

CHAPTER 4
DESIGN AND DEVELOPMENT REGULATIONS

ARTICLE F. SIGN PROVISIONS

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8-4F-1 Purpose: The purpose of this Article is to promote public health, welfare and safety by regulating signs of all types while implementing the goals and objectives of the City's Comprehensive Plan.

- A. The regulations contained in this Article are intended to regulate the use, placement, physical dimensions, and number of signs within the City. More specifically, the regulations are intended to:
 - 1. Ensure that signs contribute in a positive way to improve the city's visual character to help create and support a more attractive, flexible business atmosphere that fosters a healthy and enduring economic environment for all sectors of the community; and
 - 2. Improve the City image by promoting quality design that is in concordance with the intended character of the neighborhood as set forth in the Comprehensive Plan; and
 - 3. Maintain a safe city by protecting the public from damage or injury caused by signs that are poorly designed or maintained, and from distractions or hazards to pedestrians and motorists caused by indiscriminate placement or use of signs; and
 - 4. Recognize that signs are a means of visual communication for the convenience of the public.

8-4F-2 Definitions

- A. **ABANDONED SIGN:** A sign that pertains to a business, industry or service that is no longer located on the premises where the sign is located. This includes relocation and the termination of business activities on site.
- B. **ADDRESS SIGN:** A sign or portion of a sign utilized to identify the address of a dwelling unit or business.
- C. **ADAPTABLE SIGN:** A sign with a fixed or changing display capable of displaying words, symbols, figures or images composed of a series of light emitting elements; including but not limited to electronic message boards and light emitting diodes (LED) signs.
- D. **BILLBOARD:** A display surface, usually elevated above ground on a pole or structure, used for the purpose of displaying advertising to the public. It includes flat and or projected surfaces. Mechanically or electronically actuated devices and displays used for advertising purposes are considered billboards, unless specifically defined elsewhere in this code. Off Premise Signs and On Premise Signs as defined in this section and used to identify specific facilities are not considered billboards.
- E. **BOX SIGN:** See Cabinet Sign.
- F. **BUILDING FRONTAGE:** The total amount of contiguous building that fronts an existing public or private street or common circulation area, from which the sign is intended to be visible. For purposes of determining building face that may be utilized for signage, the building face must have an entrance available for public use. In cases where there is more than one unit within a building the face of the building as a whole, rather than the individual units shall be used in determining the building's face. The total sign area of all wall signs allowed on a given building face of a building shall be calculated from entire building face rather than from individual units.
- G. **BULLETIN BOARD:** Bulletin or notice board signs not exceeding fifteen (15) square feet in gross surface area.
- H. **BUS STOP SIGNS:** Signs authorized by the regional transit authority to be located on bus stops approved by the City.
- I. **CABINET SIGN (also known as Box Sign):** A sign with text or symbols printed on a plastic or acrylic sheet that is mounted on a cabinet or box that houses the lighting source and equipment.
- J. **CHANNEL LETTER SIGN:** A wall sign consisting of individual letters, numbers or symbols mounted directly on the face of the building or on a raceway that is mounted to the face of the building. In order to qualify for the sign area ratios established, the signs must not be illuminated or be illuminated only by indirect lighting, halo lighting or silhouette lighting. If there is a raceway, the raceway must be painted or otherwise designed to match or blend in with the color of the wall to which it is attached (See Figure 1).



Figure 1: These examples of Channel Letter Signs are raceway mounted and pin-mounted, respectively.

- K. CONSTRUCTION SIGN: A temporary construction sign anchored in the ground that is related to the construction or remodeling which lists the construction or remodeling and the owners, contractors, lenders, architects, engineer or other information related to the project.
- L. DISSOLVE: a mode of message transition on an Electronic Message Display accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.
- M. DIRECTIONAL SIGN: A sign intended to provide directions for pedestrian or vehicular traffic.
- N. DIRECTORY SIGN: A wall, freestanding, monument or other sign on a multi-tenant development site that is used to convey directions or other information to pedestrians and motorists who have entered the site.
- O. DISTINCTIVE MATERIALS/ DESIGN SIGN: Permanent custom-made signs that use only indirect lighting and do not include a raceway or visible electrical housing and that are constructed primarily of the following materials and methods (See Figure 2).
 1. Ceramic tile: painted or sandblasted;
 2. Wood: carved or sandblasted;
 3. Metal: formed, etched, cast or engraved;
 4. Brick or stone: with recessed or raised lettering;
 5. Glass: painted or etched; or
 6. Other: similar high-quality exterior-grade materials; or superior design approved through Design Review.

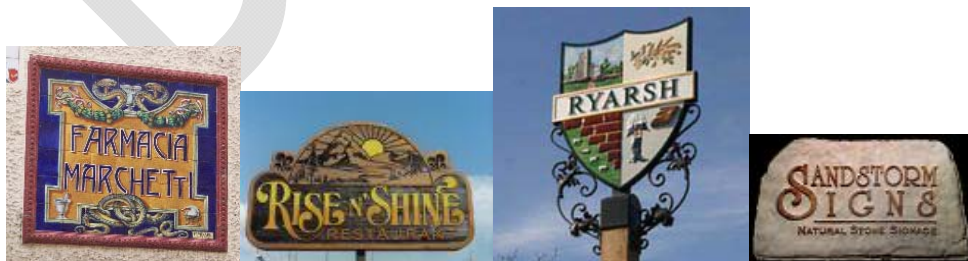


Figure 2: Examples of Distinctive Materials Signs: ceramic, wood, metal and stone, respectively.

- P. ELECTRONIC MESSAGE BOARD: An adaptable sign with a fixed or changing display composed of a series of lights that can be electronically or mechanically changed by remote or automatic means (See Adaptable Sign).

- Q. ERECTION OF A SIGN: The construction, placement, relocation, enlargement, posting or display of a sign.
- R. EXEMPT SIGN: any sign as defined by 8-4F-8. These signs are exempt from the permit requirements of this article.
- S. EXPANSION OF A SIGN: any increase in the dimension of the sign, supporting structure, message surface or messaging capabilities.
- T. FADE: A mode of message transition on an Electronic Message Display accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.
- U. FRAME: A complete, static display screen on an Electronic Message Display.
- V. FRAME EFFECT: A visual effect on an Electronic Message Display applied to a single frame to attract the attention of viewers.
- W. FULLY SHIELDED: A lighting fixture with shielding so light rays emitted by the fixture project only below the horizontal plane (less than ninety (90) degrees) passing through the lowest point on the fixture from which light is emitted.
- X. FREESTANDING SIGN: A sign that is attached to, erected on or supported by a structure (such as posts, columns, or other supports) that is not a building.
- Y. HANGING (also known as Projecting) SIGN: A sign that is suspended above a pedestrian walkway, attached to the building wall, or overhang typically oriented perpendicular to the building face to which the sign is attached. Both sides of the sign are typically visible to pedestrians and contain identical designs.
- Z. ILLEGAL NONCONFORMING SIGN: A sign that does not comply with the criteria set forth under this article; and, **has never received the applicable permit** as required by the adopted sign ordinance during which the sign was constructed or altered. All signs that have not received a permit are considered illegal nonconforming.
- AA. ILLUMINATION, EXTERNAL: A sign that is affected by an artificial light source that is not contained within the sign or awning itself (See Figure 3).

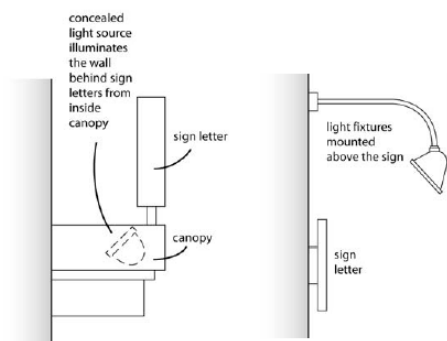


Figure 3: External Illumination

- BB. ILLUMINATION, INTERNAL: Illumination of a sign or awning from a light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface. This includes characters, letters,

- figures, designs or outline which is illuminated by gas filled luminous tubes, such as neon, argon or fluorescent.
- CC. INTERIOR SIGN: See window sign.
- DD. LED sign: An adaptable sign comprised of Light Emitting Diodes (LED).
- EE. LEGAL NONCONFORMING SIGN: A sign that does not comply with the provisions of this article but has received applicable permits.
- FF. LITHOGRAPH: Engraving, carving or etching into a masonry surface or inlaid so as to be part of a building.
- GG. MONUMENT SIGN: A sign mounted on a foundation at ground level and with no structural break between the foundation and the signage area.
- HH. MOVING SIGNS: Any sign that uses movement or the change of lighting to depict action or create a special effect or scene, including but not limited to blinking, flashing, rotating or moving signs, animated signs, signs with moving, rotating, or flashing lights, electronic message boards, LED or signs that create the illusion of movement.
- II. MULTI-TENANT DEVELOPMENT SIGN: A sign that displays the names of tenants or property owners, the addresses of the premises and or the name of any legal business that owns, controls or manages within a multi-tenant development where there are two or more business establishments that share vehicle access and parking.
- JJ. OCCUPANT SIGNS: A sign indicating the name of the occupant, location, or identification of a home or professional office.
- KK. OFF-PREMISES SIGN: A sign that is not clearly incidental to the permitted use on the premises which the sign is located. Off- premises signs include, but are not limited to, signs on bus benches, and mobile signs. ON-PREMISE SIGN: A sign that is located on the same property as the location of the business or service the sign is identifying.
- LL. OVERHEAD ELECTRICAL CONDUCTOR: An electrical conductor that is either bare or insulated, installed above the ground, excepting such conductors which are enclosed in rigid conduit or other material covering of equal strength.
- MM. PARCEL: A lot or set of contiguous lots bounded by common ownership or business interest. Two (2) or more lots separated by any publicly owned right of way shall be considered separate parcels.
- NN. PORTABLE SIGN: A sign that is not permanently affixed to a structure or the ground.
- OO. PROJECTING SIGN: See Hanging Sign.
- PP. PROMOTIONAL SIGN: Banners, flags, posters, ribbons, streamers, spinners, balloons, inflatable signs or figurines, etc... used to decorate or attract attention to the business establishment or service.
- QQ. ROOF SIGN: A sign located above the parapet on a building with a flat roof, or above the fascia board on a building with a pitched roof.
- RR. SALE, LEASE or RENT: Temporary signs used to offer for sale, lease, or rent the land or buildings upon which the sign is located.
- SS. SCROLL: A mode of message transition in adaptable signs where the message appears to move vertically across the display surface.
- TT. SIGN: Any device (including, but not limited to painted or attached, letters, words, numerals, figures, emblems, pictures, and including any moving parts, lighting, sound equipment or any combination thereof) used for visual

communication intended to attract attention, and visible to the public right of way or other properties.

UU. SIGN AREA: The entire copy area within a contiguous perimeter, enclosing the extreme limits of sign display, including any frame or border, but not including any supporting structure. The calculation of sign area is based on one display side. The area of a sign is determined based on the outer dimensions of the frame or cabinet surrounding the sign face (See Figure 4).

However, the area of a sign comprised of individual letters or elements attached to a building wall is determined by calculating the area of the smallest geometric figure (e.g. square, rectangle, circle, polygon, etc) that can be drawn around the letters and/or elements. Signs consisting of individual letters and/or elements will be measured as one sign when the distance between the letters and/or elements is less than the largest dimension of the largest sign letter (See Figure 5).

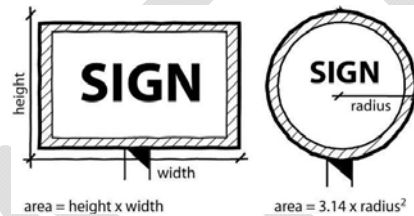


Figure 4: Sign Circumference

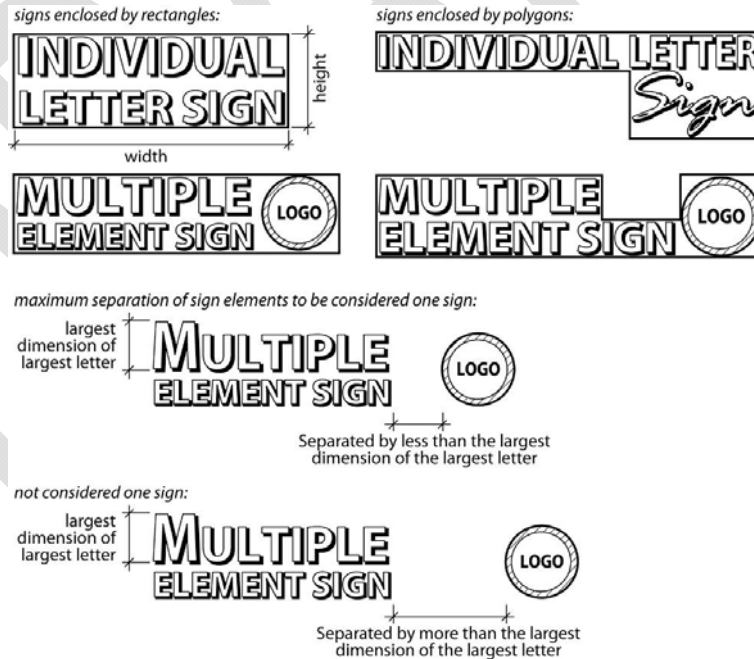


Figure 5: Examples of Sign Area

VV.SIGN DISTRICT: The general district in which all properties are divided allowing for signage based on the desired nature of the future land use as

depicted in the Garden City Comprehensive Map reflected on the Sign District Map See 8-4F-6, Figure 6.

- WW. SIGN HEIGHT: The vertical distance measured from the lowest adjacent grade to the highest point of the sign structure. If the street to which the sign is oriented is higher than the grade at the base of the sign, then the street elevation at the adjacent curb shall be used in determining the permitted height.
- XX. SIGN MAP: The Official Sign Map of the City of Garden City; the visual depiction of the boundaries of the sign districts.
- YY. SIGN SETBACK: The horizontal distance from the closest property line to any portion of a sign or sign structure.
- ZZ. STREET FRONTAGE: The total amount of property line contiguous to an existing public street on which the sign is intended to be visible from, but not including alleyways, parking lots or drive aisles. Frontage is most frequently the front of the lot. Corner lots and double fronted lots may have two (2) sides fronting a public street.
- AAA. STRUCTURALLY-ATTACHED: Signs on a supporting structure of another sign.
- BBB. TRANSITION: A visual effect used to change from one message to another.
- CCC. WALL SIGN: A sign which is attached to or painted on the exterior wall of a building with the display surface approximately parallel to the building wall.
- DDD. WINDOW SIGN: A sign applied directly onto a window or internal to the window, or is located within the interior of a business and is visible from the public right-of-way or areas accessible to pedestrians. Window signs include without limitation the application of words and logos on window glass, the use of hanging signs and paper signs in windows. (See also Interior Sign)

8-4F-3 APPLICABILITY

- A. Scope of Application: The regulations of this Article shall apply to properties within the corporate limits of the City of Garden City.
- B. Application To Content: Nothing in the provisions of this Article are intended to regulate the message content of signs, regardless of whether the message content is commercial or noncommercial. (Ord. 870-07, 7-9-2007)

8-4F-4 PERMIT REQUIRED

To ensure compliance with the regulations of this Article, a sign permit shall be required in order to erect, alter, or reconstruct any freestanding, monument, wall, promotional sign; or, any otherwise non-exempt sign that does not comply with the requirements set forth in section 8-4F-8 of this article. Changing or replacing the copy of an existing lawful sign shall not require a permit, provided the copy does not change the nature of the sign or render the sign in violation of this article.

- A. Application: An application for a sign permit shall be filed with Development Services, and a fee paid pursuant to City Council resolution. An application shall be made on a form provided by the City.

- B. Review and Approval: The Planning Official or designee shall review all complete sign applications; and, shall approve only those found to be in compliance with all applicable requirements of this Article. Should the sign not meet all conditions to be compliant with this article; the applicant may apply for a permit through the design review permitting process. The Design Review Committee shall approve only those signs found to be compliant with the following:
1. Adhere to 8-4F-1 Purpose of this Article; and
 2. Implement the visions as set forth in the Comprehensive Plan; and
 3. Establish that the property values and rights of any resident or business owner in Garden City will not be encumbered by the design of the sign; and
 4. Demonstrate that the sign provides significant creativity and uniqueness, and the intent is not to merely evade the provisions set forth in this Article; or, can demonstrate that the sign is an established icon that enhances the community's assets more than a sign complying with the requirements set forth in this Article; and
 5. Demonstrate that they are constructed of professional and durable materials, and are not intended to be of temporary nature.
- C. A sign permit shall not be required for changing copy on a sign, repainting, cleaning, or normal maintenance and repair of a sign; or, a sign structure for which a permit has previously been issued provided that the sign or sign structure is not significantly altered in anyway.
- D. Every permit issued shall become null and void unless the work on the site authorized by such permit is completed within one hundred and eighty (180) days after its issuance; or, if the work authorized on the site by such permit is suspended or abandoned for a period of one hundred and eighty (180) days, the Planning Official is authorized to grant, in writing, one or more extensions of time, for periods not more than one hundred and eighty (180) days each. The extension shall be requested in writing and justifiable cause shall be demonstrated.
- E. Other Permits: Separate building and electrical permits may be required in addition to the sign permit.
- F. Appeal: Any person aggrieved by a decision on a sign permit may appeal the Planning Official's decision to the Garden City Design Review Committee pursuant to provisions in 8-6A-9 of this Code. Appeals of the Design Review Committee decisions will be considered by the Garden City Council.

8-4F-5 SIGN DISTRICTS ESTABLISHED:

For the purposes of this Title, the City is hereby divided into the following base sign districts (See Figure 6) :

Base Districts

Map Symbol

Sign District 1	SD1
Sign District 2	SD2
Sign District 3	SD3
Sign District 4	SD4
Sign District 5	SD5
Specific Area Plan Sign District	SDSAP

A. Purpose

1. The purpose of the sign districts is to provide for signage to accommodate the full range of commercial intensities that the Comprehensive Plan has designated, and this title permits.

- B. Applicability:** The sign districts shall be applied in addition to the standards in the base zoning district.



Figure 6: Official Sign District Map of Garden City Idaho, GCC 8-4F-6

8-4F-6 OFFICIAL SIGN DISTRICTS MAP

- A.** The boundaries of the districts are shown on the Official Sign Map of the City of Garden City.
1. Signs shall adhere to the district regulations in which the sign fronts.
 2. A Master Sign Plan as identified in 8-4F-14 Planned Sign Program may be reviewed in conjunction with a master plan subject to Design Review approval. An approved Master Sign Plan may grant relief to one or more provisions of this article; or may impose additional restrictions provided that 8-4F-1 the purpose of this article is more fully exercised.
- B.** The Official Sign Map is made a part of the Title, as well as such other map or reference documents that are duly adopted.
- C.** A copy of the Official Sign Map, identified by the signatures of the Mayor and the City Clerk and amendments thereto, and its effective date, shall be kept in the office of the City Clerk, and be available for reference upon request.
- D.** The Official Sign District Map may be amended over time to allow for additional sign districts that will further advance the creation of unique neighborhoods.

8-4F-7 SIGN DISTRICT BASE PROVISIONS

- A. Sign District 1 (SD1): The purpose of the SD1 is to maintain the areas that the Comprehensive Plan designates as areas that should be maintained residential in nature, while still allowing the properties whose base zoning or overlay zoning allows commercial uses to utilize signs to identify a business or service without disrupting the intended character of the area.
- B. Sign District 2 (SD2): The purpose of the SD2 is to allow for corridors to be treated as a commercial corridor where there may be conflicting adjacent districts. Specifically frontage on 36th Street / Adams Street and Marigold Street / Garrett Street is designated as SD2.
- C. Sign District 3 (SD3): SD3 caters to the areas that the Comprehensive Plan has designated as lower intensity commercial areas that are likely to have a mix of commercial and residential uses.
- D. Sign District 4 (SD4): SD4 allows for signage for areas that are categorized by the comprehensive plan as more completely commercial or industrial in nature.
- E. Sign District 5 (SD5): SD5 provides for signage that harnesses the assets of the high volume traffic of the arterials and highways while fusing the Comprehensive Plan's goal of creating landscaped multimodal corridors; frontage on most of Chinden Boulevard, Glenwood Street, State Street and Veteran's Memorial Parkway is included within the SD5.
- F. Specific Area Plan Sign District (SDSAP): All signage requirements shall be determined as part of the approved Specific Area Plan upon annexation or any other means of redevelopment.

8-4F-8 EXEMPT SIGNS

The following types of signs are exempt from the permit requirements of this Article. Exempt signs shall comply with the conditions set forth in this Section and all other applicable requirements contained in this Chapter.

- A. Address Signs: On premise signs utilized to identify the address of a dwelling unit or a business establishment provided:
 - 1. The sign is not illuminated and does not exceed two (2) square feet.
- B. Bulletin Board: Bulletin or notice board signs not exceeding fifteen (15) square feet in gross surface area.
- C. Bus Stops: Signs authorized by the regional transit authority to be located on bus stops approved by the City.
- D. Construction: A temporary construction sign anchored in the ground that is related to the construction or remodeling which lists the construction or remodeling and the owners, contractors, lenders, architects, engineer or other information related to the project; provided that:
 - 1. Signs in conjunction with any residential use shall not exceed six (6) square feet.

2. The total of all sign faces in conjunction with nonresidential uses shall not exceed fifty (50) square feet.
 4. Signs shall not be illuminated.
 5. Signs shall be removed within seven (7) days after completion of the construction project.
 6. Signs shall be on the premise only for which the work is currently in process.
 7. Signs shall not be placed within any right-of-way.
 8. Signs shall be removed within three (3) days if damaged or broken.
- E. Decorations (Holiday): Temporary decorations or displays, when such are clearly incidental to and are customarily and commonly associated with any national, state, local or religious holiday or celebration, provided that such signs shall be displayed for not more than sixty (60) days in any one year.
 - F. Flags: Flags, crests or banners of nations or organizations of nations, or states and cities, or professional, fraternal, religious or civic organizations not including flags utilized as a promotional sign provided that the flags are less than forty (40) square feet.
 - G. Garage, Yard Sale Or Auction: Signs which advertise a private sale on the lot on which the sign is located; provided such signs are displayed no more than twice per year per dwelling unit for a period not to exceed three (3) days.
 - H. Hazards: Temporary or permanent signs erected by a public agency or utility company to warn of danger or hazardous conditions.
 - I. Lithograph: The identification of the name of a building, date of erection or memorial cut into a masonry surface or otherwise inlaid so as to be part of the building provided that:
 1. The lithograph is not illuminated
 2. The engraving, carving or etching is otherwise distinguished other than the cut or inlay.
 3. Is not a commercial message; including wording, logo or other representation that directly or indirectly, names advertises or calls attention to a business, product, service or activity.
 4. Not greater than twenty (20) square feet.
 - J. Occupant signs not to exceed one (1) for each unit indicating the name of the occupant, or location or identification of a home, or professional office provided:
 1. The sign does not use a source of light for illumination and does not exceed two (2) square feet
 - K. Political Signs: Political signs displayed on private property in accordance with an official election or signs erected on behalf of candidates for public

- office provided the signs are not erected sooner than sixty (60) days before an election and taken down no later than two (2) days after the election.
- L. Portable Signs: So as long as the portable signs comply with all provisions set forth in **8-4F-13** .
 - M. Public Hearing: Signs required by the City for notice of public hearing shall comply with the requirements set forth in section 8-10-6 of this Code, and shall be removed within seven (7) days of the public hearing.
 - N. Public Use: Municipal signs that are directional; regulatory; or identify parks, greenbelt and pathways, part of an adopted memorial program; or identify other municipal features or facilities.
 - O. Regulatory Signs: Signs erected on private property, such as "No Trespassing" signs which do not exceed two (2) square feet per face or four (4) square feet in total surface area, limited to four (4) such signs per building.
 - P. Sale, Lease Or Rent: Temporary signs used to offer for sale, lease, or rent the land or buildings upon which the sign is located, provided:
 - 1. The signs do not exceed fifty (50) square feet each in area in nonresidential districts; or the signs do not exceed twelve (12) square feet; or six (6) square feet per sign face each in area in a residential district; and
 - 2. Only one such sign oriented per street front per premises shall be erected. Any two (2) such signs located on the same premises shall be located at least one hundred feet (100') apart as measured using a straight line; and
 - 3. The signs are located on the premise for which they identify; and
 - 4. Signs must not be placed in any right-of- way; and
 - 5. Signs shall not be illuminated; and
 - 6. Signs shall be removed if damaged or broken; and
 - 7. The signs are removed within seven (7) days after the real estate closing or lease transaction.
 - Q. Special Events: Temporary special event signs and banners for religious, charitable, civic, political, fraternal, or similar nonprofit organization provided that the signs shall be erected no sooner than thirty (30) days prior and removed no later than seven (7) days after the event.
 - R. Temporary Identification: Non-permanent, on-premise signs erected to identify the business name and or logo when erected in conjunction with a submittal of a complete sign permit application to Garden City for a permanent sign to identify the business. Provided that:
 - 1. The sign is no larger than one hundred (100) sq. ft.
 - 2. Is non-illuminated.
 - 3. Removed at the time of installment of the permanent sign or in conjunction with the denial of the permit.

- S. Time And Temperature: Signs displaying only time and/or temperature, and are not related to a product.
- T. Traffic Control: Signs for the control of traffic or other regulatory purposes.
- U. Window/ Interior Sign: A sign applied directly onto a window or internal to the window, or is located within the interior of a business and is visible from the public right-of-way or areas accessible to pedestrians. Window signs include without limitation the application of words and logos on window glass, the use of hanging signs and paper signs in windows provided that:
 - 1. In all sign districts except SD4 and SD5, window signs in conjunction with all other permitted and exempt signs shall not exceed more than ten (10) percent of a building face.

8-4F-9 REQUIRED SIGNS

The following types of signs are necessary to ensure the public health and safety. The following provisions are required in all zoning districts and are uniform in all sign districts:

A. Addressing Signs:

- 1. All principle buildings, whether residential or commercial shall be addressed in accordance with Ada County Addressing standards and be clearly visible from the front street.
- 2. In cases where there are multiple non-residential structures on a site that do not all front on the street, there shall be indication of all addresses located within the site that is clearly visible from the front street.

8-4F-10 PROHIBITED SIGNS

The following types of signs are inconsistent with the purposes and standards of this Title and are prohibited in all districts:

- A. Illegal Nonconforming Signs: A sign that does not comply with the criteria set forth under this Article, and has never received the applicable permit as required by the adopted sign ordinance during which the sign was constructed or altered. All signs that are compliant with this article that have not received a permit are considered illegal nonconforming.
- B. Moving Signs: Any movement or illusion of movement except as authorized in **8-4F-13 REGULATIONS FOR SPECIFIC SIGN CATEGORIES B. Adaptable Signs**. This includes movement or the change of lighting to depict action or create a special effect or scene; including but not limited to blinking, flashing, rotating or moving, animation, or moving, rotating, or flashing lights.
- C. Off-Premises Signs: A sign that is not clearly incidental to the permitted use on the premises which the sign is located. Off premises signs include, but are not limited to; signs on bus benches and mobile signs. Billboards and

Directional signs that are off premise signs may be allowed as authorized.in
8-4F-13 REGULATIONS FOR SPECIFIC SIGN CATEGORIES.

- D. Portable Signs: Signs not permanently affixed or attached to the ground or to any structure, except for signs exempt in 8-4F-8.
- E. Public Right Of Way: Signs which overhang, obstruct, or are hazardous on the public right of way.
- F. Roof Signs: Signs located upon or over a roof, or placed so as to extend above the edge of the roof.
- G. Structurally Attached: Signs on a supporting structure of another sign.
- H. Substandard Material: permanent signs made of plywood, pressed board, MDO or non-exterior grade wood products, cardboard, broken masonry blocks, sheet metal, etc... except as allowed through design review.
- I. Vehicle Signs: signs attached to or painted on a licensed vehicle that is located in a nonresidential zoning district in view of the right-of-way when the Planning Official determines that the vehicle is parked solely for the purpose of displaying the sign to passing motorists or pedestrians (this prohibition does not apply to vehicles that the Planning Official determines to be regularly used for deliveries or otherwise integral to the operation of the business).

8-4F-11 GENERAL REGULATIONS FOR ALL SIGNS

- A. Building Code: Signs shall be built, constructed and erected in conformance with the requirements of the building code as adopted by Title 7.
- B. Design: The design in all sign districts shall be compatible in design, color, size and scale with business storefront, adjoining structures and surroundings
- C. Display: Signs that contain more than two display sides shall require a design review.
- D. Electrical Code: All wiring, fittings, and material used in the construction, connection, and the operation of electrically illuminated signs shall be in accordance with the provisions of Title 7.
- E. Fire Safety Access: Signs shall not be erected in any manner which interferes with free passage from or obstructs a fire escape, downspout, window, door, stairway, ladder or opening intended as a means of ingress or egress or providing light or air in accordance with the provisions of Title 7.
- F. Illumination: Any illuminated sign or lighting device shall emit a light of constant intensity. Lighting shall be fully shielded. No illuminated sign or lighting device shall be placed or directed in a way that allows beams of light and illumination to be directed or beamed upon a public right of way which causes glare or reflection that may constitute a traffic hazard or nuisance.
- G. Maintenance: All signs shall be continually maintained in a state of good appearance, safety and repair throughout their life. All signs shall be plainly marked with the name of the person responsible for maintenance of the

sign. Should any sign become structurally unsafe, damaged, broken, rusted or a safety hazard, the person responsible for the sign maintenance, upon written notification by the city, shall be required to return the sign to a safe condition or remove the sign.

- H. Other Jurisdictions: Signs along the state highways and the Ada County highway district (ACHD) rights of way shall conform to the regulations of the Idaho state department of transportation (ITD) and ACHD, respectively, in addition to this code.
- I. Overhead Electrical Conductors: Signs shall be located not less than six feet (6') horizontally or twelve feet (12') vertically from overhead electrical conductors which are energized in excess of seven hundred fifty (750) volts.
- J. Residential Frontage: Unless the sign is the only sign on premise, no signs shall be placed so as to front on an existing residential use; such signs utilized for businesses open to the public during hours of darkness shall turn off lighting to the signage at the close of business each evening. The lights shall remain off except during the operations of business hours.
- K. Safety: Signs shall not be erected in such a location as to cause visual obstruction or interference with motor vehicle traffic, or traffic control devices including any sign that obstructs clear vision in any direction from any street intersection or driveway.
- L. Setbacks: Signs must comply with the clear vision triangle set forth in Section 8-4-E3 of this Title; and comply with the setbacks required within the adopted street sections.
- M. Trees: Trees shall not be illegally pruned, topped or removed to improve visibility of a sign.

8-4F-12 REGULATIONS FOR SPECIFIC SIGN DISTRICTS

A. SD1

1. Maximum Number of signs shall be limited to one per building face. This number does not include exempt signs.
2. The sign must be a distinctive materials sign.
3. Illumination on all signs erected after the passing of this Article must be external illumination.
4. Businesses must turn off lighting to signs that are internally illuminated or not fully shielded at 10:00 pm or close of business, whichever is greater.
5. Lighting may be further limited to ensure compatibility with surrounding areas.

B. SD2

1. Maximum Number of wall signs shall be limited to one per unit for each face not to exceed a sign area of greater than ten percent (10%) of the face. This number does not include exempt signs.

2. Illumination on all signs erected after the passing of this Article must be external illumination.
3. Businesses must turn off lighting to signs that are internally illuminated or not fully shielded at 10:00 pm or close of business, whichever is greater.
4. Lighting may be further limited to ensure compatibility with surrounding uses.

C. SD3

1. Maximum Number of wall signs shall be limited to one per unit for each face not to exceed a sign area of greater than ten percent (10%) of the face. This number does not include exempt signs.
2. Illumination on all signs erected after the passing of this Article must be external illumination.
3. Businesses must turn off lighting to signs that are internally illuminated or not fully shielded at 10 pm or close of business, whichever is greater.
4. Lighting may be further limited to ensure compatibility with surrounding uses.

D. SD4

1. Illumination may be either external or internal illumination.
2. Businesses may not turn off lighting to signs at the close of business
3. Lighting may be limited to ensure compatibility with surrounding uses.

E. SD5

1. Illumination may be either external or internal illumination.
2. Businesses may not turn off lighting to signs at the close of business
3. Lighting may be limited to ensure compatibility with surrounding uses.

F. SDSAP

1. All signs within the Specific Area Plan are subject to the criteria established in the Specific Area Plan approved for subject property.

8-4F-13 REGULATIONS FOR SPECIFIC SIGN CATEGORIES

A. Adaptable Signs

1. Adaptable signs shall be allowed in either freestanding or monument signs in Sign District SD5; and, shall be prohibited in all other types of signs and in all other sign districts.
2. All adaptable signs that utilize light to create change may change frame through dissolve, fade or scroll features only. No sign shall be operated in a manner which the sign, sign structure, design or pictorial segment of

the sign shows full animation, growing, blinking, flashing, rotating content, or otherwise create an illusion of movement.

3. The signs shall only change frame content not more than every ten (10) seconds. The change of content must change immediately within a period of less than one (1) second.
4. Based on a total brightness not more than sixty-five hundred (6500) NIT; Adaptable signs that utilize light shall contain an auto dimmer allowing for up to eighty percent (80%) illumination between sunrise and sunset and up to fifteen (15%) between sunset and sunrise.
5. The adaptable sign portion of any sign should be constructed into the sign in a manner in which it is subordinate to the overall design of the sign. The adaptable sign portion of any sign shall not exceed thirty percent (30%) of the face of the sign and may not be any larger than twenty-four inches (24") in height.
6. Not more than three (3) distinct colors shall be displayed at any given time.
7. There shall not be more than one (1) adaptable sign allowed within three hundred (300') lineal feet measured along the same line of travel on any given frontage.
8. Number of Signs. Where more than one sign is allowed per parcel or business (such as where there is a second street frontage), only one sign may utilize an adaptable sign.
9. The addition of an adaptable sign to any nonconforming sign is prohibited.
10. Any conforming existing sign or portion of a conforming existing sign that is refaced with an adaptable sign shall require a permit.

C. Billboards

1. Billboards may be permitted in SD5 only.
2. Existing billboards may be modified or replaced structure for structure, with successful obtainment of a Conditional Use Permit and Design Review approval, if the modified or replaced billboard is approved based on the findings and criteria set forth in Paragraph 3 of this Section.
3. All of the following findings shall be made in permitting a billboard modification or replacement in a new or its existing location:
 - a. "Structure for structure" indicates same or type, size, height and illumination of sign. However, there may be allowances for reduction in size, height, or illumination or the replacement of a billboard that has moving or adaptable components with non-adaptable or non-moving components; and
 - b. That the billboard is a legal non-conforming use; and

- c. That the location and placement of the billboard will not endanger motorists or pedestrians and does not interfere with the clear vision triangle at street, railroad, or street-driveway intersections; and
- d. That the billboard will not cover or obstruct any prominent view of a structure, feature, or façade of historical, cultural, environmental or architectural significance; and
- e. That the billboard will not obstruct views of users of adjacent or nearby properties (including “rim” properties) or buildings to side yards, yards, or to nearby open space; including views of distant vistas; and
- f. That the billboard will not negatively impact the visual quality of a public open space such as a park, recreation facility, square, plaza, courtyard and the like; and
- g. That the height of the billboard is compatible with the heights of buildings within the immediate area of three hundred feet (300’) radius from the billboard. Where the view of the billboard is obstructed by a building or buildings on the same or adjacent properties, or where the view to the business or businesses located on the same or adjacent properties would be obstructed by the placement of the billboard, the height of the billboard may not exceed the height of the building on the same or adjacent property by more than twelve feet (12’). For safety reasons the minimum clearance of a billboard shall never be less than eight feet (8’). Height of billboards located in undeveloped areas; an area where no buildings are within three hundred feet (300’) shall not exceed twenty-two feet (22’) above grade; and
- h. Illuminated Billboards: Any illumination or lighting device shall emit a light of constant intensity. No billboard shall be illuminated by or contain flashing, intermittent, rotating or moving light or lights. Lighting shall be fully shielded. In no event shall an illuminated billboard or lighting device be placed or directed to permit the beams and illumination there from to be directed or beamed upon a public thoroughfare, device be placed or directed to permit thoroughfare, highway, sidewalk or premises which causes glare or reflection that may constitute a traffic hazard or a nuisance; and
- i. No billboard shall contain adaptable components such as fixed or changing display capable of displaying words, symbols, figures or images composed of a series of light emitting elements; including but not limited to electronic message boards and light emitting diodes (LED) ; and
- j. Billboards may not move, give illusion of movement, make noise or emit smells; and
- k. The design of the sign including placement, design and associated landscaping, is designed in a safe, sustainable manner that enhances visual character of the community.

D. Directional Signs

1. Directional signs may be on premise or off premise.

2. There may be no more than one (1) directional sign for every three hundred lineal feet of travel (300') in the same direction.
3. Signs shall not be placed in the right-of-way.
4. Directional signs shall not exceed eight (8) square feet.
5. Directional signs shall be located within three hundred feet (300') of the business or service that the sign is distinguishing.
6. Directional signs shall not be illuminated.

E. Directory Signs

1. In addition to other allowed signs, multi-tenant office developments may have one (1) directory sign for each building within the development. Directory signs may not exceed fifteen (15') square feet in area; and, if freestanding, may not exceed five feet (5') in height including portions of the structure. Directory signs are intended to convey information to pedestrians and motorists within the boundaries of the development and therefore may not be located or oriented to be visible from off-site.

F. Freestanding and Monument Signs

1. Freestanding and monument signs are generally discouraged.
 - a. Freestanding and monument signs should not hamper or interfere with pedestrian access, bike or transit facilities.
 - b. Freestanding and monument signs shall comply with and reflect all adopted streetscape standards.
2. Maximum Number:
 - a. One freestanding or monument sign for every one hundred (100) linear feet of public street frontage or thirty thousand (30,000) square feet of parcel area up to a maximum of three (3) freestanding and or monument signs per parcel.
 - b. One sign for parcels with less than one hundred (100) linear feet of public street frontage or thirty thousand (30,000) square feet of parcel area.
 - c. For parcels located on a corner, the calculation of linear feet shall be based on one-hundred percent (100%) of the linear feet on the principle public street and fifty percent (50%) of the linear feet on the secondary public street.
 - d. Only one (1) freestanding or monument sign shall be allowed per business per frontage, unless otherwise approved by the Garden City Design Review Committee.
3. Dimension and Location Standards:

Table 8-4F-1

FREESTANDING AND MONUMENT SIGN

DIMENSION AND LOCATION STANDARDS:

A blank space denotes that a sign is not allowed in that district.

		SD1	SD2	SD3	SD4 and SD5	
Frontage					Less Than 250 Feet	250 Feet or greater
Maximum sign height				4 feet	12 feet	12 feet
Maximum height of structure				5 feet	14 feet	14 feet
Maximum depth				2 feet	2 feet	2.5 feet
Maximum sign area						
	Cabinet			Up to 15 square feet	Up to 30 square feet	Up to 40 square feet
	Channel Letter Sign			Up to 25 square feet	Up to 45 square feet	Up to 55 square feet
	Distinctive Materials/ Design Sign			Up to 35 square feet	Up to 60 square feet	Up to 70 square feet
Min. separation from any other free standing or monument sign					> 0 feet	180 feet or more
Setback from property line				>0 feet	>0 feet	>0 feet

- a. The location standards shall pertain to all portions of the sign, footings, and supporting structures.
 - b. All portions of the footings and supporting structures above ground may not be larger than forty percent (40%) of the size of the sign.
 - c. All signs must comply with standards set forth by the transportation agency whose jurisdiction presides over the frontage being utilized.
4. Exceptions: Monument signs may be allowed in SD1, SD2 or SD3 sign districts provided that:
- a. They are for a residential or mixed use subdivision, manufactured home park, or multi-family complex greater than three (3) units where one (1) or more of the units does not have street frontage; or a non-residential use where one (1) or more of the units does not have street frontage.
 - b. The monument sign has indirect illumination or is not illuminated, is made of distinctive materials, not greater than five feet (5') in height, including structure; one and one half feet (1.5') in depth; the sign

area is no greater than fifteen (15) square feet/ face or thirty (30) square feet total; and set back three feet (3') or more from the property line.

- c. The sign meets all other requirements of this subsection 8-4F-13D.

G. Hanging (or Projection) Signs

1. Location Standard:

- a. Allowed in all sign districts
- b. Below eave or parapet line of building when applicable.
- c. Signs shall maintain eight foot (8') vertical clearance from sidewalk or adjacent grade.
- d. Top of signs shall not be any higher than twenty feet (20') above adjacent grade.

2. Projection

- a. Hanging signs shall not project more than thirty inches (30") from face of building in the SD1 and not more than five feet (5') in all other districts, or two feet (2') from curb in any district, whichever is greater.
3. Hanging or projecting sign area may be substituted for sign area allowed through the wall sign provisions provided that this does not conflict with the above dimensional standard.

H. Portable Signs

1. Portable signs are allowed only in SD1, SD2 and SD3 sign districts.
2. Only retail, food store, and eating establishments may use portable signs.
3. Number: Ground Floor businesses with street frontage are allowed one portable sign per street frontage. One portable sign per building frontage may be permitted for upper levels and one for below ground uses.
4. Maximum portable sign area is eight (8) square feet.
5. Location: The portable sign may be located either in a vestibule or alcove near a building entrance or near the curb. Signs shall be located so that there is a minimum of 5' unobstructed sidewalk and shall not obstruct pedestrian traffic, bike parking, street furniture, on-street parking stalls or in any way violate American with Disability Act (ADA) guidelines.
6. Portable Signs shall comply with the distinctive materials/ design sign materials.
7. Portable Signs shall not be illuminated.

I. Promotional Signs

1. Promotional signs may be located in the SD2, SD3, SD4 and SD5; and are prohibited in the SD1 sign districts.
2. The promotional signs may be displayed in conjunction with a grand opening celebration; or the promotional signs may be displayed in conjunction with a special sale.
3. Promotional signs for one event or a combination of events may not be displayed for more than a total of thirty (30) days in a calendar year of January 1- December 31.
4. A maximum of two (2) such promotional signs, in addition to window signs, may be displayed at any one time.
5. Promotional signage including all permitted and exempt signs may not exceed more than ten percent (10%) of the front building façade unless in the SD4 or SD5 sign designation.
6. The promotional signs must be located on the frontage.
7. The promotional sign must comply with the freestanding and monument sign setback requirements.
8. Promotional signs require a permit for each calendar year that identifies the dates of promotion.
9. Promotional signs shall not interfere with the clear vision triangle. In no case shall a promotional sign be placed within the public right of way, unless otherwise authorized by the transportation authority.

J. Multi- Tenant Signs:

1. When visible from a street that the posted speed limit is 35 miles/ hour or greater the minimum letter/number/logo size shall be four inches (4") or greater.

K. Wall Signs:

1. Location Standard: Wall- signs shall be placed on an exterior wall visible from or fronting on a street, thoroughfare or common parking area associated with a clear public entrance for the subject business.
2. Dimensional Standards: Table 8-4F-2

WALL SIGN DIMENSION AND LOCATION STANDARDS:

A blank denotes sign is not allowed in that district.

Wall Signs		SD1	SD2 and SD3	SD4 and SD5
Maximum sign area				
Cabinet			Up to twenty (20) sq ft	Up to thirty (30) sq ft
Channel Letter Sign			Up to forty (40) sq ft	Up to sixty (60) sq ft
Distinctive Materials/ Design Sign		Up to eight (8) sq. ft	Up to sixty (60) sq ft	Up to ninety (90) sq ft

- a. The total signage shall not exceed more than ten percent (10%) of the overall building face on which the sign is located may be utilized for signage.
- b. Up to five hundred (500) square feet for signage may be allowed on any given building face so as long as the total signage does not exceed 2a. of this subsection.

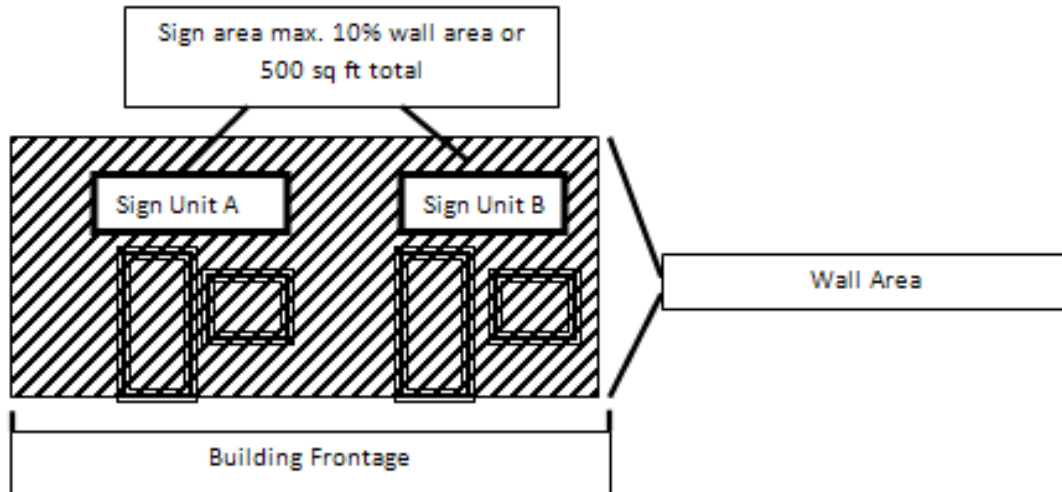


Figure 7: Wall Sign Calculation

3. Projection: Wall signs shall not project more than two feet (2') from the face of the building where the business is located.
4. Sign area on, attached to or suspended from awnings, canopies or marquees may be substituted for sign area allowed through the wall sign provisions provided that:
 - a. May not be back-lit translucent; and
 - b. Signs on or attached to awnings shall maintain eight foot (8') vertical clearance from the sidewalk or adjacent grade.

8-4F-14 MASTER SIGN PROGRAM

A. Purpose: The purpose of the Master Sign Program is to encourage the integration of signs into the site and building design of new commercial and mixed use development. Through this integration, the intent is to allow flexibility in the criteria as set forth in section 8-4F-12 and 8-4F-13 of this Article and promote improved quality of design.

B. Applicability:

1. All new development in the commercial, industrial and mixed-use zoning districts, with more than one (1) building or occupant shall include a Master Sign Program as part of the application for Design Review.
2. All remodel or renovation in the commercial, industrial and mixed-use zoning districts with more than one (1) building or occupant and where the improvements exceed fifty percent (50%) of the value of the existing structure shall include a Master Sign Program as part of the application for Design Review.

C. Standards:

1. Signs shall incorporate materials, colors and design that are compatible with and complement the scale and design of the building for which the sign identifies.
2. Multiple signs on the same parcel shall reflect common design elements including materials, color, letter style, illumination, sign type and sign style.
3. Sign height and placement of similar sign types shall be consistent throughout the development site.
4. Signs that exceed the standards set forth in Section 8-4F-12 and 8-4F-13 of this Article shall demonstrate superior quality, creativity, or artistry and integration with the buildings and site.
5. For wall signs on buildings with attached units, the building as a whole shall be used rather than the individual units in determining frontage. The total sign area of all wall signs on all units will be calculated from this frontage.
6. After approval of a Master Sign Program, no signs shall be constructed except in conformance with such plan. Upon approval, the sign program shall apply to all existing and future tenants.
7. Where the Master Sign Plan may conflict with this Code, this Code will supersede the applicant's master sign plan unless specifically conditioned in approval by the reviewing board in conformity with subsection C4 of this subsection.

8-4F-15 ABANDONED SIGNS

- A. Abandoned Legal nonconforming Signs: Any legal nonconforming sign located on property which pertains to a time, event, business, or purpose which no longer applies to that property and has been continuously vacant for a period exceeding twelve (12) consecutive months shall be deemed as abandoned. A nonconforming abandoned sign is prohibited and shall be immediately removed upon notice by the city or brought into full compliance with this article by the owner of the abandoned nonconforming sign or owner of the property.
 1. If the abandoned nonconforming sign remains vacant, at the end of twelve (12) consecutive months the permit for the subject sign shall be considered void, and will become an illegal nonconforming sign.
 2. The abandoned nonconforming sign shall be removed by the property owner or the sign owner by the end of the twelfth (12th) month.
 3. Should the property owner or the nonconforming sign owner not remove it within the time designated, the City may remove the sign at the expense of the property owner or owner of the nonconforming sign.
- B. Abandoned Conforming Signs: Any abandoned conforming sign located on property which pertains to a time, event, business, or purpose which no longer applies to that property and has been continuously vacant for a

period exceeding sixty (60) days shall be deemed as abandoned. Abandoned conforming sign structures may remain. However, the business name panels shall be removed immediately. Such conforming abandoned signs shall be maintained in a safe and aesthetically pleasing manner.

8-4F-16 NONCONFORMING SIGNS

A nonconforming sign and including structure must be removed or modified to comply with the regulations set forth in this Article, if demolished or destroyed to an extent exceeding seventy-five percent (75%) of the assessed value. A nonconforming sign and sign structure subject to removal under this paragraph must be removed by the owner of the nonconforming sign or the owner or lessee of the property. If the owner or lessee fails to remove the nonconforming sign, the City must give the owner/lessee written notice of the requirements of this paragraph and it must be removed within thirty (30) days of such notice.

- A. All signs nonconforming to the requirements of this Ordinance one (1) year after the date of passage of this Ordinance is subject to this Section.
- B. Illegal nonconforming signs must be removed or rectified within sixty (60) days of notification by the City to the property owner or illegal nonconforming sign owner. Should the property owner or the illegal nonconforming sign owner not remove the sign within the time designated, the City may remove it at the expense of the property owner or owner of the sign.
- C. Legal Nonconforming signs may remain provided that:
 - 1. There is no expansion, addition, structural alteration or change of location of illegal nonconforming sign; and
 - 2. There is no structural addition that adds more than twenty-five percent (25%) increase in gross floor area of any existing building on site; and
 - 3. There is not any storefront renovation, where more than twenty-five percent (25%) of the facade of the store is altered, replaced, rehabilitated or restored; and
 - 4. There are not any lot improvements that change more than twenty-five percent (25%) of the site area; and
 - 5. There is no change of use that would require a conditional use permit.
- D. Ordinary repair work may be conducted on legal nonconforming signs, so long as the work conducted does not violate subsection C of this Section.
- F. The following nonconforming signs are exempt from this section:
 - 1. Nonconforming signs on the National Register of Historic Places or a State of Idaho or Ada County Historic Register.
 - 2. Nonconforming signs brought into conformance with this Ordinance.

G. Legal nonconforming sign permit applications shall be processed in accordance with 8-6A-3 and 8-6A-6 of the Garden City Code.

8-4F-17 VIOLATION; PENALTY

- A. A notice will be served upon the sign or property owner or other responsible person; by mail or personally, directing either removal of the sign or action to correct the violation within a specified time.
- B. If the violation is not corrected or the sign removed within the specified time; the City shall remove the sign, and charge the costs of the removal to the sign or property owner or other responsible person.
- C. The City shall have the right to immediately remove, dispose and charge the costs of the removal to the owner or other responsible person of any signs found illegally located within public property or public right of way. Owners of said signs illegally placed within public property or public right of way shall not be entitled to the notice provisions pending removal and disposal of said signs.
- D. Unless specifically authorized by this Policy Statement, no signs may be constructed, erected, expanded or displayed without appropriate permits. Failure to receive appropriate permits or compliance certification shall be considered a misdemeanor and is punishable as a misdemeanor as defined in Garden City Code 1-4-1.

SECTION 2: CONFLICTS: Should any Ordinance or part thereof be in conflict with the provisions of this Ordinance, said Ordinance shall be superseded to the extent of such conflict.

SECTION 3: SEVERABILITY: Should any of the provisions of this Ordinance be held invalid for any cause, or should any portion of this Ordinance be declared invalid, then such declaration of invalidity shall not affect the remainder or balance of this Ordinance.

SECTION 4: EFFECTIVE DATE. This ordinance shall be in full force and effect from and after passage, approval, and publication

ADOPTED by the City Council and **APPROVED** by the Mayor of the City of Garden City, Idaho, this ____ day of **MONTH**, 2009.

ATTEST:

APPROVED:

Pamela Thomason
CITY CLERK

John G. Evans
MAYOR