

ORDINANCE NO. 95-O-446.AA

AN ORDINANCE AMENDING ORDINANCE NO. 89-O-446 (LAND DEVELOPMENT CODE), SECTIONS 88 SIGN REGULATIONS AND OF THE CITY OF BROOKINGS.

Sections:

Section 1. Ordinance Identified
Section 2. Amendment to Section 88

The city of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends Ordinance No. 89-O-446, enacted April 10, 1989, entitled, "An ordinance adopting the Land Development Code and zoning map of the City of Brookings, repealing certain prior ordinances.

Section 2. Amendment to Section 88. Ordinance No. 89-O-446, is hereby amended to read as follows:

Sections:

Amend to insert:

88.020 Definitions

Renumber 88.020 through 88.120 to read 88.030 through 88.130.

Amend 88.100 to read:

88.100 Commercial (C-2, C-3, C-4) and industrial (I-P, M-2) districts.

88.020 Definitions

88.020 Definitions. The following definitions apply to material and subjects addressed specifically within Section 88, **Sign Regulations.**

ALTER - Any changes excluding content, and including but not limited to size, shape, method of illumination, position, location, materials, construction, or supporting structure of a sign.

AWNING - A temporary or movable shelter supported entirely from the exterior wall of a building and composed of non-rigid materials except for the supporting framework.

BUSINESS - A commercial or industrial enterprise.

BUSINESS FRONTAGE - A lineal front footage of a building or portion thereof devoted to a specific business or enterprise, and having an entrance/exit open to the general public.

CANOPY - A non-movable roof-like structure attached to a building.

CONTINUOUS STRING DEVICES - A series of flags, banners, pennants, or other devices designed to move in the wind, that are attached along a string, wire or cable.

FACADE - See Business Frontage.

FREE STANDING SIGN - a sign erected on a frame, mast or pole and not attached to any building.

ILLEGAL SIGN - A sign which is erected in violation of the Brookings Land Development Code, Section 88.

LETTER BOARD - See **READER BOARD**.

MARQUEE - A non-movable roof-like structure which is self-draining.

NON-CONFORMING SIGN - All signs existing on the effective date of this code and not conforming with the provisions of Section 88.

READER BOARD - A sign with a changeable message by either electronic or manual means.

SIGN - Any notice or advertisement, pictorial or otherwise, including the supporting structure, used as an outdoor display for the purpose of advertising the property or the establishment or enterprise, goods and services.

SIGN, PUBLIC - A sign erected by a public officer or employee in the performance of a public duty which shall include, but not be limited to, motorist, informational signs and warning lights. Signs on public buildings and or giving direction to public facilities.

STREET FRONTAGE - The lineal dimension in feet that the property upon which a structure is built abuts a public street or streets.

WALL GRAPHICS - Include but not limited to any mosaic, mural or painting or graphic art technique or combination or grouping of mosaics, murals, or paintings or graphic art techniques, applied, implanted or placed directly onto a wall or fence.

WIND SIGN OR DEVICE - Any sign or device in the nature of banners, flags balloons, or other object fastened in such a manner as to move upon being subject to pressure by wind or breeze.

88.020 thru 88.120

Changed to read 88.030 thru 88.130

88.040 **Exempt signs**

- J. Public signs, except signs on public buildings which are permitted pursuant to Section 88.070.

88.050 **Signs expressly prohibited**

- A. Sandwich board or "A" frame except as provided in Section 88.100.B.4, banners, flags and pennants except as provided in Section 88.100.B.5, portable signs of any nature, continuous string devices, and paper signs except as may be provided in section 88.040.

- D. Reword to read:

Vehicle signs, except for standard advertising identification markings which are permanently or magnetically attached to, or printed on a business or commercial vehicle.

88.100 Commercial (C-2, C-3, C-4, C-5) and industrial (M-1, M-2) districts

Change to read: 88.100 Commercial (C-2, C-3, C-4,) and industrial (I-P, M-2) districts

88.100.B

- 2. Placed freestanding, provided that only one (1) such sign shall be permitted for each business on the premises, not exceeding 30 feet in height and limited to 75 square feet in total area, plus one (1) square foot of additional sign for each lineal foot of business street frontage exceeding 75 feet, to a maximum sign allowed of 200 square feet.**

- 4. In the C-3 and C-4 zones, a sandwich board sign may be allowed pursuant to review and approval of the Site Plan Committee as established by Section 80 of this code and provided the following conditions are met:**
 - a. The business frontage is set back at least three feet from the front facade of the building so as to be less visible from the sidewalk, or**

 - b. The entrance to the business is located on the side or rear of the building and not on a street or through walkway.**

 - c. Other circumstances that are deemed appropriate by the Site Plan Committee.**

- d. Only one (1) such sign shall be permitted for each building and shall not exceed two (2) feet in width and four (4) feet in height. Each sign must be professional looking and must be kept clean and in good repair. Each sign must be sufficiently weighted at the bottom to prevent toppling by wind. No sign as provided in this section shall project more than two (2) feet from the front facade of the business. Signs shall be displayed only at such times as the business they are intended to identify is open for business. Signs are limited to displaying the business name/logo, "open" and description of the business type.

(1) Each business requesting a sign pursuant to this section shall submit an application to the City which shall include:

(i) A drawing of the proposed sign including dimensions.

(ii) A description of the materials and colors used for construction of the sign.

(iii) A drawing of the placement of the proposed sign at the business location.

5. Decorative banners and flags, excluding local state or national flags, may be displayed only at such times as the business they are intended to identify is open for business. Banners and flags shall not be displayed if torn, faded, or frayed.

88.110 Nonconforming signs

Amended to read:

Nonconforming signs. All signs existing on the effective date of this code and not conforming with the provisions of this section are hereby deemed nonconforming signs except as provided in Section 88.040.

- A. No nonconforming sign, except as provided in Section 88.110.B, shall be changed, expanded or altered in any manner which would increase the degree of its nonconformity, or be structurally altered to prolong its useful life, or be moved in whole or in part to any other location where it would remain nonconforming.**

- B. All nonconforming off-premise signs existing on the effective date of this code may remain in use under the following conditions:**
 - 1. Until the business for which it advertises has been abandoned in accordance with Section 88.120 below.**

 - 2. The sign remains in good operating condition.**

 - 3. The sign may be included in a change in the nature of the business within the premise for which it advertises provided that if the change in the nature of the business takes more than 90 days, the city is notified and provided with the expected date of occupancy of the new business.**

4. The sign may be repaired and altered to reflect changes in the business for which it advertises except that the repairs and/or alterations shall not increase the size or degree of nonconformity.
5. The sign is not currently, or likely to become, a hazard to traffic, pedestrians or property.
6. The sign cannot be moved to another location where it will remain in a nonconforming status.

B. Termination of nonconforming signs

Renumber to C.

First Reading: JUNE 12, 1995
Second Reading: JUNE 12, 1995
Passage: JUNE 12, 1995
Effective Date: JULY 11, 1995
Signed by me in authentication of its passage this 19TH day
of JUNE, 1995.



Tom Davis
Mayor

ATTEST:



Beverly S. Shields
Finance Director/Recorder