

SECTION 39 – SIGNS

39.1 INTENT

39.1.1 The intent of this section is to regulate signs as defined hereinafter, to protect the safety of users of the streets and highways, to assure compatibility with uses associated with signs, and to avoid adverse effects on adjacent property values and living conditions.

This section shall include, as part of its provisions, those portions of existing codes and laws relating to the erection and maintenance of signs and outdoor advertising structures which are not in conflict with these regulations. These regulations are in compliance with the Nebraska Revised Statute §39-1320 (Reissue 1995).

39.2 GENERAL REGULATIONS

39.2.1 All signs and sign structures shall be kept in good repair in a proper state of presentation. Signs which are abandoned and in a state of disrepair for a continuous period of six (6) months shall be removed within thirty (30) days after notice by registered mail. It shall be the responsibility of the property owner to remove or cause to be removed all business signs within three (3) months from the time the premises are vacated.

39.2.2 No sign or sign structure shall be erected at any location where it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device, where it is a hazard to traffic, or signs that create a safety hazard by obstructing the clear view of pedestrians or vehicles or which obscure official signs or signals.

39.2.3 Only one side of a sign structure shall be considered in computing the total allowable sign surface area except in the case of "V" type signs where the interior angle is more than 45 degrees, both sides shall be considered in computing the total allowable sign surface area. Advertising signs shall comply with building setback requirements in their respective Zoning Districts.

39.2.4 Sign structures shall not project beyond the height requirements of the subject Districts except that where the grade of the premises upon which such sign structure is erected is below the average grade level of the street or road to which such sign may be oriented, the height shall be measured from such average grade of such street or highway to the highest point of the sign structure.

39.2.5 Vision-clearance area. No sign may project into or be placed within the Sight Triangle as defined in Section 44, Definitions.

39.3 SIGNS ALONG HIGHWAYS

39.3.1 Signs along highways shall meet all of the requirements of the zoning districts in which they are located.

39.3.2 Along all roads which are part of the National System of Interstate and Defense Highways and all Federal Aid Primary Roads in the State of Nebraska, the Rules and Regulation of the Nebraska State Department of Roads will apply and are incorporated by this reference into the zoning regulations of the County.

39.4 PERMITS

- 39.4.1 A permit shall be required for the erection, relocation or alteration of a sign.
- 39.4.2 A building permit fee shall accompany each application for a permit. The permit shall be obtained by the individual or firm erecting the sign.
- 39.4.3 After issuance of a permit for erection of a sign with removable panels or letters for advertising programs at a theater, no new permit shall be required for rearrangement of the approved panel or letters to indicate changes in programming.
- 39.4.4 All permits will expire by limitation at the end of one year from date of issuance, if not used, except that renewals by the Director of Planning may be granted without additional fee for one (1) additional year.
- 39.4.5 Exempt signs. The following signs are permitted in any zoning district and are exempt from other provisions of this section:
- (A) Signs for religious assembly or school uses, provided that they have a maximum sign area of 32 square feet and are not located in a required sign setback. Religious assembly uses, secondary schools and high schools may apply for a special use permit for additional sign area.
 - (B) Real estate signs for sale, rental or lease of property on which the sign is located provided the signs are no more than 10 square feet in area.
 - (C) Official signs authorized by a government or governmental subdivision which give traffic, directional or warning information.
 - (D) Public Flags and religious symbols are not considered signs and are exempt provided they meet the required sign setback of the district.
 - (E) Seasonal decorations for display on private or public property.
 - (F) Temporary signs for grand openings or special events, after first obtaining a sign permit for a temporary sign. The duration of the temporary sign must be included in the sign permit application and the proposed sign shall not obstruct the view of traffic or create a hazard or be placed on public right-of-way.
 - (G) Residential contractor signs during course of construction provided the sign is not more than 10 square feet in area.
 - (H) Works of graphic art painted or applied to building walls which contain no advertising or business identification messages.
 - (I) Residential signs, including home occupations, not more than two square feet in size and setback a minimum of 10 feet from the lot line or street right-of-way line.
 - (J) Street numbers. Street addresses shall be clearly visible from the right-of-way in order to allow emergency vehicles the opportunity to easily see the addresses.
 - (K) Signs which are not visible from a public right-of-way, private way or court or from a property other than that on which the sign is installed.
 - (L) Directional or informative signs provided they are part of an approved sign permit application.

(M) Temporary civic and non-profit organization signs on the premises (40 day limit) having a maximum of 10' height and minimum of 15' setback from lot line or street right-of-way line.

(N) Signs pertaining to produce grown on premises having a maximum of 25 square foot in area and minimum setback of 10' from the lot line or street right-of-way line.

39.5 **SIGNS IN THE PUBLIC RIGHT-OF-WAY**

No signs shall be allowed in the public right-of-way, except for the following:

39.5.1 Permanent Signs. Appropriate permanent signs, including:

- (A) Public signs erected by or on behalf of a governmental body including, but not limited to, those to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic;
- (B) Bus stop signs erected by a public transit company;
- (C) Informational signs of a public utility company regarding its poles, lines, pipes, or facilities.

39.5.2 Subdivision or Center Identification Signs. Subdivision or Center identification signs may be erected in the right-of-way by the County, a Sanitary and Improvement District, or a Homeowners Association subject to the following conditions:

- (A) The sign shall not exceed maximum limitations as specified in Sections 39.7, 39.8, 39.9 and 39.10.
- (B) Regardless of the height and size restrictions, no sign may be erected which creates a visual obstruction for vehicular traffic.
- (C) The sign shall only be a "monument sign" as defined in this ordinance.
- (D) In the event such sign abuts a residential lot, approval of the abutting property owner shall be required.
- (E) All such signs shall be approved by the Planning Director and County Engineer prior to installation. A Sign Permit shall also be required.
- (F) If, after installation, it is determined by the County Engineer that the sign creates a hazard to vehicular or pedestrian traffic it may be removed by the Public Works Department.

39.5.3 Emergency Signs. Emergency warning signs erected by a governmental body, a public utility company, or a contractor authorized to do permitted work within the public right-of-way.

39.6 **PROHIBITED SIGNS**

39.6.1 A sign which will in any manner obscure or otherwise physically interfere with the effectiveness of an official traffic sign, signal, or device, or obstruct or physically interfere with a driver's view of approaching, merging, or intersecting traffic.

- 39.6.2 A sign which contains or is an imitation of an official traffic sign or signal, or contains the words "stop," "go slow," "caution," "danger," "warning," or similar words.
- 39.6.3 A sign which is of a size, location, movement, content, coloring, or manner of illustration which may be confused with or construed as a traffic control device or which hides from view any traffic or street sign, or signal.
- 39.6.4 A sign which contains or consists of banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners, or other similarly- moving devices.
- 39.6.5 A sign which contains, includes, or is illuminated by any intermittent, revolving, rotating, or moving light or lights or moves, or has any animated or moving parts, with the exception of lighted, animated, or moving parts providing public service information such as time, date, temperature, weather, or similar information.
- 39.6.6 A sign which is not maintained in a neat, clean, and attractive condition and in good repair.
- 39.6.7 Any sign having a beacon light, or blinking, flashing, or fluttering lights or other illuminating device which has a changing light intensity, brightness or color.
- 39.6.8 Any lighted sign which is not so erected or maintained to effectively shield and prevent beams or rays of light from being directed at any portion of the traveled way or primary highway.
- 39.6.9 A sign which is of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle or to otherwise interfere with any driver's operation of a motor vehicle.
- 39.6.10 Any billboard sign less than 660 feet from the nearest edge of the right-of-way of any road or highway which is a part of Federal-aid systems, as defined by Section 103 of Title 23 of the United States Code.
- 39.6.11 No billboard signs shall be permitted in Flood Plain and Planned Development Districts, other than the signs allowed under the Zoning District to which these districts are appended.
- 39.6.12 Signs painted on or attached to rocks, trees or other natural objects.
- 39.6.13 Signs on public property or public right-of-way, unless specifically authorized by Section 39.5 of this regulation.

39.7 AGRICULTURAL DISTRICT AND AIRPORT DISTRICT SIGNS

The following signs are permitted in the Agricultural and Airport Districts and all other signs are expressly prohibited:

		MAXIMUM SIZE	MAXIMUM NUMBER	LOCATION	PERMIT REQUIRED
39.7.1	Signs pertaining to other permitted uses and legally non-conforming uses on premises	8 sq. ft.	1 per each street frontage	10' Back of lot line or street right-of-way line	Yes
39.7.2	Signs pertaining to uses authorized by the County Board of Commissioners as special permitted uses	15 sq. ft.	1 per each street frontage	10' Back of lot line or street right-of-way line	Yes
39.7.3	Billboard sign structures	600 square feet	-----	10' From Back of Lot Line or street right-of-way line Min of 10 feet or ½ height of sign from back of lot line or street right-of-way Not to exceed 30 feet height above grade 500 feet from existing residence or residential district	Yes

39.8 RESIDENTIAL DISTRICT SIGNS

The following signs are permitted in the Residential Districts and all other signs are expressly prohibited:

		MAXIMUM SIZE	MAXIMUM NUMBER	LOCATION	PERMIT REQUIRED
39.8.1	All signs in 39.6.1 to 39.6.3 as permitted therein	-----	-----		
39.8.2	Subdivision Signs offering lots within the subdivision for sale within an approved subdivision on the premises	200 sq. ft. Maximum area 15 feet maximum height above grade	1 per each street frontage of the subdivision or development	15 feet back of lot line or street right-of-way line	Yes
39.8.3	Subdivision Identification Signs	60 sq. ft. area 10 ft. maximum height above grade	1 per entrance	15 ft. setback from lot line or street right-of-way line	Yes

39.9 BUSINESS DISTRICT SIGNS

The following signs are permitted in business zones and other signs are expressly prohibited.

		MAXIMUM SIZE	MAXIMUM NUMBER	LOCATION	PERMIT REQUIRED
39.9.1	Any sign advertising the use of the land and building upon which displayed, for the sale of goods or services on the same premises, or the name or location of the proprietor	500 square feet maximum of all detached signs on a lot not to exceed 20 feet above grade ** (see below)	1 detached sign per lot or 1 per 1000 feet' of frontage. Area of wall signs to not exceed 25% of front of building facade area.	Min 10 feet back of lot line or street right- of-way line	Yes
39.9.2	Temporary identifying signs for a building project on the lot for which a building permit has been issued and in effect	24 sq. ft.	1 per each frontage	10' Back of lot line or street right-of-way line	Yes
39.9.3	Center Identification Signs A sign erected to provide direction to a development including multiple uses and / or structures within a Business or Industrial Development area. Center Identification signs shall include the name of said development and may include, when permitted, the names of major tenants of the development. Center Identification Signs shall typically be similar to Ground (Monument) signs.	150 sq. ft. Maximum Height 20 feet above grade	1 per 1000 feet of frontage	10 foot Back of lot line or street right-of- way line	Yes

** For signs that are placed within 660 feet of an Interstate Right-of-Way, and the grade of the sign location is below the grade of nearest part of the Interstate (excluding on and off ramps), a maximum height limit of 20 feet above the grade of nearest part of the Interstate (excluding on and off ramps) shall be allowed. However, under no circumstances shall any sign exceed 80 feet in height.

39.10 INDUSTRIAL AND MANUFACTURING DISTRICT SIGNS

		MAXIMUM SIZE	MAXIMUM NUMBER	LOCATION	PERMIT REQUIRED
39.10.1	Any sign advertising the use of the land and building upon which displayed, for the sale of goods or services on the same premises, or the name or location of the proprietor	** (see below) *** (see below)	1 detached sign per frontage Area of wall signs to not exceed 25% of front of building façade area.	Zero setback from property line so long as the structure does not fall within the sight distance triangle (Definitions Section 44)	Yes
39.10.2	Center Identification Signs A sign erected to provide direction to a development including multiple uses and / or structures within a Business or Industrial Development area. Center Identification signs shall include the name of said development and may include, when permitted, the names of major tenants of the development. Center Identification Signs shall typically be similar to Ground (Monument) signs.	200 sq. ft. Maximum of Height 20 feet above grade	1 per 1000 feet of frontage	Zero setback from property line so long as the structure does not fall within the sight distance triangle (Definitions Section 44)	Yes

** One square foot for each lineal foot of street frontage provided; in the case of a corner lot, 20% of the allowable sign surface area for one street frontage may be deducted there from and added to the other street frontage or, 40% of the area of the building facade of the principal building situated upon the premises or other elevation to which the sign is oriented, measured from grade level to 35 feet or the actual height of the building, whichever is lower, or 500 square feet in area, whichever is greater, 20 feet in height above natural grade, including foundation base and support.

*** For signs that are placed within 660 feet of an Interstate Right-of-Way, and the grade of the sign location is below the grade of nearest part of the Interstate (excluding on and off ramps), a maximum height limit of 20 feet above the grade of nearest part of the Interstate (excluding on and off ramps) shall be allowed. However, under no circumstances shall any sign exceed 80 feet in height.

39.11 NON-CONFORMING SIGNS

Any lawfully existing sign which is not in compliance with these regulations shall be subject to the following provisions:

- 39.11.1 Repairs and Alterations. No structural alterations shall be made to such sign except those required by law, or except to make the sign conform to the regulations of this Section 39. Routine or ordinary maintenance, repair, or alterations may be made, however.
- 39.11.2 Destruction or Damage of a Non-Conforming Sign. If any non-conforming sign is damaged exceeding two-thirds (2/3) of its replacement value, it shall not be rebuilt; provided, however, that nothing herein contained shall prevent maintenance, repainting, or posting of non-conforming signs.
- 39.11.3 Non-Conforming Signs May Be Changed. A non-conforming sign may be changed to a sign conforming to the provisions of this Section 39. A non-conforming sign shall not be changed to any other non-conforming sign.
- 39.11.4 Discontinuance. A lawful sign existing at the time of the passage of these regulations, although such does not conform to the provisions hereof, may be continued, but if the sign surface of a non-conforming sign is removed for a period of twelve months or if the business being advertised is closed for a period of more than twelve months, any further use of said sign shall be in conformity with the provisions of these regulations.