

AN ORDINANCE AMENDING SECTION 525.040 "C-R" COMMERCIAL RETAIL DISTRICT SIGN ZONE REGULATIONS OF THE CODE OF THE CITY OF HOLLISTER, MISSOURI.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HOLLISTER, MISSOURI AS FOLLOWS:

Section 525.040. "C-R" Commercial Retail District Sign Zone Regulations.

A. Automatic Changeable-Face Signs. A permit may be granted for an automatic changeable-facing or projected display that maintains a continuous message without blackness or disruption, provided that:

1. The static display time for each message is a minimum of eight (8) seconds;
2. The time to completely change from one message to the next is a maximum of two (2) seconds;
3. The change of message shall occur simultaneously for the entire sign face;
4. The outdoor advertising structure meets all other requirements in this Code. Any such sign shall be designed such that the sign will freeze in one (1) position if a malfunction occurs.
5. The image does not flash or flicker in accordance with this Code.
6. The image is projected onto a securely fixed, substantial structure and in accordance with the provisions in this Code.
7. No projected image(s), lighted image(s) or message(s) shall appear to move or be animated. This will include scrolling lighted electronic displays.
8. Day/night settings are required on all signs covered under this Section. All sign brightness and/or light intensity shall be adjusted in such a manner as to not create a traffic hazard for operators of motor vehicles or pedestrians using public thoroughfares or illuminate/project into any residential zone.

B. Campaign Signs.

1. Campaign signs shall be temporary for a period of thirty (30) days prior to an election involving candidates for a Federal, State or local office that represents the district in which the property is located. The signs shall be removed within forty-eight (48) hours after any such election.

2. Locations.

a. Only one (1) candidate campaign sign or banner shall be at each location with owner's consent.

b. Campaign signs shall not be a visual obstruction placed within a street intersection sight triangle or a street. Signs shall be located as least ten (10) feet from the edge of the paved surface of public roadways.

3. Maximum Area

a. The maximum area for a campaign sign shall be three (3) square feet (18" x 24") and three (3) feet in height.

b. The maximum area for a campaign banner shall be thirty-two (32) square feet and four (4') feet in height.

C. Church Signs. All sign regulations applicable to business establishments shall also apply to churches.

D. Development Complex Signs (Multiple-Tenant Areas). Multiple-occupancy developments shall be entitled to one (1) freestanding or ground sign meeting the requirements of Section F per street front for business (tenant) identification.

E. Directional or other official signs or those advertising the sale or lease of the property on which they are located, or those which advertise activities off the premises/property on which they are located shall not be counted, nor shall measurements be made from them for the purpose of compliance with spacing provisions.

F. Freestanding Or Ground Signs.

1. Clearance. Signs not over a sidewalk, driveway or alley, an area eight (8) feet in height, except for structural members, shall be maintained clear of obstruction under any freestanding sign to increase pedestrian safety and to create a clear field of vision to recognize the location of streets and commercial entrances. Signs over a sidewalk, driveway or alley shall be at least ten (10) feet above a sidewalk and fifteen (15) feet above alleys and driveways.

2. Height. Freestanding signs (on-premises) shall not exceed fifty (50) feet in height from ground elevation.

3. Location.

a. All freestanding signs (structure, supports or sign face) shall be set back from any public right-of-way at least five (5) feet. Ground signs shall be set back at least fifteen (15) feet from any public right-of-way.

b. Distance between signs. There shall be not less than one hundred twenty-five (125) feet (as measured along street frontage) between signs (freestanding or ground or any combination thereof).

4. Maximum Area.

a. The maximum area for a freestanding or ground sign shall be six hundred (600) square feet.

b. Only one (1) side of any double-facing sign shall be considered in the total sign area permitted for any building, use or lot.

G. Incidental signs are signs indicating services, products, trade information or other information but not including product advertising.

1. No product or container or incidental sign shall be closer to a public right-of-way line than ten (10) feet.

2. All incidental signs shall be those that are installed on windows, doors or walls of a structure. Incidental signs' square footage shall be not more than twenty percent (20%) of the allowable area permitted for wall signs.

H. Illumination of signs. The light from any illuminated sign shall be so shaded, shielded or directed so that the light intensity or brightness shall not be objectionable to surrounding areas, and the light rays shall not be projected over the property lines into a residential zone except by indirect reflection. Neither the direct nor indirect light from a primary light source of a sign shall create a traffic hazard to operators of motor vehicles or pedestrians on public thoroughfares. No sign is permitted with flashing or rotating lights that would interfere with safe passage of auto traffic. No sign shall be permitted to simulate an emergency vehicle.

I. Medical Marijuana Dispensary Facility Signs.

1. A facility shall not display marijuana, marijuana paraphernalia, or advertisements for these items in a way that is visible to the general public from a public right-of-way.

2. Outdoor signage and interior signage shall not be visible to the general public.

3. Shall not display any text other than the facility's business name or trade name, address, phone number and website.

a. Per State Statute Chapter 338.260, RSMO., "No person shall carry on, conduct or transact a business under a name which contains as part of the name the words "pharmacist", "pharmacy", "apothecary", "apothecary shop", "chemist shop", "drug store", "druggist", "drugs", "consultant pharmacist", or any word of similar or like import, unless the place of business is supervised by a licensed pharmacist."

- b. In no case shall the facility's sign include or display the words "marijuana" or "cannabis" on any part of the sign face.
4. Shall not utilize images or visual representations of marijuana plants, products or paraphernalia, including representations that indicate the presence of these items, such as smoke.
5. Off-premises signs shall not be permitted.

J. Miscellaneous Signs.

1. Construction Signs. A maximum area of sixteen (16) square feet for each firm. These signs shall be removed within fourteen (14) days of the beginning of the intended use of the project or as individual subcontracts expire, whichever is sooner.
2. Institutional Signs. Signs setting forth the name and announcement of an event for any public, charitable, educational or religious institution, located entirely within the premises of that institution, up to an area of twenty-four (24) square feet, are permitted. If ground mounted, the top shall not exceed six (6) feet above ground level. Such signs shall be permitted no more than fourteen (14) days before or forty-eight (48) hours after the event.
3. Integral Signs. Names of buildings, dates of erection, monumental citations, commemorative tablets and the like, when made a permanent and integral part of the structure, shall be permitted.
4. Portable Signs. A business may have one (1) portable sign on the property the business is located on. The sign shall not exceed four (4) square feet in size. These signs are not to be on the right-of-way.
5. Private Traffic Direction Signs. Signs directing traffic movement onto a premises or within the premises, not exceeding three (3) square feet in area for each sign, may be permitted. Horizontal signs on and flush with paved areas are exempt from these standards.
6. Public Interest Signs. Signs publicizing a charitable or non-profit event of general public interest shall be permitted only on private property and shall not exceed an area of thirty-two (32) square feet and shall be permitted for fourteen (14) days before and forty-eight (48) hours after the event.
7. Public Signs. Signs in the public interest, such as memorial plaques, signs of historical interest and the like, shall be permitted when notification is given to the City Building Official.
8. Real Estate Signs. Signs advertising the sale, lease or rental of commercial property shall not exceed an area of thirty-two (32) square feet and setback of five (5) feet from the right-of-way. These signs shall either be on the property that is for sale or rent, or

clearly be directional and intended to only indicate that a property is for sale or rent down a specific street. No signs are allowed on utility poles, any type of street/public sign pole or on public property. The signs shall be removed within twenty-one (21) days of the sale, rental or lease.

9. Temporary Signs. Signs not previously identified in this Section but which are temporary in nature, such as grand opening, fire sale, subdivision advertisement, shall be classified by the City Building Official within the standards of signs most similar to the applicant's signs. In the event that a sign or business is substantially damaged through fire, flood, act of God, insurrection, riot or similar emergency, a temporary sign shall not exceed sixty (60) days, unless the period is extended for reasons of continuing hardship at the discretion of the City Building Official and that of the Board of Adjustment.

K. Off-Premises Advertising Signs. No outdoor advertising shall be erected or maintained within six hundred sixty (660) feet of the nearest edge of the right-of-way and visible from the main traveled way of any highway which is part of the Federal aid primary highways as of June 1, 1991, and all highways designated as part of the National Highway System by the National Highway System Designation Act of 1995 and those highways subsequently designated as part of the National Highway System in this State (U.S. numbered routes and interstates) shall be regulated by the Missouri Department of Transportation. Directional or other official signs or those advertising the sale or lease of the property on which they are located, or those which advertise activities on the property on which they are located, including products sold, shall not be counted, nor shall measurements be made from them for the purpose of compliance with spacing provisions. Each side or face of a multiple-face sign structure shall be considered as one (1) sign for the purpose of determining whether or not it complies with the sizing, lighting, spacing and location requirements of this Code, provided that the total display area of each side of a multiple-sign structure is limited to the area allowed by code for that sign district. The total display area of each side shall be measured by the smallest square, rectangle, triangle, circle or contiguous combination of shapes which will encompass the display(s) of each side.

L. On-premise banners. May be allowed without obtaining a sign permit, provided that:

1. Banners shall be constructed so that they cannot be a public danger or nuisance during high winds or inclement weather.
2. Banners shall not be placed in any public right-of-way or obstruct vision to enter or exit a public right-of-way.
3. Banners shall not be displayed for more than a forty-five (45) day period. After the forty-five (45) day time period a banner shall be taken down for at least thirty (30) days; then it may be replaced.
4. No business shall display more than two (2) banners at a time.
5. Banners shall not exceed forty-eight (48) square feet.

6. Banners may appear fourteen (14) days before a public entertainment or event and shall be removed within forty-eight (48) hours afterward.

7. Banners existing in violation of this Section shall be removed within thirty (30) days after the effective date of this revision.

M. Prohibited Signs. Any sign in violation of any Section of this Chapter shall be removed, altered or repaired in accordance with the provisions of this Chapter from and after May 3, 2019, except as stated in Section 525.010, mobile marquee signs, except as listed below shall be prohibited without the approval of the Board of Aldermen.

1. Contain or are an imitation of an official traffic sign or signal.

2. Are of a size, location, movement, content, coloring or manner of illumination which may be confused with or construed as a traffic control device or which hide from view any traffic control device or which hide from view any traffic or street sign or signal.

3. Move in any manner, have a major moving part, or swing because of the manner of their suspension or attachment as a result of wind pressure, unless professionally designed to operate in this manner. Not included in this prohibition are signs which are designed to include small, integral parts which flutter due to wind pressure.

4. Cause odor or sound emission.

5. Operate or employ any motion picture or video production in conjunction with any advertisements.

6. Are classified as vehicular signs.

7. Are attached to utility poles, any street sign, public sign or on public property.

8. A mobile marquee sign may be permitted for a period not exceeding thirty (30) days in lieu of any sign for a new business which has submitted a sign permit request but which sign is not yet installed. A mobile marquee sign shall be securely mounted or fastened to the ground to prevent the sign from becoming a hazard during windy conditions.

N. Projecting Signs. A business may have a projecting sign only if it does not have a freestanding or roof sign. Projecting signs shall have a minimum clearance of ten (10) feet above ground level at the sign's lowest point and shall not exceed twenty (20) square feet in sign area.

O. Roof Signs. A premises may have one (1) roof sign only in lieu of a freestanding sign or ground sign. A registered professional engineer shall design all roof sign structures and the plans submitted with the application for permit.

1. The area of the roof sign shall be assessed against the allowable permitted area for any wall sign on the elevation (side) of the building most closely parallel to the face of the sign.

2. Maximum height above the roofline shall be ten (10) feet.

3. Shall be three hundred (300) square feet on one (1) street front elevation for the aggregate of all signs on the roof. The maximum area on all other elevations shall be one hundred fifty (150) square feet for the aggregate of all signs on the roof. The area of rooftop signs counts toward the area allowed for wall signs.

P. Wall Signs. Any commercial establishment may be permitted a wall sign for each elevation (side) of a building. Multiple wall signs may be permitted on a wall, but the aggregate area of all signs on the wall (excluding incidental signs in windows) shall not exceed the area allowed in this Section. Wall signs shall not project more than one (1) foot from the building wall. Any sign painted, affixed or displayed in windows shall be considered as a part of the total signage permitted on a wall. Marquees attached to buildings shall be considered wall signs. Signs may be on the vertical faces of marquees. The bottom of marquee signs shall be no less than eight (8) feet above the grade at any point. No part of the changeable copy shall project above or below the vertical marquee face. Banners shall not be allowed as wall signs.

1. Sign Area. The total sign area permitted for all wall signs on one (1) wall of the building shall not exceed the size of the wall face times twenty percent (20%), not to exceed one thousand eight hundred (1,800) square feet. The total sign area for wall signs on all other walls shall not exceed the size of the individual wall face times ten percent (10%), not to exceed nine hundred (900) square feet. "Wall face" shall mean the area determined by multiplying the linear footage of the wall times the vertical height to the top of the wall.

READ THIS FIRST AND SECOND TIME AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF HOLLISTER, MISSOURI THIS 21ST DAY OF JULY 2022.

Lamar Patton, Mayor

ATTEST:

Bridget Epps, City Clerk