



city of **CREVE COEUR**

300 North New Ballas Road • Creve Coeur, Missouri 63141
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NOTICE OF PUBLIC HEARING

**APPLICATION TO PLANNING AND ZONING COMMISSION
#18-029 TEXT AMENDMENTS TO ARTICLE VIII SIGN REGULATIONS OF
THE CITY'S ZONING ORDINANCE AND OTHER VARIOUS SECTIONS OF
THE ZONING ORDINANCE FOR CLARIFICATION
AND CROSS REFERENCE CLEAN UP**

FOR THE MEETING OF: Monday, August 20, 2018 at 6:30 P.M.

LOCATION: City-Wide

REQUEST: Jason Jaggi, Director of Community Development, on behalf of the City of Creve Coeur, has submitted an application for revisions to the Sign Regulations and other Sections of the Zoning Ordinance for clarification and cross reference clean up, including but not limited to Section 405.680 Lighting, based upon recent court action, as well as general corrections for formatting and typographical errors, clarification of existing concepts and deletion of extraneous text.

ADDITIONAL INFORMATION: The Planning and Zoning Commission will conduct a Public Hearing on this request on Monday, August 20, 2018 for recommendation to the City Council. Meetings are held at 6:30 P.M., in the Council Chambers of the Creve Coeur Government Center located at 300 North New Ballas Road. Additional information is available at the Government Center, Planning Division offices, and on the City's website at www.creve-coeur.org under the Current Planning Projects page.

We encourage you to attend if you have any questions or wish to make a statement. In addition, you may submit written comments in advance of the meeting. If you wish to provide comments via email, please send them to wkelly@crevecoeurmo.gov. For information about this proposal or to verify the meeting schedule, please call (314)872-2501.

APPLICANTS: Jason Jaggi
Director of Community Development
City of Creve Coeur
300 N. New Ballas Road
Creve Coeur, MO 63116

Key Issues:

- Are the changes consistent with the purposes of the Zoning Code?
- Are the changes consistent with the purposes of the Comprehensive Plan?

Creve Coeur 2030 Comp. Plan References

- NA

Zoning Code References

- Section 405.120 Definition of Terms
- Section 405.680 Lighting
- Article VIII Sign Regulations

STAFF CONTACT: Whitney Kelly, AICP, City Planner

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING PROVISIONS OF THE CREVE COEUR ZONING CODE REGARDING SIGNS AND RELATED MATTERS.

WHEREAS, Chapter 405 of the City Code of Ordinances sets forth the City Zoning Code and includes regulations for signs and related matters, and

WHEREAS, Staff has applied for changes to clarify such regulations, and

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri, held a public hearing thereon at the Creve Coeur Government Center on _____, 2018 beginning at 6:30 p.m., or immediately following the close of the previous public hearing; and

WHEREAS, the Planning and Zoning Commission reviewed and by a vote of _____ recommended approval of these changes at its meeting on _____, 2018; and

WHEREAS, notice of said public hearing had previously been published at least 15 days prior to the hearing in the St. Louis Countian, a newspaper of general circulation in the City of Creve Coeur and otherwise posted and published in accordance with the Zoning Ordinance; and

WHEREAS, all persons who presented themselves desiring to be heard were given an opportunity to be heard and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the City Council; and the Bill was read by title in open meeting two times before final passage by the City Council; and

WHEREAS, the City Council being fully informed finds that amending the City Code of Ordinances would be in harmony with and bear a substantial relation to the public welfare, health, safety, comfort and convenience of the citizens of the City of Creve Coeur and in the public interest;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI, AS FOLLOWS:

SECTION 1. In Section 405.120 of the Creve Coeur Code of Ordinances, the following definitions are revised to read as follows:

FLAG Any fabric or bunting containing distinctive colors, patterns or symbols used as a symbol of a government ~~or institution~~. Any other object with "flag-like" characteristics is a sign.

SIGN, INCIDENTAL SIGN A sign which is too small to be legible from a position off the premises, and for any such sign that is outdoors, on the exterior of a building or a window sign is less than 25 square feet.

LOGO Reserved An identifying symbol or registered trademark.

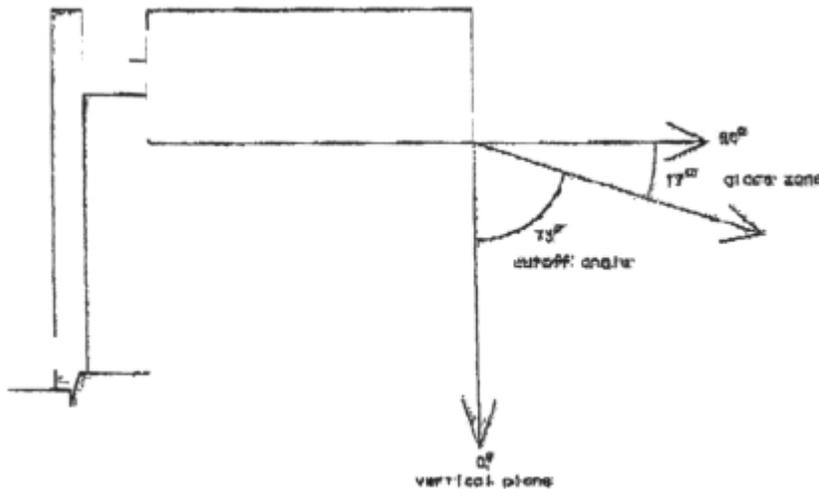
SECTION 2. Section 405.680 of the Creve Coeur Code of Ordinances is revised to read as follows:

A. *Definitions.* For the purposes of lighting regulations, terms used shall be defined as follows:

CUTOFF ANGLE

The angle at which a permanently attached shield directs light downward and obstructs light discharge in a manner that lessens glare emitted from the fixture. The cutoff angle is measured from the vertical plane which is perpendicular to the ground and is restricted to a maximum of seventy-three degrees (73°) as demonstrated in the following exhibit:

Cutoff Angle Defined



FULLY SHIELDED

A lighting fixture constructed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element or indirectly by reflection or refraction from any part of the luminaire, is projected no greater than seventy-three degrees (73°) beyond the vertical plane perpendicular to the ground (see cutoff angle).

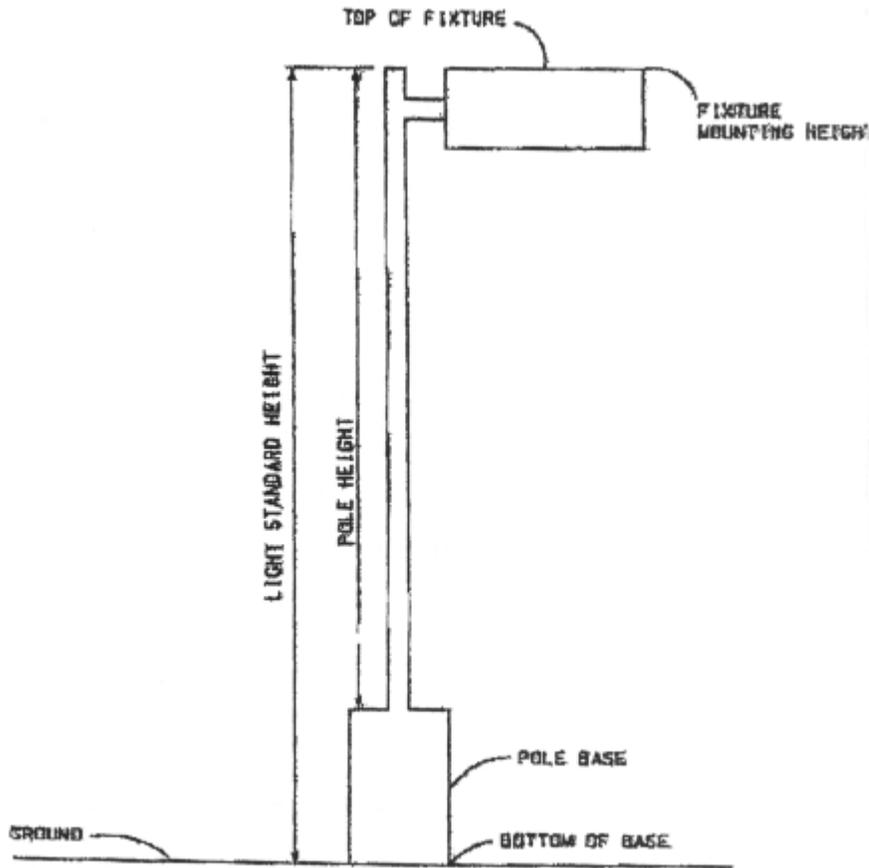
GLARE

Light emitting from a luminaire with an intensity great enough to reduce a viewer's ability to see and, in extreme cases, causing momentary blindness.

B. *General Standards.* The following standards shall apply to all exterior lighting fixtures within the City of Creve Coeur, Missouri:

1. The Planning and Zoning Commission shall review proposed lighting for non-residential building construction or for the replacement or addition of light standards on an existing non-residential development in accordance with Section **405.1080**. The submittal shall consist of a lighting plan for review by the Planning and Zoning Commission and shall include the type, number, brightness, type of cutoff/shielding and hours of usage of all fixtures. A detailed sketch, elevation or cutsheet shall be submitted for each type of light standard. The sketch for pole-mounted light standards shall consist of the pole base, the pole, the mounting arm or other attachment device and the fixture.

Standards For Lighting Fixtures



Standards For Lighting Fixtures

2. In residential zoning districts ("A", "B", "C", "D" and "AR") lighting fixtures, except traffic signals and lighting for major outdoor recreation facilities, shall not exceed sixteen (16) feet in height (measured from the bottom of the base to the top of fixture) unless specifically permitted by the site development plan approval in accordance with Section **405.1080**.

3. In non-residential zoning districts lighting fixtures, except for traffic signals and lighting for major outdoor recreation facilities, shall not exceed twenty-four (24) feet in height (measured from the bottom of the base to the top of fixture) unless specifically permitted by site development plan approval in accordance with Section **405.1080**.

4. Lighting shall not be cast upon an adjacent property or right-of-way nor shall glare be emitted from an illuminant source.

5. The Planning and Zoning Commission may require lighting to be dimmed or connected to a motion detector between the hours of 10:00 P.M. and 6:00 A.M., but not less than an average of one (1) foot-candle of illumination as required by Section 405.810(4).

6. Parking lot light standards and lighting for loading areas shall consist of full cutoff, downcast fixtures with the illuminant source fully shielded from view.

7. Lighting intended to illuminate building elevations, landscaping or signage shall shine directly onto the intended surface. Strips or strings of lights used to call attention to a commercial use or occupancy by outlining property lines, sales area, rooflines, doors, windows, wall edges or other architectural features of a building site are prohibited. Exempted from this provision are holiday style lighting displayed from November first (1st) through January fifteenth (15th) and lights which are an integral architectural feature of the original design of a structure as approved by the Planning and Zoning Commission. (The use of exposed neon is governed by Section 405.930(F)(7) and (8)).

8. Sidewalk and pedestrian avenues may be lit by low, bollard-type lighting or as approved by the Planning and Zoning Commission. If reflectors or refractors are used, these devices shall direct light downward and shall meet the cutoff angle criteria. Under no circumstance shall light be directed outward.

~~9. Lighting with exceptional architectural elements or detail, that do not meet all requirements within this Section, may be approved by the Planning and Zoning Commission. The use of exposed neon as an illumination source for identification or as an architectural feature must be reviewed and approved by the Planning and Zoning Commission prior to installation or erection of the exposed neon.~~

10. No luminaire shall have any blinking, flashing or fluttering lights or other illuminating device which has a changing light intensity, brightness or color, nor shall any beacon lights be permitted.

11. Illuminated signs shall meet the requirements of Section 405.930(F).

12. A bulb-type with a color rendering rating greater than seventy-five (75) shall be used. Highly rated elements include, but are not limited to, metal halide and incandescent bulbs. High/low pressure sodium and mercury vapor bulbs are prohibited.

13. No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices.

145. Neither direct nor reflected light from primary light sources shall create a hazard to operators of motor vehicles on public thoroughfares.

C. Additional Provisions For Non-Residential Districts. To reduce the impact of non-residential districts on residential districts and to reduce instances of light trespass, either the cutoff angle or light standard height shall be decreased for lighting in non-residential districts that are closer than fifty (50) feet to the boundary line of an adjoining or abutting residential district ("A", "B", "C", "D" and "AR"). In such cases, the following shall apply:

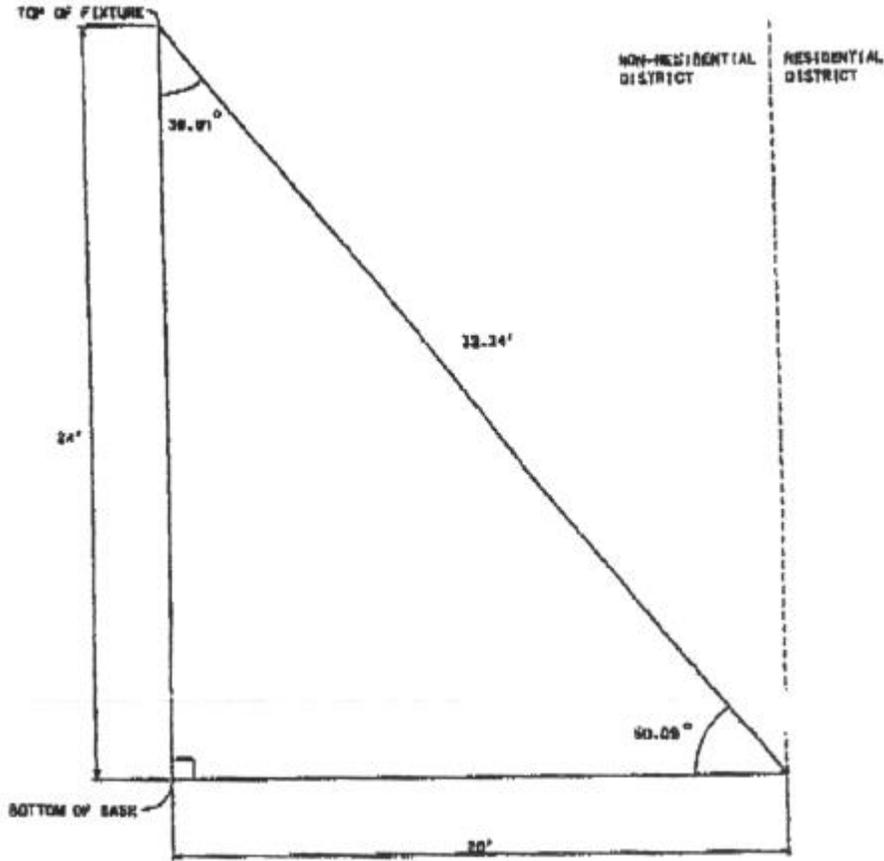
1. The cutoff angle of lighting fixtures in non-residential districts shall decrease as the distance to the property line decreases as demonstrated in the following table:

Distance	L.S. Height	Cutoff Angle
20	24	39.81
25	24	46.17
30	24	51.34
35	24	55.56
40	24	59.04
45	24	61.93
50	24	64.36

When the light standard height is constant, the cutoff angle may be calculated as follows:

$$\Theta = \tan^{-1} (\text{Distance}/\text{Pole Height})$$

Where Θ = Cutoff Angle



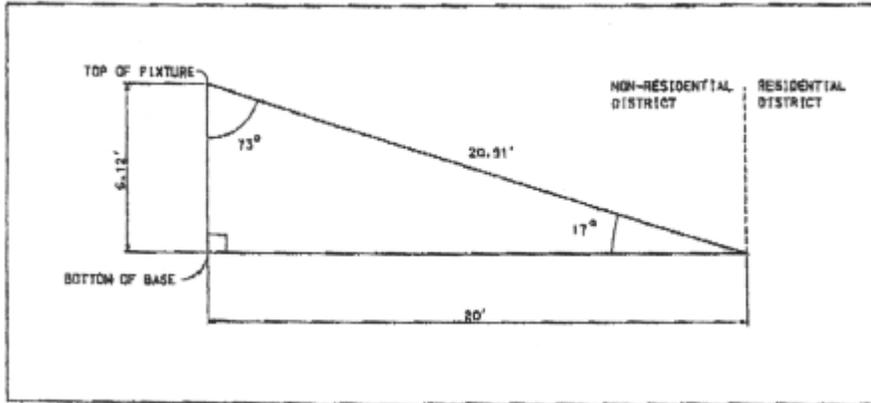
Distance	L.S. Height	Cutoff Angle
20	6.12	73
25	7.64	73
30	9.17	73
35	10.70	73
40	12.23	73
45	13.76	73
50	15.29	73

The applicant may also modify light standard heights to adjust for cutoff, with the seventy-three degree (73°) cutoff angle constant. The pole height in a non-residential district may be altered as follows:

When the cutoff angle is constant, the pole height may be calculated as follows:

$$\text{Pole Height} = \text{Distance} / \tan \Theta$$

Where Θ = Cutoff Angle



2. If a year-round, opaque screen is present or proposed along the boundary between the non-residential district and the residential district and the screen prohibits light travel onto the an adjoining or abutting property, the Planning and Zoning Commission may waive the above restrictions established in Section **405.680(C)(1)** of this Chapter and approve light standards with cutoff angles and heights regulated in "General Standards" Section **405.680(B)** of this Chapter.

D. *Major Outdoor Recreation Facilities.* Lighting systems and standards for major outdoor recreation facilities as determined by the Planning and Zoning Commission, such as athletic fields or stadiums, shall require approval of conditional use permit in accordance with Section **405.1070**.

E. *Holiday Lighting.* Additional holiday-style lighting may be displayed for periods not to exceed 45 days in any 90-day period provided it otherwise meets the foregoing requirements.

SECTION 3. Section 405.740 of the Creve Coeur Code of Ordinances is added to read as follows:

Section 405.740. Flags.

Flags shall be permitted in any zoning district without a permit. Each lot or parcel of land in the City shall be limited to the display of not more than two (2) flags. Parcels of land in excess of five (5) acres in size, however, may display additional flags, provided that there are not more than four (4) flags displayed per five (5) acres of land area. In order to meet public expectations, wWithin five (5) days prior to and three (3) days following a national holiday such as Independence Day, Memorial Day or

Veterans Day, there shall be no limitation on the number of flags displayed on any parcel of land within the City. Flagpoles require a building permit and shall not exceed twenty-five (25) feet in height in residential districts and thirty-five (35) feet in height in non-residential districts.

SECTION 4. Article VIII Of Chapter 405 of the Creve Coeur Code of Ordinances is revised to read as follows:

Section 405.910. Purpose and Intent.

[R.O. 2008 §26-100; Ord. No. 1903 §1, 11-24-1997; Ord. No. 5280 §2, 10-22-2012; Ord. No. 5437 §2, 9-16-2015]

These regulations encourage the effective use of signs as a means of communication, to maintain and enhance the aesthetic appearance of the City and to facilitate and improve pedestrian and vehicular traffic safety. These regulations are intended to promote the public health, safety and general welfare through a comprehensive set of reasonable standards and requirements. These regulations: allow for the identification of places of commerce, the communication of public and commercial information necessary for efficient and safe traffic movement, and freedom of speech subject to reasonable restrictions as to time, place and manner; protect the public from the dangers of unsafe signs; lessen hazardous situations, confusion and visual clutter caused by a proliferation of signs competing for the attention of pedestrian and vehicular traffic; allow for increased signage during election periods to meet public expectations. and enhance the attractiveness and economic well-being of the City of Creve Coeur.

Section 405.920. Sign Permits.

[R.O. 2008 §26-101; Ord. No. 1903 §1, 11-24-1997; Ord. No. 5165 §7, 12-13-2010; Ord. No. 5280 §2, 10-22-2012; Ord. No. 5437 §2, 9-16-2015]

A. It shall be unlawful for any person to erect, perform major repair, alter, move, replace or otherwise change a sign requiring a sign permit in the City of Creve Coeur without first obtaining a sign permit from the Zoning Administrator or Planning and Zoning Commission as provided by this Article. (But see 405.930(J) regarding substitutability of messages). An application for a sign permit shall be submitted to the Zoning Administrator and shall include and be accompanied by plans that show the size and shape of the sign, the location of the proposed sign, the setbacks from surrounding properties, the type of illumination and proposed lighting, the materials used to construct and the method used to support the sign or attach it to a building. If the proposed sign is one that must be reviewed and approved by the Planning and Zoning Commission, the application shall comply with and be in accordance with the format and procedures adopted by the Planning and Zoning Commission and shall be filed with the Zoning Administrator in both paper format and electronic format ~~in a commonly used medium such as diskette or CD-ROM and in a format that can be read by a word processing program used by the Zoning Administrator. The filing party shall certify that the electronic copy has been scanned for viruses and that it is virus-free.~~

B. If the proposed sign is one that may be approved by the Zoning Administrator, then, within twenty-one (21) days after the application for a sign permit has been received by the Zoning Administrator, he/she shall respond to the applicant advising said applicant whether or not the sign requested conforms with this Article. [If the requested sign does not comply with this Article, the applicant will be advised to re-submit the signage plan correcting the deficiencies so that a sign permit can be issued.](#) If no response is received within twenty-one (21) days, the application shall be deemed to have been approved. If the proposed sign is one that must be reviewed and approved by the Planning and Zoning Commission, then the Planning and Zoning Commission shall respond to the applicant within sixty (60) days after receipt of the application by the Zoning Administrator advising said applicant whether the sign requested has or has not been approved. If no response is received within sixty (60) days, the application shall be deemed to have been approved. Upon denial, the applicant may appeal to the Board of Adjustment pursuant to Sections **405.1040** and **405.1110** of the zoning ordinance. The Zoning Administrator shall maintain a record of all sign permits issued, which records shall show date of application and date of issuance of permits.

Section 405.930. General Provisions.

[R.O. 2008 §§3-1; 26-102; Ord. No. 513 §49, 12-23-1968; Ord. No. 1903 §1, 11-24-1997; Ord. No. 5001 §1, 9-6-2007; Ord. No. 5021 §1, 1-28-2008; Ord. No. 5280 §2, 10-22-2012; Ord. No. 5437 §2, 9-16-2015]

A. Scope. The provisions of this Section shall apply to all signs in the City, unless a sign is specifically exempted by Section **405.930(E)** of this Article. Every sign shall comply with all other applicable ordinances of the City. In case of a conflict between the provisions of this Section and other applicable provisions, the more restrictive shall govern. Any sign not specifically provided for herein as a permitted sign or a prohibited sign shall be designated as a permitted sign or a prohibited sign by the Zoning Administrator consistent with Section **405.910**. Purpose and Intent, and the most closely applicable provisions of this Article. If said sign is designated as a permitted sign, then said sign shall be subject to all limitations and provisions stated herein for a permitted sign which is most similar to said sign.

B. Maintenance And Safety.

1. All signs and related structures shall be maintained in good repair, free of rust, peeling, flaking, fading, broken or cracked surfaces and broken or missing letters.

2. All signs and related structures shall be maintained in a safe and clean condition. Whenever the Zoning Administrator determines that a sign has become structurally unsafe or endangers life or property or is not being maintained in good repair, a notice shall be sent to the owner or person in charge of the sign that the sign be made safe, repaired or removed. The owner or person in charge of the sign shall have ten (10) days from receipt of such notice in which to comply.

C. Non-Conforming Signs. No new or existing sign may be constructed, altered in structure, relocated or replaced, unless the sign conforms to all the provisions of this Article and any required sign permit has been issued by the Zoning Administrator, or unless the sign was destroyed or damaged as a result of forces beyond the reasonable control of the owner of the sign and their tenants, employees, agents and representatives and it is replaced in its prior form and structure, or unless the sign is specifically exempted from the provisions of this Article. Nothing in this Section shall relieve the owner or user of a non-conforming sign from the provisions of this Article regarding safety, maintenance and repair of signs specified in Section **405.930(B)**, Maintenance and Safety.

[Ord. No. 5553, 11-13-2017]

D. Prohibited Signs. The following types of signs are specifically prohibited in the City:

1. No person shall paint, post, place, hang, suspend or affix any advertisement, card, poster, sign, banner or streamer of any nature or for any purpose or cause the same to be done on or to any curbstone, flagstone or any other portion of any street or sidewalk or upon any tree or lamppost standing or erected on any public street or right-of-way or other public place or upon any pole erected upon any public street or right-of-way or other public place, which pole is used to carry telephone wires or cables, electric light wires or other electric conductors, or to any hydrant, bridge or other public structure within the City; provided however, that nothing contained in this Section shall apply to any official notice required by law or ordinance to be posted by public officers of the City or any other governmental agency.

2. Signs legible from a public right-of-way that imitate, blend or conflict with or that otherwise may be confused with traffic signals and signs, that are not directional signs required by the City or other traffic authority for traffic efficiency and safety. Such signs shall include, but not be limited to, signs that are imitations of official "stop", "go", "caution", "danger" or "warning" signs.

3. Signs that are of a size, location, movement and/or illumination as may be confused with or construed as a traffic control device or which might obstruct from view any traffic or street sign or signal, that are not directional signs required by the City or other traffic authority for traffic efficiency and safety.

4. Signs that falsely advertise that an activity, business, product or service is sold or conducted on the premises upon which the sign is located and thereby misdirect traffic. Such signs shall be removed within thirty (30) days of written notification to the owner of the premises.

5. Signs on public land, except those erected at the direction of or with the permission of an appropriate public authority.

6. Vehicular signs on parked vehicles which are not painted directly on or affixed flat against the factory surface of a vehicle. This provision does not permit appendages or modifications to a vehicle for advertising purposes. Exempted from this Section are vehicular signs affixed to vehicles when said vehicles park temporarily and only to make immediate deliveries or pickups.

a. Any vehicle displaying permitted vehicular signs owned by or operated on behalf of a business operating within the City limits shall only park said vehicle when at the business location behind the front building line within a properly designated parking space. Where such parking is not available, said vehicle shall park as far from the right-of-way and in the least visible area possible, in relation to the public rights-of-way.

b. Any vehicle which displays a permitted vehicle sign shall not park between 2:00 a.m. and 5:00 a.m. within residential zoning districts including "A", "B", "C", "D", "AR" or in a residential development in any zoning district within the corporate limits of Creve Coeur, unless such vehicle is parked within an enclosed garage. Governmental and public safety vehicles shall be exempt from this provision, as well as construction-related vehicles parked on property under construction.

~~7.~~

~~Strips or strings of lights used to call attention to a use or occupancy by outlining property lines, sales area, rooflines, doors, windows, wall edges or other architectural features of a building site. Exempted~~

~~from this provision are holiday style lighting displayed from November first (1st) through January fifteenth (15th) and lights which are an integral architectural feature of the original design of a structure as approved by the Planning and Zoning Commission. (The use of exposed neon is governed by Section 405.930(F)(7) and (8)).~~

78. Moving signs including those of which all or any part of the sign moves or appears to move. This prohibition against moving signs shall extend to devices including strings of light bulbs and rotating signs, whether part of any signs or maintained as an independent feature. This prohibition does not apply to exempted governmental and official signs.

89. Snipe signs.

910. Unsightly or unkempt or damaged signs.

101. Roof signs.

112. Projecting signs, except those otherwise permitted by Section 405.950(H)(4) or other Sections of this Article.

123. Any sign structure which no longer supports a sign. Exempted from this Section is a sign structure which is temporarily void of a sign due to a permitted alteration or repair. A sign permit or an application for a sign permit for this alteration or repair must be on file with the Department of Public Works and said alteration or repair must be completed within one (1) month of the issuance of the approved sign permit.

134. Changeable copy signs (manual or automated). Exempted from this provision are: manually changeable bulletin board signs as allowed by Section 405.940(E); marquee signs, if approved pursuant to Section 405.950(H)(2); signs defined in Section 405.930(E)(1) (governmental and official signs); illuminated devices as allowed by Section 405.930(F)(2); and signs in Section 405.950(I)(6) (gasoline price signs).

145. Permanent or temporary window signs above the finished floor level of the second (2nd) story including lettering painted or applied to glass and temporary displays as defined in Section 405.950(G)(1) located above the ground floor.

156. Back-lit awnings and lighted canopies.

167. Portable signs except as allowed by Section 405.950(G)(5).

178. Inflatable signs, tethered balloons, banners, pennants, ~~flags~~, wind-driven spinners, or streamers, except as otherwise provided in Section 405.950(G)(2), Temporary Displays and Signs.

189. Individuals dressed in costume as human signs to distract motorists in violation of Chapter 610.

1920. Signs extending over a roadway.

201. Except as may otherwise be expressly authorized by this Article VIII, signs exceeding fifty (50) square feet in gross sign area.

E. Exempted Signs. With the exception of Sections 405.930(B), Maintenance and Safety, 405.930(D), Prohibited Signs, and 405.930(G), Miscellaneous Requirements, the provisions and regulations of this Article shall not apply to the following signs:

1. Governmental and official signs including, but not limited to, the following:

a. Public notices and official notices posted or authorized by government officials in the performance of their duties including changeable copy signs not exceeding thirty (30) square feet of sign area per face.

b. Signs for the control or direction of traffic and other authorized public purposes, including on private property as required by the City or other traffic authority.

2.

Signs not exceeding two (2) square feet in sign area individually and not exceeding six (6) square feet in the aggregate, including, but not limited to, the following:

a.

Nameplates, attached to a structure and not exceeding two (2) square feet in area, used to identify a professional service or home occupation permitted in the single-family residential zoning district in which the sign is located.

b. Residential address number located on a sign not larger than one (1) square foot in gross sign area.

c. Commercial address numerals, which are required to be prominently displayed on each building, not to exceed two (2) square feet in area. Larger address numerals may be permitted elsewhere in this Article and would be subject to the provisions and regulations of the particular Section.

d. No parking and no trespassing signs.

3. Incidental signs.

F. Illuminated Signs. The following requirements shall apply to illuminated signs:

1. The light from any illuminated sign shall be so shaded, shielded and/or directed in such a manner that the light intensity or brightness will not be a substantial nuisance to the residents or occupants of surrounding areas.

2. No sign shall have blinking, flashing or fluttering lights or other illuminating device of variable light intensity, brightness or color. Clocks and thermometers which only indicate the time or temperature shall not be considered flashing signs, provided that the gross area of such devices is not greater than sixteen (16) square feet per face (maximum of two (2) faces), the vertical dimension of any letter or number is not greater than twenty-four (24) inches and the color or intensity of light is constant except for periodic changes in the information display, which occur not more frequently than once every fifteen (15) seconds. Beacon lights are not permitted.

3. If a sign consists of a boxed display, the negative space must be dark and opaque, or clear and show the surface of the building facade.¹¹

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Note: This paragraph was relocated from Subsection (G)(7) of this Section at the direction of the City. Former Subsection (F)(3) through (F)(8), which immediately follow were renumbered to (F)(4) through (F)(9), respectively.

~~4.~~

~~No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices.~~

~~5.~~

~~Neither direct nor reflected light from primary light sources shall create a hazard to operators of motor vehicles on public thoroughfares.~~

46. No exposed reflective-type bulb or incandescent lamp which exceeds forty (40) watts or LED equivalent shall be used on the exterior surface of any sign in such manner as to expose the face of the bulb, light or lamp to any public street or adjacent property.

57. The use of exposed neon in a window sign(s) with aggregate area larger than six (6) square feet must be reviewed and approved by the Planning and Zoning Commission prior to installation or erection of such sign(s).

~~8.~~

~~The use of exposed neon as an illumination source for identification or an architectural feature must be reviewed and approved by the Planning and Zoning Commission prior to installation or erection of the exposed neon.~~

69. Temporary signs shall not be illuminated.

G. Miscellaneous Requirements. All signs shall comply with the following general requirements:

1. Sign faces. When a sign is allowed two (2) sign faces, the sign faces shall be parallel to one another and not more than fourteen (14) inches apart unless specifically authorized to deviate from this requirement by an applicable portion of this Article.

2. Projections. No sign shall project beyond a property line or into a public right-of-way, except traffic control signs as authorized pursuant to the traffic code and public information signs as approved by the City Council.

3. Life safety code compliance. All signs shall comply with all applicable life safety codes including the structural and fire safety provisions of the Building Code and the electrical provisions of the Electric Code of the City of Creve Coeur.

4. Obstruction to exit ways. No sign shall be erected, displayed or maintained so as to obstruct any fire escape, any required exit way, window or door opening used as a means of egress or to obstruct any other means of egress required by the Building Code of the City of Creve Coeur.

5. Obstruction of ventilation. No sign shall be erected, displayed or maintained in a manner that interferes with any opening required for ventilation under the Building Code of the City of Creve Coeur.

6. Architectural consistency. Sign installations shall be consistent with, and not conceal, the architectural detail of a building.

H.

~~Flags. Flags shall be permitted in any zoning district without a permit. Each lot or parcel of land in the City shall be limited to the display of not more than two (2) flags. Parcels of land in excess of five (5) acres in size, however, may display additional flags, provided that there are not more than four (4)~~

~~flags displayed per five (5) acres of land area. Within five (5) days prior to and three (3) days following a national holiday such as Independence Day, Memorial Day or Veterans Day, there shall be no limitation on the number of flags displayed on any parcel of land within the City. Flagpoles shall not exceed twenty five (25) feet in height in residential districts and thirty five (35) feet in height in non-residential districts.~~

I. Sign Setbacks. All permanent signs shall be set back from property lines according to the regulations specified in this Article or as otherwise required by any other applicable City ordinance. Temporary signs shall be set back at least five (5) feet from the edge of pavement of any road and shall be located outside of the right-of-way of any State, County, or City road.

J. Substitutability. Whenever a commercial sign would be permitted under this Article, a sign bearing a political or other non-commercial message may be installed in its place, provided it otherwise complies with this Article. Subject to the landowner's consent, a non-commercial message of any type may be substituted for any duly permitted or allowed commercial message or any other duly permitted or allowed non-commercial message; provided that the sign structure or mounting device is legal without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This provision prevails over any more specific provision to the contrary within this Article. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision does not create a right to increase the total amount of signage on a parcel, nor does it affect the requirements that a sign otherwise comply with this Article and that a sign structure or mounting device be properly permitted.

Section 405.940. Signs in Residential Districts.

[R.O. 2008 §26-103; Ord. No. 1903 §1, 11-24-1997; Ord. No. 1966 §1, 11-23-1998; Ord. No. 2287 §1, 6-28-2004; Ord. No. 5033 §3, 3-24-2008; Ord. No. 5280 §2, 10-22-2012; Ord. No. 5417 §1, 2-9-2015; Ord. No. 5437 §2, 9-16-2015]

A. General Limitations. It shall be unlawful to erect, permit the erection of, display or permit the display of any sign on property in a residential zoning district, unless such sign is expressly permitted by this Section, subject to all of the limitations and provisions stated herein. All signs require a permit except as otherwise provided herein.

B. Residential Development Signs. Permanent signs designating a subdivision, neighborhood or multi-family development for traffic efficiency and safety shall be approved by the Planning and Zoning Commission through the site development plan approval process as defined in Section **405.1080**. Such signs shall be limited to twelve (12) square feet per sign face with a maximum of two (2) sign faces.

C. Exempt Signs In All Residential Districts. No permit shall be required for the following signs provided that the signs are erected by the owner or with the owner's permission.

1. Any lot in a residentially zoned area shall be permitted one (1) sign with a maximum sign area of six (6) square feet per sign face and a maximum of two (2) sign faces, except that if the lot is on the market for sale or lease, then it shall be permitted one (1) additional sign of six (6) square feet per sign face and a maximum of two (2) sign faces. Because the foregoing Section allows a residentially zoned lot to have two (2) signs if it is on the market for sale or lease, for example that allows for a residential sign containing information advertising the lota premises for sale, lease or rent, and an open house

sign. Because other residentially zoned properties are always allowed at least one (1) sign, that allows, for example, an additional open house sign off site on other private property with the other owner's permission.

2. Temporary signs during an election. Within forty-five (45) days prior to and ten (10) days after any election held within Creve Coeur, temporary signs may be allowed with the owner's permission in addition to the permitted signage otherwise allowed on a residentially zoned lot or parcel of land in the City. Each such lot or parcel of land shall be permitted one (1) or more single- or double-faced signs although no single sign face shall exceed six (6) square feet. The number of such additional temporary signs on a lot shall not exceed the total number of candidates and propositions on the election ballot.

D. Single-Family Lots Fronting On A Numerically Designated State Highway. Any lot in a single-family residentially zoned area which fronts on and has direct access available from a numerically designated State highway which has received site development plan approval for an office, day care center or retail service uses, as provided by Section 405.450(E), may have a combination of one (1) low monument sign, wall signs, window signs or signs affixed or painted on canopies or awnings. Because these lots are within residential areas, the total gross sign area, counting all faces, shall be consistent with that of other lots in residentially zoned areas and shall not exceed twelve (12) square feet. An additional rear entrance to such a business may be identified by a sign not to exceed two (2) square feet in gross sign area. Such a sign shall be affixed directly to the rear entrance door. Permits shall be required for all signs allowed by this paragraph.

E. Institutional Uses In Residential Districts.

1. Permanent attached signs. Institutional uses in residential districts such as schools and places of worship shall be allowed one (1) permanent sign not exceeding twelve (12) square feet in size, except, however, that any such use which has a minimum of two (2) street frontages which each exceed three hundred (300) lineal feet shall be permitted two (2) such signs. One (1) permanent sign may be a bulletin board sign with manually changeable copy.

2. Low monument signs. An institutional use in a residential district occupying a site of at least thirty thousand (30,000) square feet may also be permitted a single, low monument sign, which can include a manually changeable bulletin board feature on each facesign, provided such sign contains not more than twelve (12) square feet of sign area per face with not more than two (2) faces, is not more than six (6) feet in total height above the elevation of the adjacent finish grade, is set back at least ten (10) feet from the right-of-way of said fronting street or highway, is not located within the site distance triangle described in Section 405.670 of this Chapter and the site meets one (1) of the following criteria:

a. The site has at least three hundred (300) feet of lot frontage on a street or highway other than Lindbergh Boulevard; or

b. The site has at least two hundred (200) feet of lot frontage on Lindbergh Boulevard.

3. Campus low monument sign. An institutional use in a residential district occupying a site in excess of five (5) acres may, by filing a plan with the Zoning Administrator, have a single, freestanding, permanent sign in accordance with the following standards:

a. Maximum sign area. Sixty (60) square feet.

b. *Maximum area per sign face.* Twenty-four (24) square feet.

c. *Maximum height.* Six (6) feet above prevailing base grade.

d. *Setback on right-of-way.* Fifteen (15) feet from adjacent roadway surface and at least one foot from the edge of public right-of-way.

4. *Parking direction signs.* One (1) freestanding parking direction sign, which may be internally illuminated subject to Section **405.930(F)**, shall be required for every one hundred fifty (150) parking spaces with not more than two (2) sign faces, provided the sign shall not exceed fifteen (15) square feet in gross sign area per face, the sign height shall not exceed four (4) feet in height and no portion of the sign shall extend into the public right-of-way. The sign shall be placed within the parking lot and for enhanced traffic directional purposes may ~~contain-identify the name and/or logo of~~ the institution in addition to messages providing directional information. The Zoning ~~Administrator~~**Director** may allow fewer signs for good cause.

5. *Temporary signs.* Institutional uses in a residential district may be permitted one (1) temporary sign not exceeding twelve (12) square feet in size, provided that the display of such sign shall be limited to three (3) times per year for up to thirty (30) days each period. A separate sign permit shall be required for each event.

F. *On-Site Construction Signs.* When property is under construction, pursuant to an issued building permit, an additional sign not to exceed twenty-four (24) square feet in gross sign area and not to exceed six (6) feet in height from top of sign to top of grade or two (2) feet in height from bottom of sign to top of grade shall be permitted. Such a sign shall not be erected in a public right-of-way and shall be removed ten (10) days after the receipt of an occupancy permit for a building or development or ten (10) days after the completion of the work if no occupancy permit is required.

Section 405.950. Signs in Non-Residential Districts.

[R.O. 2008 §26-104; Ord. No. 1903 §1, 11-24-1997; Ord. No. 1919 §1, 1-26-1998 Ord. No. 1977 §§1 — 5, 1-11-1999; Ord. No. 2236 §1, 10-27-2003; Ord. No. 2287 §1, 6-28-2004; Ord. No. 5073 §§3 — 4, 1-8-2009; Ord. No. 5280 §2, 10-22-2012; Ord. No. 5437 §2, 9-16-2015]

A. *General Limitations.* It shall be unlawful to erect, permit the erection of, display or permit the display of any sign on property in a non-residential zoning district unless such sign is expressly permitted by this Article, subject to all of the limitations and provisions stated herein. All signs permitted by this Section shall require the issuance of a sign permit, except for allowed temporary, incidental and portable signs.

B. Permanent Attached Signs.

[Ord. No. 5553, 11-13-2017]

1. *In-Line Or Mid-Block Uses.* Each individual use located at ground floor level with its own entrance at street level may have one (1) attached sign, affixed or painted on a wall, canopy, or awning, with a total gross sign area of one (1) square foot per linear foot of the use's front facade or twenty (20) square feet, whichever is greater, up to a maximum of fifty (50) square feet in area. The sign shall be located on the front facade which shall also be the same facade as the main entrance. Where the use has a storefront facade without the main entrance, the user may allocate a portion of the total gross

sign area allowed by this paragraph to one (1) additional sign located on the storefront. No use shall be permitted more than two (2) permanent attached signs under this paragraph.

2. Corner Units, Single Uses On Corner Lots, Or Out-Lot Buildings Within A Shopping Center. Each individual use located at ground floor level with its own entrance at street level may have one (1) attached sign affixed or painted on a wall, canopy or awning with a total gross sign area of one (1) square foot per linear foot of the use's front facade or twenty (20) square feet, whichever is greater, up to a maximum of fifty (50) square feet in area. The sign shall be located on the front facade which shall also be the same facade as the main entrance. One (1) additional attached sign may be permitted per individual use, subject to the same size limitations, where the building faces two (2) or more public streets and is not separated from the streets by any other building or if the main entrance is internal to a development and does not face a street, and the main entrance is clearly designed not to be the rear of a building. The additional attached sign shall be located on a building elevation which does not face the same street as the primary attached sign and shall not be placed on the elevation that is used as a main entrance. In any event, no individual use shall have more than two (2) signs.

3. Rear Entrances. A rear entrance to an individual or freestanding business used for delivery purposes may be identified by a sign not to exceed two (2) square feet in gross sign area. Such a sign shall be affixed directly to the rear entrance door. In locations where individual businesses or uses are grouped together in a shopping center, the permanent signs should maintain uniformity in location, height and general design.

C. Low Monument Signs.

[Ord. No. 5553, 11-13-2017]

1. Single tenant/occupant buildings and buildings with up to three (3) tenants/occupants:

a. A project or development with a site area of at least thirty thousand (30,000) square feet and less than two (2) acres shall be permitted a single low monument sign in accordance with the following standards:

(1) Maximum sign area: thirty (30) square feet per face.

(2) Maximum number of faces: two (2) faces.

(3) Maximum sign height: six (6) feet above prevailing base grade.

(4) Minimum setback: fifteen (15) feet from adjacent roadway surface and at least one (1) foot from edge of public right-of-way.

(5) Minimum separation from any other ground sign: one hundred fifty (150) feet on the same side of the street.

b. A project or development with a site area of more than two (2) acres shall be permitted a single low monument sign in accordance with the following standards:

(1) Maximum sign area: thirty-five (35) square feet per face.

(2) Maximum number of faces: two (2) faces.

(3) Maximum sign height: eight (8) feet above prevailing base grade.

(4) Minimum setback: fifteen (15) feet from the adjacent roadway surface and at least one (1) foot from edge of public right-of-way.

(5) Minimum separation from any other ground sign: one hundred fifty (150) feet on the same side of the street.

2. Multi-tenant buildings with four (4) or more tenants/occupants. For multi-tenant buildings with four (4) or more tenants/occupants:

a. A project or development with a site area of at least thirty thousand (30,000) square feet and less than two (2) acres shall be permitted a single low monument sign in accordance with the following standards:

(1) Maximum sign area: forty (40) square feet per face.

(2) Maximum number of faces: two (2) faces.

(3) Maximum sign height: eight (8) feet above prevailing base grade

(4) Minimum letter height: six (6) inches for primary text on tenant panels [along arterial roadways as identified by East-West Gateway Roadway Functional Classification Map](#).

(5) Minimum setback: fifteen (15) feet from adjacent roadway surface and at least one (1) foot from edge of public right-of-way.

(6) Minimum separation from any other ground sign: one hundred fifty (150) feet on the same side of the street.

b. A project or development with a site area of at least two (2) acres but less than five (5) acres shall be permitted a single low monument sign in accordance with the following standards:

(1) Maximum sign area: fifty (50) square feet per face.

(2) Maximum number of faces: two (2) faces.

(3) Maximum sign height: eight (8) feet above prevailing base grade.

(4) Minimum letter height: six (6) inches for primary text on tenant panels [along arterial roadways as identified by East-West Gateway Roadway Functional Classification Map](#)

(5) Minimum setback: fifteen (15) feet from adjacent roadway surface and at least one (1) foot from edge of public right-of-way.

(6) Minimum separation from any other ground sign: one hundred fifty (150) feet on the same side of the street.

c. A project or development with a site area of more than five (5) acres shall be permitted a single low monument in accordance with the following standards:

(1) Maximum sign area: sixty (60) square feet per face.

(2) Maximum number of faces: two (2) faces.

(3) Maximum sign height: twelve (12) feet above prevailing base grade.

(4) Minimum letter height: six (6) inches for primary text on tenant panels [along arterial roadways as identified by East-West Gateway Roadway Functional Classification Map](#)

(5) Minimum setback from right-of-way: twenty (20) feet from adjacent roadway surface and at least one (1) foot from edge of public right-of-way.

(6) Minimum separation from any other ground sign: one hundred fifty (150) feet on the same side of the street.

(7) Additional sign permitted: A project or development may have one (1) additional low monument sign if there are two (2) or more entrances from different streets. The additional sign shall be limited to thirty (30) square feet and placed in accordance with the same provisions within this Section. This provision is available only to properties that have roadway access from two of the following streets: Olive Boulevard, Lindbergh Boulevard, North New Ballas Road, and Craig Road.

3. Design Standards. The following design standards apply to all low monument signs:

a. A landscaped area located around the base of the sign equal to two and one-half (2.5) square feet for each square foot of sign area shall be provided pursuant to a landscape plan with a plant schedule subject to the Zoning Administrator's approval in conjunction with the sign permit application for the low monument sign. The required landscape area may be modified by the Zoning Administrator where it is found that due to pre-existing circumstances the provision of said landscape area will cause an undue burden on the ability to effectively use the property.

b. The sign shall be constructed of the same or similar architectural elements and in similar materials and colors as the related buildings.

c. The sign shall have a solid base of at least one (1) foot in height with brick, stone or other material to match the related buildings.

d. When internally illuminated, sign faces shall be constructed of an opaque, surface designed to illuminate the text or graphics.

4. Separation Reduction. The minimum separation standards of this Subsection **(C)** may be reduced up to fifty percent (50%) of the applicable requirement by the Zoning Administrator where it can be demonstrated that site conditions preclude full compliance.

5. Sight Distance Triangle. Low monument signs shall not be located within the sight distance triangle as defined in Section **405.120**, Definitions, of this Chapter.

6. Address Numerals. Address numerals not exceeding two (2) square feet in area may be placed on a low monument sign and shall not count against the allowable maximum sign area. No address numerals shall be placed on the base of the sign.

D. Attached Signs For Multi-Floor Office, Mixed-Use, And Residential Buildings.
[Ord. No. 5553, 11-13-2017]

1. Each freestanding, single- or multi-tenant office building of two (2) floors of leasable space may have one (1) attached sign affixed parallel to the building, with a sign area of up to fifty (50) square feet, provided it is the only sign on that elevation. One (1) additional attached sign may be permitted, subject to the same size and location limitations above, where the building faces two (2) or more public streets and is not separated from the streets by any other building, but the additional attached sign shall be located on a building elevation which faces a different street than the primary attached sign.

2. Each freestanding, single- or multi-tenant office building of three (3) or more floors of leasable space may have one (1) attached sign affixed parallel to the building, with a sign area of up to fifty (50) square feet for a three-story building, with an additional ten (10) square feet of sign area allowed for each additional floor over three (3), up to a maximum of one hundred fifty (150) square feet. One (1) additional attached sign may be permitted, subject to the same size limitations, where the building faces two (2) or more public streets and is not separated from the streets by any other building, but the additional attached sign shall be located on a building elevation which faces a different street than the primary attached sign.

3. Each freestanding, multi-tenant mixed-use building with individual restaurant, retail, or service commercial uses on the first floor and offices located on one (1) or more floors above may have one (1) attached sign affixed parallel to the building, with a sign area of up to fifty (50) square feet. One (1) additional attached sign may be permitted, subject to the same size and location limitations above, where the building faces two (2) or more public streets and is not separated from the streets by any other building, but the additional attached sign shall be located on a building elevation which faces a different street than the primary attached sign.

4. Each freestanding, multi-family residential building may have one (1) attached sign affixed parallel to the building, with a sign area of up to fifty (50) square feet, provided it is the only sign on that elevation. One (1) additional attached sign may be permitted, subject to the same size and location limitations above, where the building faces two (2) or more public streets and is not separated from the streets by any other building, but the additional attached sign shall be located on a building elevation which faces a different street than the primary attached sign.

E. Address Signs. For fire protection and traffic safety and efficiency, each freestanding single- or multi-tenant office building shall have one (1) set of address numerals per building frontage. These numerals must be affixed flat against the facade of the building and no part of the numerals shall project above the roof or parapet line of the building. The square footage shall be determined by measuring the rectangle formed by outlining the numeral. Each numeral shall not exceed the sign limitations listed in the following table:

Height of Sign on Building (story)	Distance from R.O.W. (feet)	Allowable Square Footage per Numeral (square feet)
1	0 — 100	2
1	101 — 250	3
1	over 250	4

Height of Sign on Building (story)	Distance from R.O.W. (feet)	Allowable Square Footage per Numeral (square feet)
2	0 — 100	3
2	101 — 250	4
2	over 250	5
3	0 — 100	4
3	101 — 250	5
3	over 250	6
4	0 — 100	5
4	101 — 250	6
4	over 250	7
5	0 — 100	6
5	101 — 250	7
5	over 250	8
6	0 — 100	7
6	101 — 250	8
6	over 250	9
over 6	0 — 100	8
over 6	101 — 250	9
over 6	over 250	10

E. Multi-Tenant Real Estate Information Signs. Pursuant to Section 67.317, RSMo., each multi-tenant building or complex (where more than one (1) building is in the same development) may be permitted one (1) permanent real estate information sign, subject to the following:
[Ord. No. 5553, 11-13-2017]

1. The gross sign area shall not exceed twenty-four (24) square feet per face with a maximum of two (2) sign faces. Decorative edge treatments shall not be included in the gross sign area.

2. The sign shall not be more than six (6) feet in total height above the elevation of the prevailing base grade, shall be set back at least fifteen (15) feet from the adjacent roadway surface and at least one (1) foot from edge of public right-of-way, located a minimum of one hundred fifty (150) feet from any other ground sign on other property on the same side of the street, and shall not be located within the site distance triangle as defined in Section **405.120**, Definitions, of this Chapter. The minimum separation standards may be reduced up to fifty percent (50%) of the applicable requirement by the Zoning Administrator where it can be demonstrated that site conditions preclude full compliance.

3. The sign shall be permanently affixed to the ground with rot- and insect-resistant materials without use of supporting wires, cross-bracing or stanchions.

4. The aggregate visible width of the supporting legs or base shall be at least one-quarter (1/4) of the width of the sign.

5. The edges of the sign shall be boxed-in, framed or otherwise enclosed to eliminate visible gaps or spaces between any sign panels.

6. The sign copy shall be applied and protected with weather-resistant materials and finishes.

7. Any attached "riders" (e.g., available floor area) on the sign shall be incorporated within the external dimensions of the sign and are limited to one (1) rider per sign face.

8. These provisions shall not be applicable to single-tenant or single-occupant properties, which instead are subject to Section **405.950(G)(4)**, Temporary signs for single-tenant properties.

9. Nothing in these provisions shall be deemed to limit or alter in any way the provisions of Section **405.930(J)**, Substitutability, of this Chapter.

G. Temporary Signs. The following signs are permitted as temporary to a given ground floor business or use and are not to be included in calculating the allowable gross sign area for permanent signs:

1. Window signs. The total gross sign area of all window signs as defined in Section **405.120**, Definition of Terms, shall not exceed twenty percent (20%) of the area of any individual window located in the lowest eleven (11) feet of the storefront as measured from the adjacent exterior grade. For the purposes of this Section, panes of glass separated by a structural column or portion of exterior finished wall shall be considered individual windows. Further, glass located within a door, whether or not it is used as an entrance/exit, is not an eligible location for a window sign. No window signs are allowed more than eleven (11) feet above the adjacent grade. Appropriate types of signage include die-cut vinyl, screen printing and/or gilding applied to or etched ~~on into the inside~~ surface of the storefront glazing or composed of artistically rendered skeletal or product. Graphics painted directly onto the glass surface are prohibited.

2. Temporary displays and signs. Temporary displays such as banners or posters shall be permitted for ground floor retail sales and service uses. These special displays shall be limited to two (2) times per year for up to three (3) weeks each period. A separate sign permit shall be required for each event. These temporary displays shall be constructed and lettered to a professional quality and the size of banners or posters shall not exceed the allowable square footage for permanent signs. Permitted balloons shall not exceed two (2) feet in length or width. The items shall be secured in such a manner as to minimize movement and shall be attached to the main building or structure and not be erected as freestanding elements or attached to vehicles or low monument signs, and shall be no more than eighteen (18) feet above the ground elevation.

3. Temporary signs during an election. Within forty-five (45) days prior to and ten (10) days after any election held within Creve Coeur, temporary signs may be allowed with the owner's permission in addition to the permitted signage allowed on any non-residentially zoned lot or parcel of land in the City. Each lot or parcel of land shall be permitted one (1) or more single- or double-faced sign although no single sign face shall exceed twelve (12) square feet. The number of such temporary signs on a lot shall not exceed the total number of candidates and propositions on the election ballot.

4. Temporary real estate signs on single-tenant/occupant properties. Pursuant to Section 67.317 RSMo., in addition to the permitted signage on any single-tenant/occupant non-residential premises,

temporary real estate signs are allowed offering the premises for sale, lease or rent. Such signs shall be limited to advertising the premises on which they are located, shall be a maximum of six (6) feet tall and shall be limited to twenty-four (24) square feet per sign face with a maximum of two (2) sign faces. Temporary real estate signs shall be removed from the premises ten (10) days after the premises is sold, leased or rented. These provisions shall not apply to multi-tenant/occupancy properties and if the property is subsequently converted to multi-tenant occupancy, the requirements of Section **405.950(F)**, Multi-Tenant Real Estate Information Signs, shall be enforced on the property.

5. Portable signs. In all commercial districts, one (1) portable sandwich board sign limited to six (6) square feet and no more than four (4) feet in height shall be allowed per business address, without a permit, provided that such sign is no more than four (4) feet from the front door entrance, the sign does not obstruct pedestrian movement, and the sign does not obstruct or otherwise pose a hazard to motor vehicle traffic. Such signs must be stored inside between dusk and dawn.

6. Signs on converted residential structures in commercial zoning districts. Each residential structure which has been converted to a commercial use by approval of a site development plan by the Planning and Zoning Commission may have one (1) or more wall signs, window signs or signs affixed or painted on canopies or awnings with a total gross sign area not to exceed twenty-five (25) square feet. A rear entrance to such business may be identified by a sign not to exceed two (2) square feet in gross sign area. Such a sign shall be affixed directly to the rear entrance door.

H. Special Purpose Signs. Signs authorized in this Subsection are not to be included in calculating the allowable gross sign area for permanent signs.

1. Parking and other direction signs. One (1) freestanding parking direction sign per direction of traffic, which may be internally illuminated, shall be required for each driveway, provided the sign shall not exceed three (3) square feet in gross sign area per face, the sign height shall not exceed three (3) feet and no portion of the sign shall extend into the public right-of-way. If the sign is located at a private driveway, for enhanced traffic directional purposes it may ~~identify/contain the name, address and/or logo of~~ the business in addition to messages providing directional information. Other directional signs shall be installed as may be required by the City.

2. Marquee signs. Marquee signs for theaters, cinemas, exhibition centers and similar public assembly uses shall be permitted only upon the specific authorization of the Planning and Zoning Commission, subject to such restrictions and conditions as the Commission may deem necessary after a site development plan is reviewed under the provisions of Section **405.1080**.

3. On-site construction signs. When the property is under construction pursuant to an issued building permit, an additional sign, not to exceed thirty-two (32) square feet in gross sign area per face with a maximum of two (2) faces and not to exceed ten (10) feet in height from top of sign to top of grade or two (2) feet in height from bottom of sign to top of grade, shall be permitted. Such a sign shall be erected out of the public right-of-way and shall be removed ten (10) days after completion of a project and not later than ten (10) days after issuance of occupancy permit.

4. Covered walkway signs. A sign not to exceed two (2) square feet in gross sign area may be hung from the ceiling of a covered walkway that is attached to the front of a retail store. Such a sign shall not exceed eighteen (18) inches in drop from the bottom of the said sign to the ceiling surface of the covered walkway, nor shall the bottom of said sign be less than seven (7) feet above the sidewalk surface it is hanging over. Only one (1) covered walkway sign per business shall be allowed. Such a sign shall be hung perpendicular to the retail storefront so as to be beneficial to pedestrian traffic.

I. Automobile Service Stations.

1. Signs located on property used for automobile service stations shall be subject to the provisions and limitations set forth in this Section.

2. No sign shall be attached to any pole, light standard or gasoline tank vent pipe. No sign shall be attached to a gasoline pump excepting those provided for in Section 405.950(1)(5).

3. Wall signs.

a. Not more than one (1) wall sign shall be permitted for each automobile service station. This wall sign shall not exceed twenty-five (25) square feet in gross sign area.

b. In instances where the washing of motor vehicles is an accessory service being offered on a property used for an automobile service station, one (1) additional wall sign shall be permitted. This wall sign shall not exceed ten (10) square feet in area. Further, one (1) sign designating the entrance to and one (1) sign designating the exit from the washing area shall be affixed directly to the structure near such entrance or exit for traffic safety and efficiency. The gross sign area of such signs shall not exceed twelve (12) square feet. One (1) additional sign may be erected no closer than seventy-five (75) feet from any public right-of-way. Such a sign shall not exceed ten (10) square feet in gross sign area or eight (8) feet in height from top of sign to top of grade. Said sign shall be permanently anchored to a wall, canopy support or a freestanding pole.

4. Service station canopy signs. An automobile service station with a canopy shall be permitted one (1) service station canopy sign, in addition to a wall sign, per street frontage. This service station canopy sign shall not exceed thirty (30) square feet in gross sign area per street frontage. This sign shall be a flat sign permanently affixed to the vertical face of the canopy and shall not project above or below or from any side of the vertical face of the canopy. This sign shall be illuminated by internal and non-intermittent light sources. Any business logo, inclusive of striping or other symbols, appearing on this canopy sign shall count as part of the gross sign area allowable for said sign.

5. Pump signs. Signs shall be posted on gasoline pumps so as to provide the required information to the public regarding "octane rating", "price" and "type of fuel". ~~As the trade name of the business is often incorporated into the different types of fuels, said trade name and any associated symbols shall be permitted on the sides of the pumps as flat signs located no more than three (3) feet above the ground and not to exceed two (2) square feet in area per sign face (four (4) square feet in aggregate) per pump.~~ "Self-service" or "full-service" signs shall identify each pump island on the service station property to minimize traffic conflicts. The location of such signs shall be limited to the gasoline pump or the canopy support, not more than eight (8) feet above the ground, located at each end of the pump island. A maximum of two (2) such signs shall be allowed per pump island and each sign shall not exceed two (2) square feet in area.

6. Gasoline price signs. For purposes of traffic efficiency and safety, one (1) gasoline price sign shall be allowed per service station property street frontage. This sign must be freestanding and permanently anchored. Such a sign shall not exceed ~~thirty (30)~~sixteen (16) square feet in sign area per face and shall not exceed six (6) feet in height from top of sign to top of grade. Illumination shall be by internal and non-intermittent light sources. This sign shall identify the actual unit price being charged for gasoline being sold.

J. Reserved.

~~Master Signage Plans. In keeping with the intent to allow flexibility in the design of planned developments and large campus development of contiguous multi-acre areas, not separated by major highways or public right-of-ways (i.e., Olive Boulevard), the following options may be available for signs accessory to uses in non-residential district properties of campus developments of three (3) or more multiple buildings with a minimum of ten (10) acres and residentially zoned institutions (schools and places of worship with a minimum tract area of twenty (20) acres).~~

~~1.~~

~~As an alternative to what would otherwise be allowed, signs may be permitted in accordance with a Comprehensive Plan of signage subject to the recommendation of the Planning and Zoning Commission and approval of the City Council following a public hearing conducted in accordance with the provisions of Sections 405.1060(D)(3) and 405.1120 of the Zoning Code. The Comprehensive Plan of signage shall show the location, size, height and extent of all proposed signs. In addition, the geographic limits of the area to be covered by the Comprehensive Plan of signage must be shown.~~

~~2.~~

~~Any application submitted pursuant to Subsection (J)(1) above may be made by any property owner, owner of an easement, lessee, contract purchaser or their agent. Such application shall be accompanied by a statement setting forth the names of the record owners of the properties upon which such signs are proposed to be located and the notarized agreement of each record owner to the placement of such signs on their property. When an application requests permission to erect a sign on property owned by someone other than the applicant, then such application shall be accompanied by a written and notarized statement signed by the record owners of such properties which indicates their endorsement of the application.~~

~~3.~~

~~The above cited signage options shall be exercised in accordance with the standards for all planned developments as set forth in Section 405.1080. All proposed signs shall be reviewed based on the following criteria:~~

~~a.~~

~~Proposed signs are consistent with the purpose of this Article.~~

~~b.~~

~~Proposed signs are compatible with the theme, visual quality, and overall character of the surrounding area.~~

~~c.~~

~~Proposed signs are in scale and harmonious with the development and shall be so located and sized as to ensure convenience to the visitor, user or occupant of the development while not adding to street clutter or otherwise detracting from the planned unit nature of the development and the purposes of architectural and urban design elements.~~

K. Existing Signs Not Conforming To Common Signage Plan. If any common signage plan has been approved under previously effective ordinances for a property on which existing signs were located with a schedule for bringing into conformance, within three (3) years, all signs not conforming to the proposed plan or to the requirements of this Chapter in effect on the date of submission, such schedule shall be met notwithstanding elimination of the common signage plan ordinance.

L. Billboards.

1. Not permitted. Billboards, and except as otherwise expressly authorized by this Article VIII, other signs exceeding fifty (50) square feet in gross sign area shall not be permitted in the City. This

prohibition shall be effective as of July 1, 2009. Any billboard permitted prior to that date shall be deemed a non-conforming sign, but shall not be enlarged, relocated, or reset. The City expressly prohibits the resetting of qualifying signs pursuant to Section 226.541, RSMo. Existing tri-vision billboards are likewise deemed to be non-conforming signs. "Tri-vision billboard" means a sign face having a series of three-sided rotating slats arranged side by side, either horizontally or vertically, which is capable of displaying a total of three (3) separate message copies, one (1) message copy at a time.

2. Lighting and landscaping of billboards. All lighting and landscaping of grandfathered billboards shall comply with the following:

a. Previously approved and required landscaping shall be maintained;

b. No revolving or rotating beam or beacon of light that simulates any emergency light or device shall be permitted as part of any sign. No flashing, intermittent or moving light or lights will be permitted. ~~except scoreboards and other illuminated signs designating public service information, such as time, date or temperature or similar information, will be permitted;~~

c. External lighting such as floodlights, thin line and gooseneck reflectors are permitted, provided the light source is directed upon the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the main traveled way of the interstate or primary highway and the lights are not of such intensity so as to cause glare, impair the vision of the driver of a motor vehicle or otherwise interfere with a driver's operation of a motor vehicle and such lights shall be effectively shielded so as to prevent beams or rays of light from being directed onto adjacent residential property;

d. No billboard shall be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device or signal;

e. The maximum average lighting intensity level for such sign shall be twenty (20) foot-candles.

3. Obstruction of official highway signs. No sign shall be located in such manner as to obstruct or otherwise physically interfere with the effectiveness or visibility of an official traffic sign, signal or device or obstruct or physically interfere with a motor vehicle operator's view of approaching, merging or intersecting traffic.

4. Annual inspection and certification. Owners of all billboards shall be required to submit, to the Zoning Administrator, an inspection report from a Missouri licensed engineer as to the sign's structural integrity. Such certification shall be done on or before July 1 of each year. Failure to submit a report shall result in the immediate revocation of the sign's permit.

5. Nuisances. Any billboard which, because of lack of maintenance, upkeep, vandalism, accumulation of litter, refuse or debris or the deterioration of landscaping, lighting or fencing, becomes unsightly or unsafe, as determined by the Zoning Administrator, is hereby declared to be a nuisance and shall be subject to abatement by the City in the same manner as all other nuisances on private property.

Section 405.955. Master Signage Plans.

Master Signage Plans. In keeping with the intent to allow flexibility in the design of planned developments and large campus development of contiguous multi-acre areas, not separated by major highways or public right-of-ways (i.e., Olive Boulevard), the following options may be available for signs accessory to uses in non-residential district properties of campus developments of three (3) or more multiple buildings with a minimum of ten (10) acres, HE Higher Education District, and residentially zoned institutions (schools and places of worship with a minimum tract area of twenty (20) acres).

1. As an alternative to what would otherwise be allowed, signs may be permitted in accordance with a Comprehensive Plan of signage subject to the recommendation of the Planning and Zoning Commission and approval of the City Council following a public hearing conducted in accordance with the provisions of Sections 405.1060(D)(3) and 405.1120 of the Zoning Code. The Comprehensive Plan of signage shall show the location, size, height and extent of all proposed signs. In addition, the geographic limits of the area to be covered by the Comprehensive Plan of signage must be shown.

2. Any application submitted pursuant to Subsection (J)(1) above may be made by any property owner, owner of an easement, lessee, contract purchaser or their agent. Such application shall be accompanied by a statement setting forth the names of the record owners of the properties upon which such signs are proposed to be located and the notarized agreement of each record owner to the placement of such signs on their property. When an application requests permission to erect a sign on property owned by someone other than the applicant, then such application shall be accompanied by a written and notarized statement signed by the record owners of such properties which indicates their endorsement of the application.

3. The above-cited signage options shall be exercised in accordance with the standards for all planned developments as set forth in Section 405.1080. All proposed signs shall be reviewed based on the following criteria:

a. Proposed signs are consistent with the purpose of this Article.

b. Proposed signs are compatible with the theme, visual quality, and overall character of the surrounding area.

c. Proposed signs are in scale and harmonious with the development and shall be so located and sized as to ensure convenience to the visitor, user or occupant of the development while not adding to street clutter or otherwise detracting from the planned unit nature of the development and the purposes of architectural and urban design elements.

4. The Director of Community Development may approve minor changes to an approved master sign plan which he determines to be consistent with the scope and intent of such plan.

Section 405.960. Enforcement and Sign Removal.

[R.O. 2008 §26-105; Ord. No. 1903 §1, 11-24-1997; Ord. No. 5280 §2, 10-22-2012; Ord. No. 5437 §2, 9-16-2015]

A. Sign Code Violations And Enforcement. Any sign which is not in compliance with all the provisions of this Article is declared to be unlawful. The City, through the Zoning Administrator, may initiate injunction or abatement proceedings or other appropriate action in the courts against any person who violates or fails to comply with any provisions of this Article or against the erector, owner or user of an unlawful sign or the owner of property on which an unlawful sign is located to prevent, enjoin, abate or terminate the erection, use of display of an unlawful sign. Any person who violates or fails to comply with any of the provisions of this Article or the erector, owner or user of an unlawful sign or the owner of property on which an unlawful sign is located shall be subject to the financial penalties set forth in Section 405.1150(D) of this Chapter.

B. Removal Of Unlawful Sign. Any unlawful sign which has not been removed within thirty (30) days after conviction of violation or imposition of civil penalty may be removed by the City and the costs charged to the violator. If removal costs have not been paid and the sign reclaimed within thirty (30) days of its removal by the City, the City may sell or otherwise dispose of the sign and apply the proceeds toward costs of removal. Any proceeds in excess of costs shall be paid to the owner of the sign.

C. Immediate Removal Of Unlawful Or Unsafe Signs. Signs which the Zoning Administrator finds upon public streets, sidewalks, rights-of-way or other public property or which wherever located present an immediate and serious danger to the public because of their unsafe condition may be immediately removed by the Zoning Administrator without prior notice.

Section 405.970. Variances.

[R.O. 2008 §26-106; Ord. No. 1903 §1, 11-24-1997; Ord. No. 5280 §2, 10-22-2012; Ord. No. 5437 §2, 9-16-2015]

A. Practical Difficulties Or Unnecessary Hardship.

1. Where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of the provisions of this Article, the Board of Adjustment may vary or modify the application of specific regulations for any permitted form of signage so that the spirit of this Article shall be observed, public safety and welfare secured and substantial justice done.

2. A variance from this Article may be granted for any permitted form of signage where it is found that because of the limitations on character, size, number or dimensions of signs or the regulations controlling the erection or installation of a sign, the applicant would be subject to practical difficulties or unnecessary hardship. Unnecessary hardship is not considered the loss of possible advantage, economic loss or gain or mere inconvenience to the applicant.

B. Procedures And Criteria. The procedures and criteria for granting a variance from the regulations in this Article shall be as set out in Section 405.1040 of this Chapter.

SECTION 5. This Ordinance shall become effective pursuant to the provisions of Section 3.11(g) of the Charter.

ADOPTED BY THE CITY COUNCIL THIS ____ DAY OF _____, 2018.

Dr. Scott Saunders, President of The City Council

APPROVED THIS ____ DAY OF _____, 2018.

Barry Glantz, Mayor

ATTEST:

DEBORAH RYAN

CITY CLERK