

ORDINANCE NO. 2024-07

AN ORDINANCE AMENDING CHAPTER 175, REVISING SUBSECTION 175.05 TO 175.09-04, OF THE CODE OF ORDINANCES FOR THE CITY OF WINDSOR HEIGHTS, WITH REGARD TO DESIGN ELEMENTS FOR ON-PREMISES SIGNS

WHEREAS, the City of Windsor Heights seeks to protect and preserve the rights, privileges and property of the City of Windsor Heights and its residents and business owners; and

WHEREAS, the City Council deems it necessary to adopt this ordinance to benefit the residents and business owners of the community, our review staff, and allow for flexibility where needed; and

WHEREAS, the City Council of the City of Windsor Heights do hereby find and declare that the revisions to the design elements for on-premises signs ordinance are necessary and will protect and preserve the rights, privileges and property of the City of Windsor Heights and its residents and business owners.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, POLK COUNTY, IOWA:

SECTION 1. Purpose. The purpose of this ordinance is to amend Chapter 175, Section 175.05 to 175.09-04, of the City Code to support businesses and allows for said businesses to promote their services effectively.

SECTION 2. Revised. Revised Chapter 175, Section 175.05 to 175.09-04, as follows:

175.05 BASIC DESIGN ELEMENTS FOR ON-PREMISES SIGNS.

1. Professional Design and Construction. All signs must be designed and constructed by an individual or company pre-approved by the City and familiar with the City's sign ordinance. The proposed individual or company shall be designated on the applicant's sign permit and approved by the City in advance of sign construction.
2. Wall Signs and Graphics. Wall signs and graphics are subject to the following general regulations.
 - a. A wall sign shall not extend more than 12 inches from the wall to which it is attached.
 - b. A wall sign must be parallel to the wall to which it is attached.
 - c. A wall sign may not extend beyond the corner of the wall to which it is attached, except where attached to another wall sign, it may extend to provide for the attachment.
 - d. A wall sign may not extend beyond its building's roofline.
 - e. A wall sign attached to a building on its front property line may encroach upon public right-of-way by no more than 12 inches. Such a wall sign shall provide a minimum clearance of eight feet, six inches.
 - f. For the purpose of calculating permitted sign areas pursuant to this chapter, signs painted on the walls of buildings shall be considered wall signs.

- g. Where allowable sign areas are determined by a building's frontage, the allowable sign area shall not be transferrable to other building frontages.
- h. Where permitted, canopy signs are counted as wall signs when calculating the total permitted sign area.
- 3. Projecting Signs and Graphics. Projecting signs and graphics are subject to the following general regulations.
 - a. The maximum projection of any projecting sign shall be three feet.
 - b. A projecting sign may be no closer than two feet from the vertical plane of the inside curb line.
 - c. Each projecting sign must maintain at least the following vertical clearances:
 - A. 8 feet, 6 inches over sidewalks, except that a canopy may reduce its vertical clearance to 7 feet, 6 inches;
 - B. 14 feet over parking lots;
 - C. 18 feet over alleys or driveways;
 - D. Unless noted above, no projecting sign shall be placed over a roadway.
 - d. No projecting sign extending three feet from a property line may be located within 22 feet of any other projecting sign extending three feet from a property line.
 - e. The support structure for projecting signs cannot be visible.
- 4. Roof Signs. Roof signs are subject to the following regulations:
 - a. Where permitted, integral roof signs may be used interchangeably with wall signs.
 - b. Above peak roof signs are prohibited.
- 5. Detached Signs. Detached signs are subject to the following general regulations.
 - a. Where the maximum number and area of detached signs is determined by building frontage and if a parcel/ building fronts on multiple streets, the allowable number and size of detached signs shall not be transferrable across building frontages.

175.08 SIGN AREA.

- 1. Maximum Permitted Sign Area. Maximum permitted sign area for a premises is set forth as a numerical limit and is the combined total of all signs on the premise.
- 2. Sign Area.
 - a. Sign area includes the entire area within the perimeter enclosing the extreme limits of the sign, excluding any structure essential for support or service of the sign, or architectural elements of the building.
 - b. The area of double-faced signs is calculated on the largest face only.
 - c. The sign area for ground signs, monument signs, and architectural sign bands is calculated as the area enclosing the extreme limits of the copy only.
 - d. In the case of individual letters mounted to a wall, the total area in a simple shape such as a rectangle around the letters will be calculated.
- 2. Height. The height of a sign is measured from the average grade level below the sign to the topmost point of the sign or sign structure.
- 3. Setback. The setback of a sign is measured from the property line to the supporting frame, mast, pole, or base of the sign.
- 4. Building Frontage. Building frontage is measured as the linear dimension of the building line or parallel to a public street, private way, or court. For walls angled out of parallel to a public street, private way, or court a projected parallel line shall be used.

Table 175.09-03 - Permitted Signs by Maximum Permitted Area and District

The Maximum Permitted Area for all signs on a premises, excluding exempt signs:

Zoning district	Maximum total square feet
R-1, R-2	8
R-3	32
MH	48
CC, UC	N/A
LI	200

Table 175.09-04 – Permitted Signs by Numbers, Dimensions, and Locations

Each individual sign shall comply with the regulations for maximum quantity, maximum size, minimum setbacks, and height limits shown in this table:

Zoning District:	R-1 R-2	R-3 MH	CC UC	LI
Detached Signs				
Number Permitted Per Premises	1	1	N/A	NA
Number Permitted Per Building Frontage	N/A	N/A	1/250 LF of building frontage (minimum of 1)	N/A
Maximum Size* (square feet)	8	32	Lesser of 90 sq. ft. or 1 sq. ft. per linear foot of building frontage	90
Maximum Height (feet) of Structure Above Ground	10	10	10	10
Front Yard Setback (feet)	5	5	10	10
Side Yard Setback (feet)	10	10	5	0
Attached Signs				
Maximum Size* (square feet)	8	32	N/A	200
Maximum Size ¹ (SF/LF of 1 st floor building frontage)	N/A	N/A	1/1	N/A
Maximum Size ¹ (SF/LF of 2 nd floor building frontage)	N/A	N/A	1/1	N/A
<p>* For those uses only permitted a sufficient maximum sign area in Table 175-3</p> <p>Note 1: Maximum size (square footage) of sign is determined by linear feet of the building frontage for attached signs. This is calculated for each floor of the building separately.</p>				

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Severability. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. Effective Date. This ordinance shall be effective after the final passage, approval and publication as provided by law.

Passed and Approved this 7th day of October 2024.

1st Reading: September 16, 2024

2nd Reading: October 7, 2024

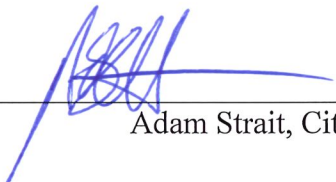
3rd Reading: WAIVED

Publish Date: October 13, 2024




Mike Jones, Mayor

ATTEST:


Adam Strait, City Clerk