A property owner may place signage with sign face square footage not to exceed eight (8) square feet on the property at any time.
 - (2) A property owner may place one (1) sign no larger than six (6) square feet in one (1) window on the property at any time.
- ii. *Temporary Signs During Elections*. Temporary Signs may be located on the owner's property for a period of sixty (60) days prior to any federal, state or local election that represents the district in which the property is located or involves an issue on the ballot of an election within the district where the property is located. All such temporary signs shall be removed within three (3) days after the election has occurred.
- iii. *Temporary Signs During Times When a Property is For Sale*. One (1) Temporary Sign may be located on a property when the following conditions are all met:
 - (1) The owner consents and that property is being offered for sale through a licensed real estate agent.
 - (2) If not offered for sale through a real estate agent, when the Sign is owned by the property owner and that property is offered for sale by the owner through advertising in a newspaper, online newspaper or in another public manner,

- (a) if more than one properties are simultaneously offered for sale, application may be made to install fewer, and larger, signs to serve the adjacent properties offered for sale. Such Sign(s) may be of a size and number to serve the total area of properties offered for sale. The Code Official shall determine the number and size of the Sign(s) allowed when properties are combined for this purpose, but in no event shall such a Sign(s) exceed eighty (80) square feet in size.
- (3) For a period of fifteen (15) days following the date on which a contract of sale has been executed by a person purchasing the property.
- iv. *Temporary Signs During Times When a Property is Open to the Public.* One (1) Temporary Sign may be located on the owner's property on a day when the property owner is opening the property to the public; provided, however, the owner may not use this type of Sign in a Residential District on more than three (3) days in a year and the days must be consecutive and may not use this type of Sign in any Commercial or Industrial District for more than fourteen (14) consecutive days, five (5) times per year. For purposes of this Section 3.B.iv a year is counted from the first day on which the Sign is erected counting backwards and from the last day on which the Sign exists counting forward. Such Sign shall not exceed six (6) square feet in size.
- v. *Temporary Signs During Holiday Periods.* During the forty (40) day period December 1 to January 10, a property owner may place Temporary Signs on the property and may use lights between the hours of 7 a.m. and 10 p.m. CST to decorate the property even if the lights might be arranged to form a Sign. Further, a property owner may place and maintain Temporary Signs on their property on July 4th of every year.
- vi. *Temporary Sign Limitations.* It is the intent of this Code to limit the aesthetic impact of Signs on properties in order to prevent unsightly clutter, protect streetscapes, preserve property values and to promote traffic safety. The unregulated accumulation of Signs adversely affects these goals, property values and public safety, and so accordingly a person exercising the right to place Temporary Signs on a property as described in this Section 3.B must limit the number of Temporary Signs on the property per 0.25 acre at any one time to two (2) plus a Sign allowed in Section 3.B.i(2), or if the property is smaller than 0.25 acres then no more than two (2) Signs plus a Sign allowed in Section 3.B.i(2) per principal

building on the property unless a court having jurisdiction determines that additional Signs must be permitted and then the signage must be limited to the fewest Signs and the smallest accumulated sign area permissible under the court's determination.

vii. *Sign Face Limitation.* The Sign face of any Temporary Sign, unless otherwise limited in this Section 3.B must not be larger than six (6) square feet.

- C. Lessors. For purposes of this Section (3), a lessor of a property is considered the property owner as to the property if the lessor holds a right to use exclusive of others (or the sole right to occupy). If there are multiple lessors of a property then each lessor must have the same rights and duties as the property owner as to the property the lessor leases and has the sole right to occupy and the size of the property must be deemed to be the property that the lessor has the sole right to occupy under the lease.
- D. Signs Not in View. Signs not otherwise prohibited in Section 2-Prohibited Signs, and which are not exposed to view from a public street or public right of way, public place or other property, shall not be regulated by the Code.
- E. Flags. Flags shall be permitted on properties as follows:
 - i. *Single-family Zoning Districts.* In a single-family zoning district (such as the zones currently recognized in the City: R-E Estate Single-Family Residential, R-1 Single-Family Residential, R-2 Single Family Residential, R-3 Single-Family Residential R-MF Multi-Family Residential, and R-MH Mobile Homes Residential) two (2) flags and one (1) flag pole shall be allowed per premises. Each flag must be a maximum of fifteen (15) square feet in area. The flag pole must be a maximum of twenty-five (25) feet in height or no higher than the highest point of the principal building's roof, whichever is lower. Flag poles must meet the minimum yard setback requirements for a principal building.
 - ii. *Nonresidential Zoning Districts.* In all other non-residential zoning district, one flag per twenty-five (25) feet of frontage on a right-of-way up to a maximum of six (6) flags and six (6) flag poles per premises. Each flag must be a maximum of twenty-four (24) square feet in area. Flag poles must be a maximum of fifty (50) feet in height but no higher than the highest point of the nearest principal building's roof on the premises. Flag poles must meet the minimum yard setback requirements for a principal building or a minimum of ten feet whichever is more restrictive.
- F. Temporary Signs shall not be placed or located in such a manner as they obscure the view of pedestrian or vehicular traffic, and shall not be placed within twenty-five (25) feet of an intersection.

Section 4 - Permit Required

- A. In General. A sign permit is required prior to the display and erection of any sign except as provided in Section 4.F. below.
- B. Application for Permit.
- i. *Application*. An application for a Sign permit must be filed with the Code Official or designee on forms furnished by City. The applicant must provide sufficient information to determine if the proposed Sign is allowed under this Code and other applicable laws, regulations, and ordinances. An application for a Temporary Sign must state the dates intended for the erection and removal of the Sign. An application for any Sign must state the date when the owner intends to erect it.
 - ii. *Review by Code Official*. The Code Official or designee must promptly process the Sign permit application and approve the application, reject the application, or notify the applicant of deficiencies in the application within ten (10) days after receipt. Any application that complies with all provisions of this Code, the zoning ordinance, the building code, and other applicable laws, regulations, and ordinances shall be approved.
 - iii. *Rejection of Application*. If the Sign permit application is rejected, the Code Official shall provide a list of the reasons for the rejection in writing. An application must be rejected for non-compliance with the terms of this Code, the zoning ordinance, building code, or other applicable law, regulation, or ordinance.
- C. Permit fee. A nonrefundable fee as set forth in the fee schedule adopted by the City must accompany all Sign permit applications. *Fees should be based on size of sign, valuation of sign, etc. In addition, inspection fees should be charged*
- D. Duration and revocation of permit. If a Sign is not installed and a use permit issued within six (6) months following the issuance of a Sign permit (or within thirty (30) days in the case of a Temporary Sign permit), the permit shall be void. The permit for a Temporary Sign must state its duration, not to exceed thirty (30) days unless another time is provided in this code or the zoning ordinance. The City may revoke a Sign permit under any of the following circumstances and at any time:
- i. *Misleading*. The City determines that information in the application was materially false or misleading;
 - ii. *Conformity to Application*. The Sign as installed does not conform to the Sign permit application;
 - iii. *Violation of Code*. The Sign violates this Code, the zoning ordinance, building code, or other applicable law, regulation, or ordinance; or

- iv. *Maintenance and Abandonment.* The Code Official determines that the Sign is not being properly maintained or has been abandoned.

E. **Permits Not Required.** A sign permit is not required for Signs:

- i. *Authorized Signs.* Those Signs described in Section 3 – Authorized Signs with a total area not to exceed sixteen (16) square feet and a maximum height of eight (8) feet tall;
- ii. *Official Notices.* 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 no more than ten (10) days after their purpose has been accomplished;

F. **Appeals.** All decision and interpretations of the Code Officer under this Code shall be considered final administrative actions for the purpose of appeals set forth in the Tontitown Municipal Code at § 153.263.

Section 5 - Sign Regulations by District

A. The following Signs shall be permitted to the zoning districts as indicated below. Specific requirements for each Sign are shown on the following pages. All of the following Sign types require a Sign permit.

	A	R-E	R-1	R-2	R-3	R-3L	R-MF	R-MH	C-I	C-2	I
Awning	--	--	--	--	--	--	--	--	A	A	A
Canopy	--	--	--	--	--	--	--	--	A	A	A
Crown	--	--	--	--	--	--	--	--	A	A	A
Digital	--	--	--	--	--	--	--	--	--	A*	--
Double Post	--	--	--	--	--	--	--	--	A	A	A
Monument	--	C	C	C	C	C	C	C	A	A	A
Projecting	--	--	--	--	--	--	--	--	A	A	A
Pylon	--	--	--	--	--	--	--	--	--	A*	A*
Sandwich Board	--	--	--	--	--	--	--	--	A	A	A
Shingle	--	--	--	--	--	--	--	--	A	A	A
Subdivision	A	A	A	A	A	A	A	A	A	A	A
Wall	--	--	--	--	--	--	A	--	A	A	A
Window	--	--	--	--	--	--	A	--	A	A	A

-- = Not Allowed

A = Allowed

A* = Allowed with Restrictions

C = Allowed through a Conditional Use Permit issued by the Planning Commission.

B. Any Sign type that is not listed above shall be prohibited.

C. The following regulations for each Sign type shall apply to any permitted use in a Zoning Districts.

i. *Awning Sign.*



Photo Credit: Juliet Richey



Description	Sign Dimensions
A Sign where graphics or symbols are painted, sewn or otherwise adhered to the awning fabric or material that is soft or flexible as an integrated part of the awning itself.	<ul style="list-style-type: none"> Width (max) – no greater than 75% of the width or depth of the awning. Area (max) – 9 SF
Regulations	Number of Signs
<ul style="list-style-type: none"> Shall not extend beyond the awning itself. Only awnings over ground story windows may contain a Sign. 	In a single tenant situation, 1 Awning Sign permitted per awning. The Awning Sign can be placed on either the front or side valance. For multi-tenant awning Signs, and a canopy that extends the length of several tenants, each tenant may have a maximum of 9 SF on the Awning Sign.

Total Sign Area Allocation:

The combined square footage of Awning, Canopy, Crown, Projection and Wall Signs shall not exceed 20% of the total square footage of the wall area of that side of the building, not to exceed a maximum total amount of 800 square feet.

	A-1	R-E	R-1	R-2	R-3	R-3L	R-MF	R-MH	C-I	C-2	I
Awning	--	--	--	--	--	--	--	--	A	A	A

ii. *Canopy Sign.*



Photo Credit: wikimedia.org

Description	Sign Dimensions
Any Sign that is mounted, painted, or otherwise applied on or attached to an architectural canopy or structural protective cover over an outdoor area.	<ul style="list-style-type: none"> • Width – no greater than 75% of the width or depth of the canopy • Height of text or graphics on the canopy – 2' • Area (max) – 9 SF • Sidewalk clearance (min) – 10'
Regulations	Number of Signs

- | | |
|---|---|
| <ul style="list-style-type: none"> • The Canopy Sign shall not extend beyond the length or the width of the canopy, but it may extend either above or below the canopy. • Only awnings over ground story windows may contain a Sign. • No Signs shall be permitted on fuel or gas station canopies unless the canopy is affixed to the building. | <p>1 Canopy Sign permitted per each customer entrance. The Canopy Sign can be placed on either the front or side valance.</p> |
|---|---|

Total Sign Area Allocation:

The combined square footage of Awning, Canopy, Crown, Projection and Wall Signs shall not exceed 20% of the total square footage of the wall area of that side of the building, not to exceed a maximum total amount of 800 SF.

	A-1	R-E	R-1	R-2	R-3	R-3L	R-MF	R-MH	C-I	C-2	I
Canopy	--	--	--	--	--	--	--	--	A	A	A

iii. *Crown Sign.*



Photo Credit: Juliet Richey

Description	Sign Dimensions
<p>A Wall Sign extending not more than 3 feet from the building façade located on the upper horizontal band of a building at least 2 stories in height</p>	<ul style="list-style-type: none"> • Sign Area – 250 SF • Height – 8' • Projection from facade – 3' • Width – no greater than 75% of the width or depth of the façade
Regulations	Number of Signs
<ul style="list-style-type: none"> • Only permitted on buildings at least 2 stories in height. • Cannot be placed below the start of the highest floor and cannot extend above the roofline. • Cannot cover architectural detail or windows. 	<ul style="list-style-type: none"> • No more than one crown sign per building facade and no more than 2 crown signs per building are allowed. • No more than one tenant can be identified on the Sign.

Total Sign Area Allocation:

The combined square footage of Awning, Canopy, Crown, Projection and Wall Signs shall not exceed 20% of the total square footage of the wall area of that side of the building, not to exceed a maximum total amount of 800 SF.

	A-1	R-E	R-1	R-2	R-3	R-3L	R-MF	R-MH	C-I	C-2	I
Crown	--	--	--	--	--	--	--	--	--	A	A

iii. Digital Signs

Description	Sign Dimensions
<ul style="list-style-type: none"> An electronically displayed Sign that is static or changes messages by any electronic process or remote control. permanently affixed Sign which is wholly independent of a building for support. Must be part of a freestanding sign type (monument, pylon, or double post). A Digital sign shall only be used in conjunction with another non- digital signage type. 	<ul style="list-style-type: none"> The Digital Sign shall me no greater than 1/3 the size of the accompanying non-digital signage Sign Area (max) - ? Height (max) -?
Regulations	Number of Signs
<ul style="list-style-type: none"> Allowed only within 100 (one hundred) linear feet of the HWY 412 R.O.W. Must be set back at least 10 feet from the front lot line and 10 feet back from the side lot line. Must have highway frontage No sign message shall be displayed for a period of time less than eight seconds. No sign shall display animated messages, including flashing, blinking, fading, rolling, shading dissolving, or any other effect that gives the appearance of movement. No sign shall include any audio message. Transition from one message to another message shall appear instantaneous as perceived by the human eye. Each sign message shall be complete in itself and shall not continue on a subsequent sign message. Signs shall utilize automatic dimming technology to adjust the brightness of the sign relative to ambient light so that at no time shall a sign exceed a brightness level of three tenths (0.3) 	<ul style="list-style-type: none"> Only 1 Digital Sign is allowed per street frontage.

foot candles above ambient light, as measured using a foot candle (Lux) meter.

- All signs shall contain a default mechanism that will cause the sign to revert immediately to a black screen if the sign malfunctions.

	A-1	R-E	R-1	R-2	R-3	R-3L	R-MF	R-MH	C-1	C-2	I
Digital Signs	--	--	--	--	--	--	--	--	A*	A*	A*

iv. *Double Post Sign.*



Photo Credit: Juliet Richey

Description		Sign Dimensions									
A permanently affixed Sign which is wholly independent of a building for support where the primary support is supplied by two posts.		<ul style="list-style-type: none">• Sign Area (max) - 48 SF• Height (max) - 8'									
Regulations		Number of Signs									
Must be set back at least 5 feet from the front lot line and 5 feet back from the side lot line.		<ul style="list-style-type: none">• Only 1Double Post Sign (or Monument or Pylon Sign*) is allowed per street frontage.• Where more than one Monument Sign or Pylon Sign* is allowed on the same property, must be a minimum of 500 feet apart.									
	A-1	R-E	R-1	R-2	R-3	R-3L	R-MF	R-MH	C-I	C-2	I
Double Post	--	--	--	--	--	--	--	--	A	A	A

v. *Pylon Sign.*



Photo Credit: Juliet Richey

Description		Sign Dimensions
A Sign erected and maintained on a freestanding frame, mast or pole not attached to any building, and not including Signs mounted to the ground.		<ul style="list-style-type: none"> • Sign Area (max) - 48 SF • Height (max) - 8'
Regulations		Number of Signs
<ul style="list-style-type: none"> • Single Tenancy use only 		<ul style="list-style-type: none"> • Only 1 Pylon Sign* (or Double Post/Monument Sign) is allowed per street frontage. • Where more than one Monument Sign or Pylon Sign* is allowed on the same property, must be a minimum of 500 feet apart.

	A-1	R-E	R-1	R-2	R-3	R-3L	R-MF	R-MH	C-I	C-2	I
Pylon	--	--	--	--	--	--	--	--	--	A*	A*

vi. *Monument Sign.*



Photo Credit: Orderinchaos via Wikimedia Commons



Photo Credit: Sarah Warzecha, Cold Spring Granite, via Wikimedia Commons

Description		Sign Dimensions	
A free-standing and permanently affixed Sign that is supported by a solid base (other than poles) and such that no air space is visible within or between any portion of the sign display area and sign structure.		<ul style="list-style-type: none"> • Sign Area (max per Sign) <ul style="list-style-type: none"> • 1 tenant - 48 SF • 2 to 3 tenants - 64 SF • 4 to 5 tenants - 72 SF • 6 or more tenants - 96 SF • Height (max) - 8' 	
Regulations		Number of Signs	
<ul style="list-style-type: none"> • Must be set back at least 10 feet from the front lot line and 10 feet from the side lot line. • The size of the Monument Sign for applicants which include more than 6 tenants may be increased by conditional use permit approved by the Planning Commission. 		<ul style="list-style-type: none"> • Only one Monument, Double Post or Freestanding Sign is allowed per street frontage. • Where more than one Monument, Double Post or Freestanding Sign is allowed on the same property, must be a minimum of 500 feet apart. 	

	A-1	R-E	R-1	R-2	R-3	R-3L	R-MF	R-MH	C-I	C-2	I
Monument	--	C	C	C	C	C	C	C	A	A	A

vii. *Projecting Sign.*



Photo Credit: Mike Mozart, Jeepers Media



Photo Credit: Elliott Brown, Wikimedia Commons

Description	Sign Dimensions
<p>A Sign, other than a wall sign, that is mounted to the wall or surface of a building or structure and which is supported by a wall of a building or structure and projects from the building by twelve (12) inches or more.</p>	<ul style="list-style-type: none"> • Height (max): 4' (mounted below 2nd floor); 8' (mounted between 2nd and 3rd floor); 12' (mounted above the 3rd floor) • Spacing from building façade (max) - 1' • Projection width (max) - 6' • Depth (max) - 1' • Clear height above sidewalk (min) - 10'
Regulations	Number of Signs
<ul style="list-style-type: none"> • May be mounted on a building corner when the building is at the intersection of two streets • Top of the Sign may be no higher than the top of the building. 	<p>A Maximum of one Projecting Sign or Shingle Sign for each individual building or for each public/private street or parking area frontage side of an individual building.</p>

Total Sign Area Allocation:

The combined square footage of Awning, Canopy, Crown, Projection and Wall Signs shall not exceed 20% of the total square footage of the wall area of that side of the building, not to exceed a maximum total amount of 800 SF.

	A-1	R-E	R-1	R-2	R-3	R-3L	R-MF	R-MH	C-I	C-2	I
Projecting	--	--	--	--	--	--	--	--	A	A	A

viii. *Sandwich Board Sign.*



Photo Credit: Juliet Richey

Description		Sign Dimensions
A moveable Sign not secured or attached to the ground or surface upon which it is located.		<ul style="list-style-type: none"> • Sign Area (max) - 9 SF • Sign height (max) - 3' • Sign width (max) - 2.5
Regulations		Number of Signs
<ul style="list-style-type: none"> • Must be removed and placed indoors at the close of business each day. • Cannot obstruct vehicular, bicycle or pedestrian traffic and must comply with ADA clearance and accessibility. • May not be illuminated. 		Each ground floor tenant can have one (1) Sidewalk Sign located adjacent to the primary façade on the sidewalk with the principal customer entrance or up to 8 feet from the façade.

	A-1	R-E	R-1	R-2	R-3	R-3L	R-MF	R-MH	C-I	C-2	I
Sandwich Board	--	--	--	--	--	--	--	--	A	A	A

ix. *Shingle Sign.*



Photo Credit: Juliet Richey

Description	Sign Dimensions
<p>A small Projecting Sign that hangs from a bracket or support and is located over or near a building entrance.</p>	<ul style="list-style-type: none"> • Sign Area (max) - 9 square feet • Height (max) - 3' • Spacing from building façade (max) - 1' • Projection width (max) - 3' • Depth (max) - 6" • Clear height above sidewalk (min) - 10'
Regulations	Number of Signs
<ul style="list-style-type: none"> • Must be located within 5 feet of an accessible building entrance. • Must be located below the window sill of the second story on a multi-story building or below the roof line of a single story building. • May not be illuminated. 	<p>A Maximum of one Projecting Sign or Shingle Sign for each individual building or tenant of each individual building or for each public/private street or parking area frontage side of an individual building.</p>

	A-1	R-E	R-1	R-2	R-3	R-3L	R-MF	R-MH	C-I	C-2	I
Shingle	--	--	--	--	--	--	--	--	A	A	A

x. *Subdivision Sign.*



Photo credit: Juliet Richey



Photo Credit: Rogers Healy and Associates

Description	Sign Dimensions
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A permanently affixed Sign which is wholly independent of a building for support attached along its entire width to a continuous pedestal or wall that is used to identify the entry to or name of an entire development.

- Sign Area (max) - 32 SF (sign face)
- Height (max) - 8' (sign face)

Regulations	Number of Signs
-------------	-----------------

- Must be set back at least 10 feet from the front property line and 15 feet from the side property line.
- Must not impair vision or line of sight for incoming or outgoing traffic.

Two subdivision Signs are allowed per street frontage, one on each side of an entrance street into a residential subdivision.

	A-1	R-E	R-1	R-2	R-3	R-3L	R-MF	R-MH	C-I	C-2	I
Subdivision	A	A	A	A	A	A	A	A	A	A	A

xi. *Wall Sign.*



Photo Credit: Mike Mozart, Jeepers Media



Photo Credit: Max Pixel

Description	Sign Dimensions
Means any attached Sign other than a Projecting Sign or a Banner Sign, which is permanently attached to or painted on any wall of any building and projects from the plane of the wall less than twelve (12) inches.	<ul style="list-style-type: none"> Sign Area - 1 SF area per linear foot of the building frontage or 32 SF if the building is less than 32 feet wide.
Regulations	Number of Signs
<ul style="list-style-type: none"> Must be no higher than 18 feet above the sidewalk Must not extend above the roof line or above a parapet wall of a building with a flat roof. May not cover architectural detail. May not extend above the lower eave line of a building with a pitched roof. 	One Wall Sign per individual building or building tenant for each public/private street or parking area frontage side of the building. In no event shall the Sign Area for available frontage used by multiple tenants exceed the Sign Area set forth above.

Total Sign Area Allocation:

The combined square footage of Awning, Canopy, Crown, Projection and Wall Signs shall not exceed 20% of the total square footage of the wall area of that side of the building, not to exceed a maximum total amount of 800 square feet.

	A-1	R-E	R-1	R-2	R-3	R-3L	R-MF	R-MH	C-I	C-2	I
Wall	--	--	--	--	--	--	--	A	A	A	A

xii. Window Sign.



Photo credit: Juliet Rich

Description	Sign Dimensions
-------------	-----------------

- | | |
|---|---|
| An attached Sign that is not a Temporary Sign and which is attached to, painted on, etched or otherwise adhered to a window or which is displayed within twelve (12) inches of the window and is legible from outside the window. | <ul style="list-style-type: none"> • N/A |
|---|---|

Regulations	Number of Signs
-------------	-----------------

- | | |
|---|-----------------|
| <ul style="list-style-type: none"> • No Permit Required. • Limited to 35% of window area. | No restrictions |
|---|-----------------|

	A-1	R-E	R-1	R-2	R-3	R-3L	R-MF	R-MH	C-I	C-2	I
Window	--	--	--	--	--	--	--	A	A	A	A

B. Regulations for Overlay Districts.

Sign regulations enacted for Overlay Districts within the City shall supersede this Code to the extent that such regulations conflict.

C. Illumination.

No Sign shall be erected or maintained which, by use of lights or illumination, creates a distracting or hazardous condition to a motorist, pedestrian or the general public. In addition:

- i. Illumination is restricted to incandescent or LED light bulbs rated at one hundred and fifty (150) watts, or an amount not to exceed two thousand seven hundred (2,700) lumens.
- ii. Internal Illumination – Internally illuminated Signs must be lit from a concealed source. No exposed lamps or tubes shall be permitted. The minimum depth for illuminated signs shall be four (4) inches. Illuminated signs may be set out from the mounting surface in order to create a silhouette effect.
- iii. External Illumination – Signs may be externally illuminated as provided herein, but external illuminated must direct light at the Sign only and avoid spill-over of light.

D. Changeable Copy Signs. Manual and electronic changeable copy on Monument Signs shall be permitted provided that the manual or changeable copy does not exceed 40% of the Sign Area and the copy rotation may not exceed three (3) times per day.

E. Procedures.

Applications for a Sign permit must be processed through the Building Official.

F. Nonconformity and Modification.

A nonconforming Sign cannot be replaced by another nonconforming sign, including face material, except that the substitution or interchange of poster panels or painted boards on a nonconforming Signs is permitted. All nonconforming Signs must be maintained in a safe manner and in good repair.

Minor repairs and maintenance of nonconforming signs is permitted. However, no structural repairs, structural changes or changes in the size, shape or technology currently being used on the sign is permitted except to bring the sign out of its nonconforming condition and into compliance with the requirements of this code.

Nonconforming signs may stay in place until one of the following conditions occurs:

- i. The business advertised ceases at that location, except that the substitution or interchange of poster panels or painted boards is permitted;

- ii. The deterioration of the sign makes it a hazard; or
- iii. The sign has damage exceeding 50% of its replacement cost

For the purpose of amortization, nonconforming Signs may be continued from the effective date of these regulations for a period not to exceed ten (10) years unless under a previous regulation the Signs were to be amortized and in that case the amortization period must be as previously required or ten years whichever is less.

Signs which were nonconforming to the prior Ordinance and which do not conform to this Code must be removed immediately.

G. Compliance.

Any Sign which is altered, relocated, replaced or must be brought immediately into compliance with all provisions of this Code.

Section 6 - Generally

A. Severability Clause.

Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

B. Substitution Clause.

These regulations are not intended to regulate the message or content of non- commercial signs or temporary signs. A sign with a non-commercial message may substitute a sign with a commercial message, provided it meets all requirements of this code.