

**CITY OF FARMINGTON**

**BILL NO. 70112012**

**ORDINANCE 11-21 90**

**AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF FARMINGTON, MISSOURI, BY AMENDING TITLE IV: LAND USE, CHAPTER 405: ZONING REGULATIONS, ARTICLE VI: SUPPLEMENTARY REGULATIONS, SECTION 405.230: ACCESSORY BUILDING AND STRUCTURES, SUBSECTION G: SIGNS, A LAND USE KNOWN AS "ACCESSORY BUILDING AND STRUCTURES, SIGNS" AND ENACTING CERTAIN REGULATIONS PERTAINING THERETO.**

**WHEREAS**, there has been presented on this date an amendment to the Municipal Code of the City of Farmington regarding accessory building and structures pertaining to signs and related to definitions, requirements, and purpose; and

**WHEREAS**, the proposed amendment has been affirmatively recommended by the Planning and Zoning Commission of the City of Farmington; and

**WHEREAS**, a public hearing regarding the proposed amendment was held on November 8, 2012 wherein all citizens or parties in interest were given the opportunity to address the City Council regarding said amendment; now therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMINGTON, MISSOURI AS FOLLOWS.**

**SECTION 1:** That the Definitions of said Zoning Ordinance in Section 405.040 in the Municipal Code of the City of Farmington are hereby amended by inserting the following definition:

*SIGN, COMMON INDUSTRIAL SUBDIVISION OR DEVELOPMENT:* A freestanding sign erected to display multiple business uses which are located within a common industrial subdivision or development that shares an approved common and contiguous plat, boundary adjustment, or recorded subdivision organization.

*SIGN, TEMPORARY:* A Sign, Banner, Display Flag, Advertising Blade, or Portable Graphic Display, constructed of cloth, fabric, or other lightweight material with or without a structural frame intended for a limited period of display as outlined within this Section.

**SECTION 2:** That Section 405.230, Subsection G of the Zoning Ordinance is hereby amended by replacing and inserting the following Subsections and paragraphs:

3. Industrial Districts.

- a. Signs and sign structures advertising a use which is discontinued shall be removed within ninety (90) days.

- b. The height and area of signs shall be in accordance with this Section and Tables K, L and M at the end of this Title.
- c. Shall be located on the same lot of record as the subject of the advertisement. The content of the sign shall be limited to the identification of the businesses on the lot, or the products or services sold or produced on the premises, and the name of the establishment.
- d. Freestanding signs for advertising multiple uses in the same building or group of buildings, such as multiple use or tenant buildings or complexes, shall be located on common sign structures. One (1) common structure shall be permitted for each public street frontage.
- e. Common sign structures located on the same property shall be separated by at least one hundred fifty (150) feet and shall be separated by at least seventy five (75) feet from freestanding signs located on adjoining properties.
- f. The height of a wall sign may not exceed the maximum height specified in Table K, L or M but shall not exceed the height of the building or structure to which it is accessory.
- g. Notwithstanding the requirements of this Title, signs and sign structures for the purpose of providing directions to churches, schools, public facilities, civic organizations and other similar established nonprofit organization facilities may be placed on property other than the lot of record in accordance with the following:
- (1) Signs permitted under this Section shall not exceed twenty (20) square feet.
  - (2) Sign structures permitted under this Section shall not exceed twelve (12) feet in height.
  - (3) Written permission is required from the property owner(s) of the property upon which the sign will be installed.
  - (4) A permanent sign easement shall be provided. Sign easements may not conflict with any recorded or unrecorded utility or utility easement.
  - (5) A Special Use permit shall be required when more than two (2) signs pursuant to this subsection would be located within the same lot of record.
- h. Billboards are permitted strictly for a main use in accordance with Table A, at the end of this Title, shall be considered an accessory structure, and shall meet all requirement for the main use for the district in which permitted.
- i. Notwithstanding the requirements of Subsection Four (4) of this Section, temporary signs, relating only to the sale or lease of the premises, may be located in a front yard; and a temporary sign relating to the announcement of a proposed building or plant location may be located within the building area of the site for a period of not more than



one (1) year unless authorized in writing by the City Administrator.

j. No sign shall be lighted by means of flashing or intermittent illumination.

k. Freestanding common signs for advertising multiple business uses which are located within a common industrial subdivision or development shall be permitted under the following:

(1) Written permission is required from the property owner(s) of the property upon which the sign will be installed.

(2) A permanent sign easement shall be provided. Sign easements may not conflict with any recorded or unrecorded utility or utility easement.

(3) Shall be located a minimum of one hundred fifty (150) feet from existing freestanding signs and shall be located not more than of seventy five (75) feet from a main public roadway entrance or intersection into or adjacent to said common commercial subdivision or development. Common sign structures located on the same property shall be separated by at least one hundred fifty (150) feet and shall be separated by at least seventy five (75) feet from freestanding signs located on adjoining properties. For the purposes of this subsection, menu board signs not exceeding twenty (20) square feet in size and not more than ten (10) feet above finish grade, and directional signs not exceeding ten (10) square feet in size and not more than ten (10) feet above finish grade shall not count again this provision.

(4) Shall not exceed forty (40) feet in height unless otherwise specifically allowed by Table K, L or M for the subject property.

(5) Shall not exceed two hundred (200) square feet in sign area per sign face unless otherwise specifically allowed by Table K, L or M for the subject property.

(6) Off-premise common industrial subdivision or development signs must not result in non-compliance with the standards of this Chapter for the property upon which the sign is placed.

(7) A Special Use permit shall be required when more than two (2) off-premise common industrial subdivision or development signs pursuant to this subsection would be located within the same common industrial subdivision or development.

(8) Shall comply with the applicable construction standards of the adopted Building Codes.

g. Off-premise freestanding signs for a lot without adequate and direct public street access shall be permitted under the following:

- (1) The sign is located on a contiguous property to which the sign message is applicable and that the contiguous property has adequate and direct public street frontage for said sign.
- (2) Written permission is required from the property owner(s) of the property upon which the sign will be installed.
- (3) A permanent sign easement shall be provided. Sign easements may not conflict with any recorded or unrecorded utility or utility easement.
- (4) Freestanding signs located within the subject property shall be located on common sign structures complying with the provisions of this Section. One (1) common structure shall be permitted for each public street frontage. Common sign structures located on the same property shall be separated by at least one hundred fifty (150) feet and shall be separated by at least seventy five (75) feet from freestanding signs located on adjoining properties. For the purposes of this subsection, menu board signs not exceeding twenty (20) square feet in size and not more than ten (10) feet above finish grade, and directional signs not exceeding ten (10) square feet in size and not more than ten (10) feet above finish grade shall not count against this provision.
- (5) The height and area of said signs shall be in accordance with Tables K, L and M at the end of this Title.
- (6) The sign must not result in non-compliance with the standards of this Chapter or Title for the property upon which the sign is placed.
- (7) A Special Use permit shall be required when more than two (2) off-premise freestanding signs for a lot without adequate and direct public street access would be located on the same property pursuant to this subsection.
- (8) A Special Use permit shall be required for off-premise freestanding signs for a lot without adequate and direct public street access when more than one (1) contiguous property to which the sign message is applicable, which under these provisions and pursuant to this subsection would be utilized.
- (9) Shall comply with the applicable construction standards of the adopted Building Codes.

**SECTION 3:** That Section 405.230, Subsection G, Paragraph 4 of the Zoning Ordinance is hereby amended by replacing and inserting the following Subsection paragraph:

4. Temporary Signs.

- a. Temporary Signs or Banners. Temporary Signs or Banners shall be permitted under the following:



- (1) Shall not be displayed in excess of sixty (60) consecutive days.
- (2) Shall not be displayed intermittently in excess of one hundred twenty (120) days during a calendar year.
- (3) Shall not exceed thirty (30) square feet in size or more than six (6) feet in total height above finish grade.
- (4) Must not result in non-compliance with the standards of this Chapter and Title for the property upon which the sign is placed.
- (5) Shall not exceed one (1) temporary sign or banner for each public street frontage or for each one hundred fifty (150) feet, or fraction thereof, of public street frontage.
- (6) Shall not require a permit when said installation is in accordance with the provisions of this subsection.

b. Temporary Display Flag, Advertising Blade, or Portable Graphic Display. Display Flags, Advertising Blades, or Portable Graphic Displays shall be permitted under the following:

- (1) Shall not be displayed in excess of sixty (60) consecutive days.
- (2) Shall not be displayed intermittently in excess of one hundred twenty (120) days during a calendar year.
- (3) Shall not exceed thirty (30) square feet in size or more than ten (10) feet in total height above finish grade.
- (4) Must not result in non-compliance with the standards of this Chapter and Title for the property upon which the Temporary Display Flag, Advertising Blade, or Portable Graphic Display is placed.
- (5) Shall not exceed one (1) Temporary Display Flag, Advertising Blade, or Portable Graphic Display for each fifty (50) feet, or fraction thereof, of public street frontage.
- (6) Shall not require a permit when said installation is in accordance with the provisions of this subsection.

**SECTION 4:** That Section 405.230, Subsection G(10) of the Zoning Ordinance is hereby amended by replacing and inserting the following Subsection paragraph:

10. Additional requirements.

- a. Signs shall not be located in a public right-of-way, except where erected or sanctioned by the Local, State, or Federal government.

b. Self-changing electronic display boards or "reader boards" shall not appear to blink, flash, or otherwise cycle between off and on phases of illumination more frequently than one (1) cycle per four (4) seconds, except to produce the illusion of a vertical or horizontal gradual scrolling effect.

c. Posts, supports, platforms, footings, piers, monuments, or other similar components or features that might remain or exist on a property shall not be construed as being a sign and shall not grant the ability to place a sign in said location unless the location complies with the provisions of this Chapter and Title.

d. Where multiple signs are installed on a single lot of record, the following shall also apply:

(1) The total aggregate area of all signs installed upon a building shall not exceed twenty percent (20%) of the total exterior wall surface area for each face of the building, including window or door openings.

(2) Shall not exceed the total aggregate square footage allowed by Tables K, L, and M when applied to the total linear perimeter of a lot or an overall aggregate square footage equal to 4 times that allowed for a single sign, whichever is greater.

e. Freestanding or monument signs shall be provided with a minimum 10' setback from a property line.

f. Freestanding or monument signs shall be provided with a minimum setback from a roadway intersection as determined by a diagonal line connecting two (2) points measured twenty five (25) feet equidistant from the intersection of the property lines, or the property lines extended on the corner of the lot using each of the street right-of-way lines, or on arc-shaped corners a diagonal line connecting the points at each end of the arc.

g. Freestanding or monument signs shall be provided a minimum setback from a roadway intersection between public and private roadways or drive entrances, or multiple private roadways or drive entrances, as determined by a diagonal line connecting two (2) points measured twenty five (25) feet equidistant from the intersection of the property lines, or the property lines extended on the corner of the lot using each of the street right-of-way lines, or on arc-shaped corners a diagonal line connecting the points at each end of the arc, or a combination of these methods for a public right-of-way connection between a drive entrance or a private roadway connection which may be measured from and parallel to the nearest edge of pavement, curb, or drive surface for said drive entrance or private roadway connection.

h. Signs installed upon freestanding structures other than the primary use building shall be considered as and shall count towards the allowable number of freestanding signs allowed for a single lot of record in accordance with the provisions of this Section.



i. Signs installed on a freestanding accessory building or structure not customarily utilized for the installation of signs shall not exceed the height of the accessory building or structure it is installed upon. This provision shall include but is not limited to fences, dumpster enclosures, portable or permanent storage buildings or structures, modular structures, transportation or storage containers, carports, or similar structures that are not the primary use building.

j. Common sign structures located on the same property shall be separated by at least one hundred fifty (150) feet and shall be separated by at least seventy five (75) feet from freestanding signs located on adjoining properties. For the purposes of this subsection, menu board signs not exceeding twenty (20) square feet in size and not more than ten (10) feet above finish grade, and directional signs not exceeding ten (10) square feet in size and not more than ten (10) feet above finish grade shall not count against this provision.

k. Notwithstanding the requirements of paragraph d of this subsection, one additional approved menu board sign not exceeding twenty (20) square feet in size and not more than ten (10) feet above finish grade and one additional approved directional sign not exceeding ten (10) square feet in size and not more than ten (10) feet above finish grade, may be permitted in addition to the signs otherwise allowed by this Section.

l. A portable marquee or message signs shall not be considered a temporary sign and shall comply with the sign provisions in accordance with the definition of a permanent sign or sign structure pursuant to the standards of this Section.

m. Notwithstanding the requirements of this Title, signs and sign structures for the purpose of providing directions to churches, schools, public facilities, civic organizations and other similar established nonprofit organization facilities may be placed on property other than the lot of record in accordance with the following:

(1) Signs permitted under this Section shall not exceed twenty (20) square feet.

(2) Sign structures permitted under this Section shall not exceed twelve (12) feet in height.

(3) Written permission is required from the property owner(s) of the property upon which the sign will be installed.

(4) A permanent sign easement shall be provided. Sign easements may not conflict with any recorded or unrecorded utility or utility easement.

(5) A Special Use permit shall be required when more than two (2) signs pursuant to this Section would be located within the same lot of record.

(6) Must not result in non-compliance with the standards of this Chapter and Title for the property upon which the sign is placed.

n. Where exterior lighting is used to illuminate a sign, it shall be designed and installed to direct light onto the sign face and away from adjoining properties.

**SECTION 5:** That Table K of the Zoning Ordinance is hereby amended by removing and replacing it with the Table K entry listed within Exhibit A.

**SECTION 6:** That Table L of the Zoning Ordinance is hereby amended by removing and replacing it with the Table L entry listed within Exhibit B.

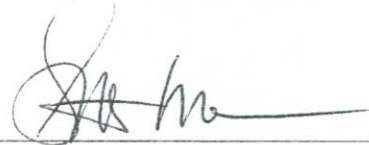
**SECTION 7:** That Table M of the Zoning Ordinance is hereby amended by removing and replacing it with the Table M entry listed within Exhibit C.

**SECTION 8:** A nonconforming use of land existing lawfully at the time of the enactment of this section may be continued, but shall not be extended, expanded or enlarged. Those businesses that were in legal operation at the same location as of the effective date of this ordinance shall be considered as legal nonconforming uses.

**SECTION 9:** That the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section shall be declared unconstitutional or otherwise invalid by valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

**SECTION 10:** This ordinance shall be in full force and effective from the date of passage and approval.

**DULY READ AND PASSED THIS 26<sup>TH</sup> DAY OF NOVEMBER, 2012.**

A handwritten signature in black ink, appearing to read "Stuart Landrum", written over a horizontal line.

Stuart "Mit" Landrum, Mayor

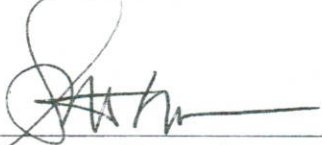
*ATTEST:*

A handwritten signature in black ink, appearing to read "Paula Cartee", written over a horizontal line.

Paula Cartee, City Clerk



Approved this 26<sup>th</sup> Day of November 2012.

  
Stuart "Mit" Landrum, Mayor

ATTEST:

APPROVED AS TO FORM:

  
Paula Cartee, City Clerk

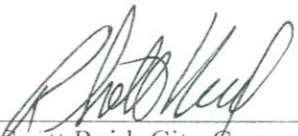
  
R. Scott Reid, City Counselor

EXHIBIT A  
TABLE K. POSTED SPEED LIMIT UNDER 35 MILES PER HOUR

LINEAL PUBLIC RIGHT-OF-WAY FOOTAGE

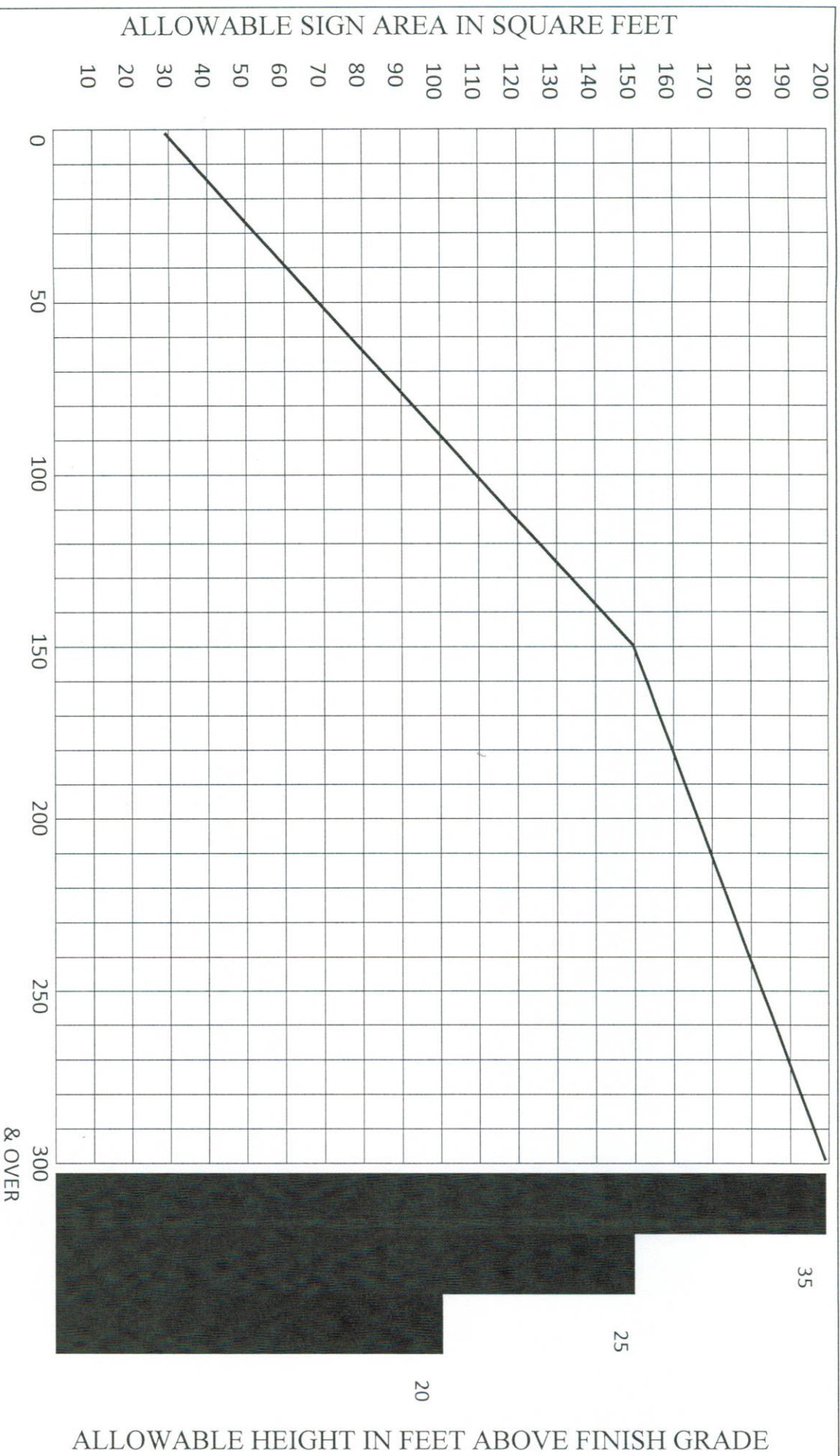




EXHIBIT B  
TABLE L. POSTED SPEED LIMIT 35 TO 55 MILES PER HOUR

LINEAL PUBLIC RIGHT-OF-WAY FOOTAGE

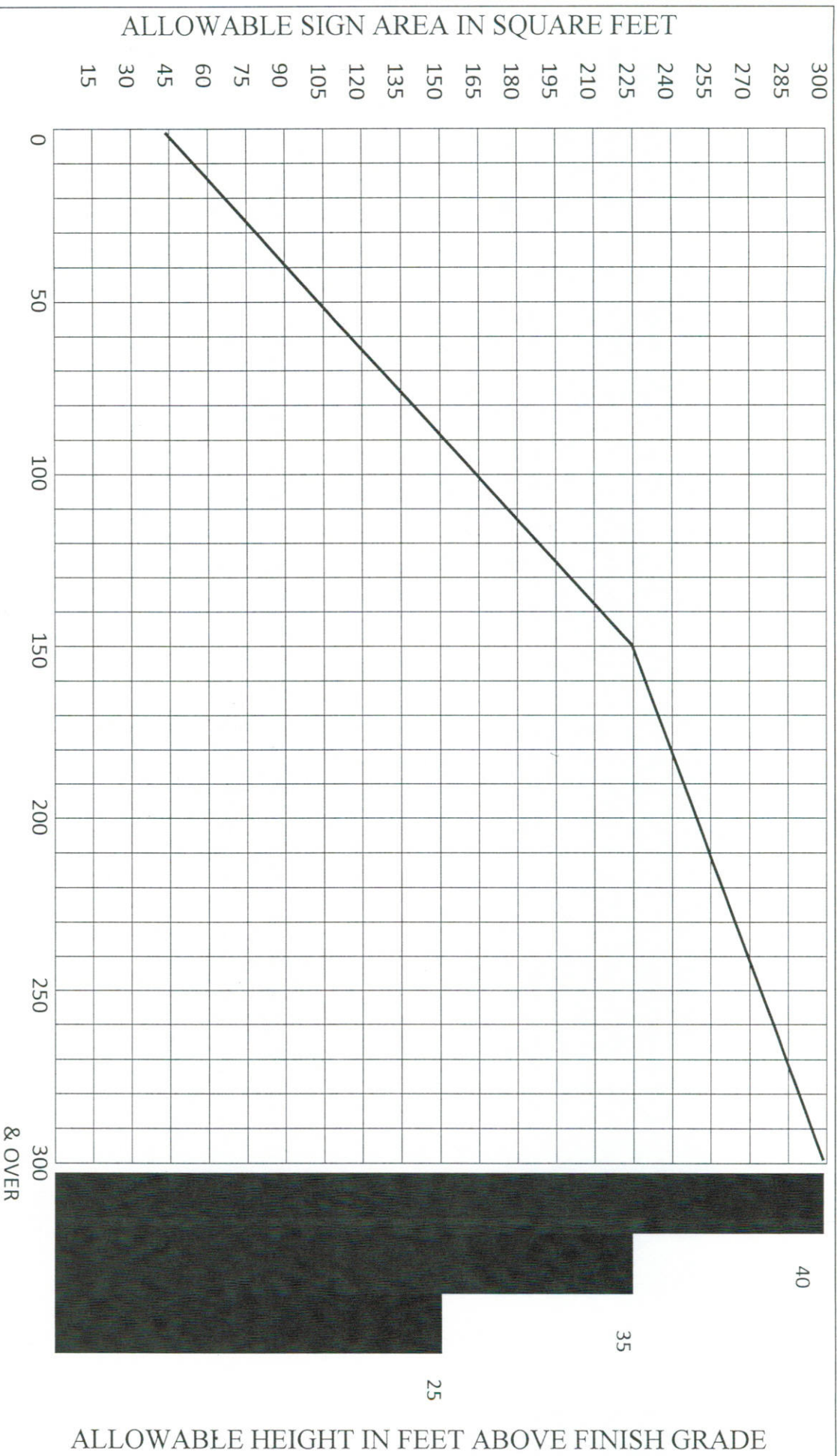
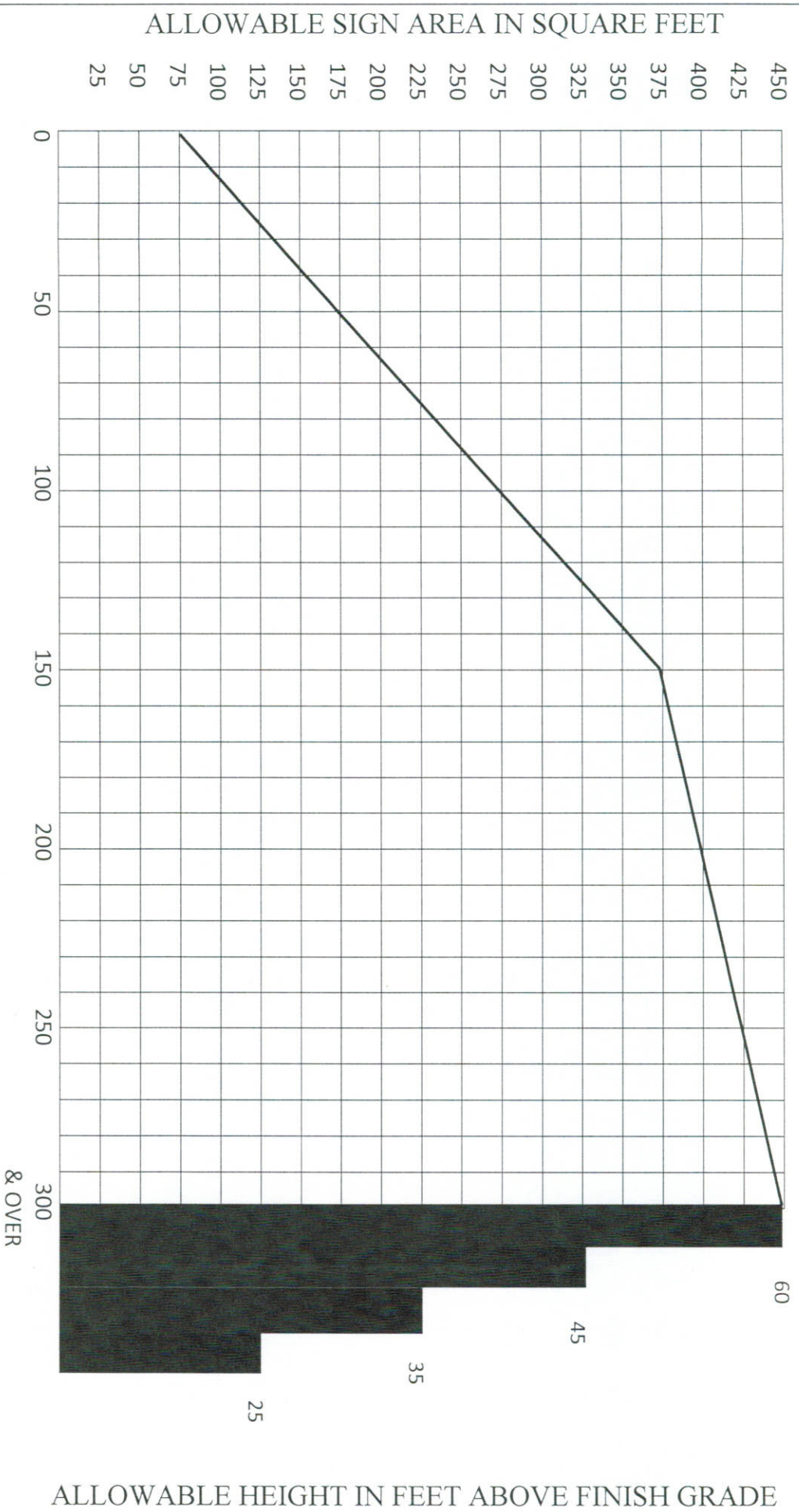


EXHIBIT C  
TABLE M. POSTED SPEED LIMIT OVER 55 MILES PER HOUR



LINEAL PUBLIC RIGHT-OF-WAY FOOTAGE