

## **12 SIGNS**

### **12.1 SCOPE AND APPLICABILITY**

All signs and other advertising devices and structures shall be permitted in the Village only in accordance with the applicable provisions of the Sign Ordinance of the Village of Innsbrook.

### **12.2 PURPOSE**

The following regulations relating to signs are established to:

- Provide for maximum safety of motorists using the streets and pedestrians along public ways.
- Provide necessary identification with reasonable, orderly and effective display of signs and outdoor advertising to avoid the “canceling out” effect of conflicting adjacent signs and to conserve property values.
- To maintain and enhance the visual environment, and to preserve the right of citizens to enjoy Innsbrook’s scenic beauty.
- Further support the general purpose and intent of the Innsbrook Zoning Ordinance and Comprehensive Land Use Plan of the Village.
- Provide an administrative framework for controlling the establishment and maintenance of signs in the Village and for the enforcement of the standards and regulations established herein.

### **12.3 GENERAL PROVISIONS APPLICABLE TO ALL ZONES**

#### **12.3.1 SIGN REQUIREMENTS AND CONDITIONS**

##### **12.3.1.1 OBSTRUCTION**

No sign shall be erected or maintained at any location whereby reason of its position, wording, illumination, size, shape, or color it may obstruct, impair, obscure, interfere with the view of, or be confused with, any authorized traffic control sign, signal, or device.

##### **12.3.1.2 WORDING**

No sign shall use any word, phrase, symbol, shape, form, or character in such manner as to interfere with moving traffic.

##### **12.3.1.3 ILLUMINATION**

No illuminated or indirectly illuminated sign shall be permitted within fifty (50) feet of property in any residential zone unless the illumination of the sign is so designed that it does not shine light directly onto any adjacent property or onto any street.

#### **12.3.1.4 HEIGHT**

No part of any sign attached to a building shall be erected to a height greater than that permitted for such building. Freestanding signs shall not exceed eight (8) feet in height, unless modified by other sections of this Ordinance.

#### **12.3.1.5 GROUND SIGN MAINTENANCE**

The owner, lessee, or manager of a ground sign, and the owner of the land on which the same is located, shall keep grass or weeds and other growth cut and debris and rubbish cleaned up and removed from the lot on which the sign is located.

#### **12.3.1.6 OFF-PREMISE SIGNS**

Off-premise signs which may be, or may hereafter become rotted, unsafe, unsightly, or abandoned shall be repaired or removed by the licensee or owner of the sign, or upon notice of the Zoning Officer.

#### **12.3.1.7 RIGHT-OF-WAY CLEARANCE**

No part of any sign shall extend into the public right-of-way, except those signs established by, or by order of any governmental agency

#### **12.3.1.8 SCREENING**

No single face sign or other sign where the exposed sign structure would be generally within public view will be permitted unless appropriate screening or a decorative cover is provided.

#### **12.3.1.9 ACTIVE SIGNS**

Unless specifically permitted elsewhere in this Ordinance no sign is permitted which includes flashing lights, moving parts, or noise emissions.

#### **12.3.1.10 PROJECTING SIGNS**

The bottom edge of a projecting sign shall be a minimum of 7.5 feet above the ground. Projecting signs shall be fixed in place and not swing or move in any way, be pinned away from the wall by six (6) inches, extend from the wall at a 90 degree angle, and extend no more than one (1) foot into the public right-of-way.

#### **12.3.1.11 SIGN ATTACHMENT**

No sign shall be affixed directly to a tree, utility pole, light pole, traffic control device, barn, shed, or roof of a building or structure. No sign over two (2) square feet may be

suspended by chains, ropes, or other means that readily permit the sign to swing or move freely.

#### **12.3.1.12 SIGNS ON VEHICLES**

Any sign attached or painted onto an inoperable and unlicensed motor vehicle in view of the public right-of-way or any sign attached to a licensed vehicle which is maintained in full view of the right-of-way or on the property to which the sign thereon refers for a period of more than seven consecutive days.

#### **12.3.1.13 PORTABLE SIGNS**

No portable signs are permitted including, but not limited to, signs on trailers, A-frame or sandwich board signs unless permanently attached to the ground or firmly attached to a permanent structure so that they are not readily portable; paper or cardboard signs wrapped around or fastened to support poles or forms which are readily portable and not permanently attached to the ground or a building are also prohibited.

#### **12.3.1.14 SPECIAL ATTENTION DEVICES**

Unless permitted under other sections of this Sign Ordinance or unless granted under the Special Use Procedures of the Innsbrook Zoning Ordinance, special attention attracting devices including, but not limited to, banners, pennants, searchlights, balloons or other gas-filled figures, propellers, spinners, streamers, reflectors, strobe lights, flashing lights, strings of lights and similar devices serving for purposes of attracting attention, promotion or advertising are prohibited. This restriction includes special attention attracting devices placed on, in or behind store-front windows. For special occasions such as grand openings, special promotions or other similar special occasions not exceeding seven (7) days in duration and not occurring more than two (2) times annually for any one zoning lot, banners, pennants streamers and balloons, less two (2) feet in diameter, may be permitted on private property provided that they are not a detriment to the health and safety of the general public.

#### **12.3.1.15 SIGNS ON STRUCTURES**

No sign shall be painted directly on the wall or roof of a building or directly on a fence or other accessory structure or directly on any paved surfaces other than required traffic control information.

#### **12.3.1.16 SIGNS FACING RESIDENTIAL PROPERTY**

No sign shall be located at the rear of premises facing residential property.

#### **12.3.1.17 OBSOLETE SIGNS**

Obsolete business signs which advertises an activity, business, product or service no longer available on the premises where the sign is located and/or sign structures no longer in use are prohibited and must be removed within fourteen (14) days after written notification from the Zoning Administrator.

#### **12.3.1.18 NEON TUBING**

Neon tubing, outside of a Sign Area and independent of any information conveyed by a sign permitted under this Section, which is used as an architectural element or feature of a building or other structure is prohibited from being affixed directly or indirectly to any building or structure, except as a special use in a C-H zoning district.

#### **12.3.1.19 OFF-PREMISE SIGNS**

Off-premise advertising signs are prohibited unless modified by other sections of this Ordinance.

#### **12.3.1.20 SCENIC ROADSIDE SIGNS**

No signs shall be permitted in areas designated as Scenic Roadsides without approval from the Village Board of Trustees with recommendations from the Planning and Zoning Commission.

#### **12.3.2 EXEMPT SIGNS**

Signs are permitted for the following uses and purposes without a permit unless otherwise stated.

##### **12.3.2.1 PARKING AREA**

For each permitted or required parking area that has a capacity of more than five (5) cars, one (1) sign, not more than two (2) square feet in area, designating each entrance or exit; and one (1) sign, not more than nine (9) square feet in area, designating the conditions of use of the parking area.

##### **12.3.2.2 SIGNS IN RESIDENTIAL AREAS**

One (1) sign per zoning lot, not more than nine (9) square feet in area. Corner lots may have one (1) additional sign. Such signs shall be removed when they fall into a state of disrepair.

##### **12.3.2.3 GOVERNMENT APPROVED**

Signs established by, or by order of, any governmental agency.

#### **12.3.2.4 SUBDIVISION**

For each real estate subdivision that has been approved in accordance with the Innsbrook Subdivision Regulations, there may be one (1) sign located on some portion of the property being offered for sale. This sign shall not be more than three hundred (300) square feet in area. One (1) additional similar sign shall be permitted for each one hundred (100) lots in the subdivision. These signs shall comply with the yard required in the zone in which they are located. These signs shall be permitted only during the time some portion of the land offered for sale remains unsold and an active sales program is underway. Permits for such signs are required and shall be issued for a one (1) year period and may be renewed for additional one (1) year periods to allow time for reasonable display.

#### **12.3.2.5 WITHIN ENCLOSED BUILDING**

Signs within completely enclosed buildings and not visible from the outside of the building.

#### **12.3.2.6 HOUSE NUMBER/NAMEPLATES**

House numbers and name plates not exceeding two (2) square feet in area for each residential, business or industrial building. Such house number/name plates shall be clearly visible from the street serving the property at the point of entry into the property.

#### **12.3.2.7 MEMORIAL**

Memorial signs or tablets, names of buildings and date of erection, which are cut into masonry surface or inlaid so as to be part of a building or when constructed of bronze or other non-combustible material not more than four (4) square feet in area.

#### **12.3.2.8 TEMPORARY SHOW WINDOW**

When a sale of goods or services is being conducted by a business establishment, a non-illuminated sign shall be permitted on the interior surface of a glass show window. Such a sign shall be in addition to all other authorized signs, and shall not exceed fifty (50) square feet in size. No temporary show window sign shall be permitted to be affixed to the exterior of any window, wall or other exterior surface of the structure.

#### **12.3.2.9 PERMANENT WINDOW (NON-ILLUMINATED)**

A non-illuminated sign painted or lettered directly on a window shall be in addition to all other authorized signs, and shall not exceed twenty-five (25) percent of total glass area of the window or glass door on which it is located. Such sign shall not be construed to be a window promotional sign.

#### **12.3.2.10 VEHICULAR**

Vehicular signs on a truck, bus, trailer or other vehicle, while operating in the normal course of business, which is not primarily the display of signs.

#### **12.3.2.11 PERMANENT NEIGHBORHOOD**

Neighborhood identification signs in any zone including a sign, masonry wall, landscaping, or other similar material and feature.

#### **12.3.2.12 AWNING**

Awnings with signs consisting of one (1) line of copy upon the border of the awnings not exceeding six (6) square feet of copy area.

#### **12.3.2.13 TEMPORARY SEASONAL**

Temporary Seasonal signs may be permitted, not over twelve (12) square feet in area for a period of not more than sixty (60) days before and five (5) days after an event without obtaining a permit. No sign shall be located within fifteen (15) feet of the public right-of-way at a street intersection, nor over the right-of-way.

#### **12.3.2.14 BUILDING DETAILS**

Building details that are an integral part of the overall architectural design of a building or works of art that are not so located that their primary purpose is as a special attention attracting device.

### **12.4 PROVISIONS APPLICABLE TO RESIDENTIAL ZONES**

In the residential zones, signs shall be permitted as follows:

#### **12.4.1 EXEMPT**

Signs identified in Section 12.3.2 Exempt Signs that are proposed to exceed the standards specified in that Section must be processed as a Special Use or Variance under the provisions of the Innsbrook Zoning Ordinance.

#### **12.4.2 PRINCIPAL USE**

For any permitted principal use other than a residential use, one (1) sign, not to exceed twenty-four (24) square feet in area, is permitted. The sign must be set back from all property lines at least one (1) foot for each one (1) square foot of sign area.

## 12.5 PROVISIONS APPLICABLE TO BUSINESS AND INDUSTRIAL ZONES

In the Business and Industrial Zones, signs shall be permitted as follows:

### 12.5.1 TOTAL SIGN AREA

The total surface area of all, business and identification signs on a lot shall not exceed the total area determined by applying the ratio of permitted sign area in square feet to linear feet of street frontage as shown in Table 12-1.

### 12.5.2 NUMBER OF GROUND SIGNS

The number of business ground sign structures for a zoning lot shall not exceed the number shown in Table 12-1.

### 12.5.3 FACE AREA

The surface area in square feet of any one (1) face of any permitted business sign shall not exceed the area shown in Table 12-1.

### 12.5.4 NON-BUSINESS/NON-INDUSTRIAL SIGNS

For non-business and non-industrial uses, signs are permitted as regulated by the Business classifications on Table 12-1.

**Table 12-1 – NUMBER/AREA REGULATIONS FOR SIGNS IN BUSINESS/INDUSTRIAL ZONES**

Zone	Type of Sign		Area/Frontage <sup>2</sup>		# of Signs <sup>3,5</sup>		Max Face Area <sup>4</sup>	
	Permitted	Special <sup>1</sup>	Permitted	Special <sup>1</sup>	Permitted	Special <sup>1</sup>	Permitted	Special <sup>1</sup>
C-N-2 <sup>8</sup>	Business	---	3:1 <sup>6</sup>	4:1	1	3	150	300
C-H-2 <sup>8</sup>	Business	---	3:1 <sup>6</sup>	4:1	1	3	150	300 <sup>7</sup>
I	Business	---	2:1	3:1	1	3	150	300

Notes:

1. Any Permitted Sign which exceeds the standards provided in the "Permitted" columns, but does not exceed the stated standards in the "Special" columns, may be processed as a Special Use.
2. Total sign area permitted in square feet: compared to lineal feet of street frontage.
3. Number limit shown is for all sign structures erected on the ground which may or may not have one or more signs or sign faces on each sign structure.
4. Maximum sign size per sign face including ground, wall and other signs requiring permits (sq. ft.).
5. For corner lots, one ground sign structure is permitted per street frontage.
6. The maximum total sign area in square feet compared to lineal feet of street frontage for permitted signs shall not exceed one thousand (1,000) square feet.



Proposals to exceed this maximum must follow the provisions for Special Use under the Zoning Ordinance.

7. One temporary business sign to promote new attractions in the C-H zone, not to exceed twenty-four (24) months, may be authorized with a maximum of six hundred fifty (650) square feet.
8. Each one (1) lineal foot of neon tubing, attached to a building or structure for attention attracting purposes shall be counted as one (1) square foot of signage and shall be calculated as part of the maximum total sign area permitted for a particular use or development.

### **12.5.5 WALL SIGNS**

No wall sign shall project above the roof or parapet line more than forty-eight (48) inches nor extend into any required yard more than eighteen (18) inches from the wall to which it is attached.

### **12.5.6 ROOF SIGNS**

No sign shall be permitted to be erected directly upon the roof of any building

### **12.5.7 BUSINESS GROUND SIGNS**

Only one business ground sign shall be permitted to be erected within the front yard or corner side yard for each street frontage of a business or industrial use on a lot, and the bottom edge of any ground sign erected in the front yard or corner side yard shall be at least one (1) foot above ground level or the top edge of the sign shall be less than four (4) feet in height. Such sign, including its sign structure, shall be set back from all property lines adjacent to a street one (1) foot for every ten (10) square feet of sign area for the largest single face of any sign, and in no case shall the setback be less than one-fourth (1/4) of any required front or corner side yard distance. No business ground sign shall exceed a height of eight (8) feet above the grade of the closest public right-of-way line, unless approved as a Special Use. Business ground signs which are proposed to exceed these height limits shall follow the provisions for Variances under the Zoning Ordinance.

### **12.5.8 BILLBOARDS**

#### **12.5.8.1 NEW BILLBOARDS**

No new billboards shall be erected within the political boundaries of the Village of Innsbrook in all locations beyond 660 feet from interstate and primary highways except in Billboard Plazas in designated areas of Special Control pursuant to Section 12.5.8.3. Such new billboards shall require a special use permit and shall conform to the height, size, lighting and spacing requirement as prescribed in this Section, as modified by the designation of any area of Special Control in which the billboard is erected.

##### **12.5.8.1.1 HEIGHT**

All billboards shall be no greater than 30 feet in height.



#### **12.5.8.1.2 SIZE**

All billboards shall be no greater than 80 square feet in area. Only one billboard shall be permitted on each billboard structure.

#### **12.5.8.1.3 LIGHTING**

In addition to the lighting restrictions of 226.540(1), RSMo (Supp. 1997), which shall apply to all billboards in the Village of Innsbrook, no billboard shall be so illuminated that it:

- Interferes with the safety of aircraft flight in the vicinity of the billboard.
- Interferes with the use or enjoyment of property of any adjacent landowners.
- Allows the illumination source to be directly visible from any right-of-way or adjoining property.

#### **12.5.8.1.4 SPACING**

(All measurements shall be made parallel to the roadway between perpendiculars extended from the billboard locations in questions.):

**12.5.8.1.4.1** Interstate highways and freeways on the federal-aid primary systems:

**12.5.8.1.4.1.1** No billboard shall be erected within two thousand (2,000) feet of an existing billboard on either side of the highway.

**12.5.8.1.4.1.2** No billboard shall be erected within two thousand (2,000) feet of an interchange, intersection at grade, or safety rest area.

**12.5.8.1.4.2** Within the limits of the Village of Innsbrook, no billboard shall be erected within one thousand (1,000) feet of an existing billboard on either side of the highway.

#### **12.5.8.1.5 DESIGNATED SCENIC ROADSIDES**

No billboards shall be permitted in areas designated as Scenic Roadsides.

#### **12.5.8.1.6 MINIMUM SETBACKS**

All billboard structures must be located at least 20 feet from any property line and placed so as not to pose a visibility or other hazard to vehicular traffic in the vicinity of the sign.

#### **12.5.8.1.7 AREAS OF SPECIAL CONTROL**

Areas of Special Control established under Section 12.5.8.3 may have regulations more or less restrictive than those in this section, consistent with the character of the Area of Special Control.

### **12.5.8.2 BILLBOARDS - PROHIBITED**

The following are expressly prohibited unless specifically approved as a special use by the Village Trustees:

#### **12.5.8.2.1 ANIMATED AND MOVING BILLBOARDS**

Billboards employing movement including, but not limited to, changeable copy signs, pennants, flags, banners, streamers, propellers, discs, and searchlights.

#### **12.5.8.2.2 FLASHING BILLBOARDS**

Billboards that include lights which flash, blink, or turn on and off intermittently, not including time and temperature signs.

#### **12.5.8.2.3 GLARING BILLBOARDS**

Billboards employing direct, indirect, internal, flashing or other illumination with light sources or reflectivity of such brightness that constitute a hazard to ground or air traffic or a nuisance, as determined by the Administrator.

#### **12.5.8.2.4 INFLATABLE BILLBOARDS AND OBJECTS**

Including, but not limited to, balloons.

#### **12.5.8.2.5 ROOF BILLBOARDS**

Billboard which are erected or painted on a roof or which extend in height above the roofline of the building on which sign is erected.

#### **12.5.8.2.6 SIMULATED TRAFFIC SIGNS OR OBSTRUCTIONS**

Any sign which may be confused with or obstruct the view of any authorized traffic sign or signal, obstruct the sight distance triangle at any street or highway intersection, or extend into the public right-of-way.

#### **12.5.8.2.7 VEHICULAR BILLBOARDS**

Signs displayed on parked or stationary vehicles, where the primary purpose of the vehicle is to advertise a product or business or to direct people to a business or activity. Vehicular billboards shall not include business logos, identification or advertising on vehicles primarily used for other business purposes.

### **12.5.8.3 AREAS OF SPECIAL CONTROL**

**12.5.8.3.1** The Board of Trustees by Ordinance and following Notice and Hearing, may designate any of the following Areas of Special Control

**12.5.8.3.1.1** Architectural, historic, or scenic areas or scenic roadsides

**12.5.8.3.1.2** Billboard plazas

**12.5.8.3.2** The Administrator shall maintain and shall continually revise a zoning map of the Village of Innsbrook on which the Administrator shall indicate the boundaries of all designated Areas of Special Control.

**12.5.8.3.3** The Board of Trustees shall adopt special regulations for billboards in Areas of Special Control which shall be consistent with the character of the Area of Special Control.

### **12.5.8.4 GENERAL DESIGN AND CONSTRUCTION STANDARDS**

All billboards shall be designated, constructed and maintained in accordance with the following standards:

**12.5.8.4.1** All billboards shall comply with applicable provisions of the 2009 International Building Code and the 2008 Electrical Code.

**12.5.8.4.2** All billboards regulated by this ordinance shall be constructed of permanent materials and shall be attached to the ground, by direct attachment to a rigid wall, frame or structure.

**12.5.8.4.3** All billboards shall be maintained in good structural condition in compliance with all building and electrical code and in conformance with this code at all times.

### **12.5.8.5 NON-CONFORMING BILLBOARDS**

#### **12.5.8.5.1 REMOVAL**

Non-conforming billboards and billboard structures shall be removed at the owner's or lessor's expense under the following circumstances:

**12.5.8.5.1.1** The billboard is abandoned.

**12.5.8.5.1.2** The billboard becomes damaged or dilapidated to 50% or more of its physical structure or economic value.

### **12.6 NON-CONFORMANCE**

#### **12.6.1 EXISTING**

Signs existing on the effective date of this Ordinance, or any amendment hereto, which do not conform to the regulations set forth herein, shall be non-conforming signs. No non-conforming signs shall be rebuilt, structurally altered or moved to a new location without being brought into compliance with the requirements of this Ordinance.

#### **12.6.2 ON PREMISES OF NON-CONFORMING USE**

Business signs on the premises of a non-conforming use or building may be continued, but such signs shall not expand in number, area, height, or illumination. New signs not to exceed thirty-five (35) square feet in aggregate sign area may be erected only upon the complete removal of all other signs existing at the time of adoption of the Zoning Ordinance.

#### **12.6.3 NON-CONFORMING PROHIBITED**

Non-conforming signs which are listed in the Prohibited Sign Section of this Ordinance and have a value of less than five hundred dollars (\$500.00) shall be removed within ten (10) days after receiving written notice by the Zoning Administrator.

#### **12.6.4 DISCONTINUED BUSINESS/ACTIVITY**

Non-conforming signs, including off-premise advertising signs or those of any business or other legal entity which ceases the activities to which the signs apply or which is replaced by a different business or other entity, shall be removed, relocated or rebuilt in a

conforming manner or permitted to continue only as a Special Use with a specific amortization agreement established by the Village Board of Trustees with recommendations from the Planning and Zoning Commission. The time period for the amortization agreement shall not be less than five (5) years or more than fifteen (15) years. The specific time period for the amortization for a specific sign shall consider the extent of the difference between the non-conforming condition or conditions of the sign and the requirements of the Village Sign Ordinance, as well as the extent of any economic hardship in altering or removing the specific sign to assure conformity with the provisions of the Village Sign Ordinance.

#### **12.6.5 NON-CONFORMING OFF-PREMISE ADVERTISING**

Anything to the contrary notwithstanding, any non-conforming off-premise advertising signs shall be removed immediately as a condition precedent to the issuance of a building permit for any improvement on the lot, the value of which improvement is at least 50% of the value of the sign. The value of the sign shall include the total value of the physical improvements such as poles, base, sign face, and other elements and shall include the value of any remaining lease in place for the sign or sign face(s).

#### **12.6.6 UNSAFE**

Any non-conforming sign which the Zoning Administrator finds to be unsafe shall be removed immediately.

### **12.7 PERMITS, ADMINISTRATION AND ENFORCEMENT**

#### **12.7.1 SIGN PERMIT APPLICATION**

On and subsequent to the effective date of this Ordinance, any person proposing to erect any business, advertising or other sign not specifically listed as an exempt sign shall submit to the Zoning Officer an application for a sign permit. Application for such permit shall be accompanied by detailed plans, including proposed advertising copy, and other necessary information to determine the location and compliance with all applicable regulations. A permit shall be issued within ten (10) days of the date of an application submission including fees or the applicant shall receive a written notice indicating the status of the application.

#### **12.7.2 PERMIT FEES**

Permit fees for business, advertising, and other signs, as established by the Village Board and which may be periodically amended, must be submitted at the time application is made for the sign permit.

#### **12.7.3 PERMIT EXPIRATION**

If the work associated with a sign permit has not been completed within one (1) year of the date of the issuance of the permit, such permit shall become null and avoid.