

## **ORDINANCE NO. 825(16)**

AN ORDINANCE AMENDING PART 12, CHAPTER 6, ARTICLE C, SECTION 12-622 THROUGH SECTION 12-634 BY ADDING DEFINITIONS; REPEALING PARAGRAPH (M) OF SECTION 12-632; AMENDING SECTION 12-632 (N) PROVIDING REGULATIONS FOR NON-ACCESSORY SIGNS WITH ONE HUNDRED FEET OR LESS OF DISPLAY AREA AND CHANGING (N) TO (M); ADDING SECTION 12-633 PROVIDING NEW REGULATIONS FOR FREE STANDING SIGNS; AMENDING SECTION 12-634 PROVIDING FOR MAINTENANCE OF ACCESSORY SIGNS; ESTABLISHING NEW SECTION 12-647 DEFINING TEMPORARY SIGNAGE AND PROVIDING REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR A REPEALER.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOORE, OKLAHOMA THAT PART 12, CHAPTER 6, ARTICLE C, IS HEREBY AMENDED TO READ AS FOLLOWS:

### **SECTION 12-622 - DEFINITIONS.**

For the purpose of this article, certain words and terms are herein defined. Unless it is apparent that the text requires a different meaning, the following words and terms are defined as indicated:

1. "Building Façade" means the exterior wall of a building that is exposed to public view.
  - a. 'Building Façade Front' means the wall that has the main entrance to the structure.
  - b. 'Building Façade Side' means any side that does not contain a main entrance to the structure.
2. "Decoration" means illustrations, symbols, streamers, bunting, wreaths, figures, insignia, and other devices employed to express and illustrate a message of seasonal character;
3. "Directional and informational signs" mean signs which direct the reader to the location of a facility or group of facilities, public, or semipublic uses, such as parks and recreational areas, communities, historical or cultural points of interest, service area providing food, lodging, and gasoline, fire stations, colleges, churches and similar facilities;
4. "Expressway" means a divided roadway consisting of four (4) lanes of traffic or more with a center median or barrier and which may or may not provide grade separation structures above or below intersecting cross traffic, which may incorporate controlled access and may provide access to abutting properties by means of frontage roads or specific on-off ramps;
5. "Freestanding Sign" means any signage installed on posts or other supports that are not attached to any building or structure;
6. "Grand Opening Sign" refers to a sign that publicizes a new establishment opening to the public for the first time.

7. Electronic Message center means a sign which provides public service information, any similar public interest information and/or related advertising for a general business located on the same premise through electronically controlled intermittent light impulses. A message center shall consist of letters, words or numerals pictures or graphics, which can either change sequentially or travel across the display area. A message center as herein defined is deemed to be a sign subject to the requirements of this chapter.
8. "I-35 Corridor" means the area in which the current Comprehensive Plan has indicated as the I-35 Corridor.
9. Multi-tenant sign means an on-premise sign identifying individual businesses within a commercial building or buildings.
10. "Nonaccessory sign" means a sign or advertising device which directs attention to an activity, service, products sold or offered elsewhere than on the premises on which the sign is located;
10. "Portable Sign" means a sign designed to be movable from one location to another and not permanently attached to the ground or to any immobile structure and shall include signs commonly referred to as A-frame, Sandwich Signs, Stake Signs, Wind Signs, Banners, Feather Signs, or any other advertising device not permanently attached to the ground or building.
11. "Roof sign" means a sign erected on a vertical frame work supported by and located immediately and entirely over the roof of a building;
12. "Sign" means any structure or part thereof or any device, permanent or temporary, attached to, painted on, supported by, or represented on a building, fence, post or other structure which is used or intended to be used to attract attention; provided however, the word sign does not include a flag, pennant, or insignia of any nation, association of nations, state, city, or other political unit, and does not include any advertising device attached to any motor vehicle, or on a public coin operated telephone facility, including its customary identification emblems, legends, and structural accessories; and
13. "Temporary sign" means any sign or advertising device constructed of cloth, canvas, light fabric, cardboard, wallboard, wood, or other light materials, with or without frames, which is intended to be displayed for a limited time only.
14. "Wall Sign" means an attached accessory sign painted on or attached to the wall or surface of a building or display surface, which is parallel to the supporting surface.

## **SECTION 12-632 - NON-ACCESSORY BILLBOARD SIGN REGULATIONS.**

*Purpose:* The purpose of this section is to promote the reasonable, orderly and effective display of nonaccessory signage along Interstate 35 while remaining consistent with national policies, to protect the public investment in the interstate and federal-aid primary highways, to promote and enhance the beauty, order and attractiveness of the city to residents, tourists and visitors and thus, positively influence the economic prosperity of the area. The uncontrolled use of nonaccessory signs and their location may be injurious to traffic safety and to the well-being of the public, in conflict with the objectives stated above, and may have a negative impact on adjacent property values. Recent substantial public and private investments within the City of Moore have resulted in a heightened real estate market for new development within the I-35 area, including new

residential development. Due to this investment, it is deemed necessary to regulate and limit the number and placement of nonaccessory signs in this area, thereby resulting in the overall enhancement of the general health, safety and welfare of the citizens of the City of Moore.

A. All non-accessory or billboard signs existing or under permit on the effective date of this ordinance shall be located only in the C-3, C-4, C-5, I-1, I-2 and I-3 zoning districts, and shall be located only on property abutting the I-35 right-of-way.

B. Non-accessory sign locations shall comply with all established building lines and required setbacks as outlined in this article and any ordinances of the city, notwithstanding any other provision noted herein. Where a railroad right-of-way crosses a public right-of-way, required setbacks or established building lines on adjacent properties are extended through or across the railroad right-of-way.

C. No non-accessory or billboard sign shall be erected, constructed, located or placed within twenty-five (25) feet of the right-of-way line of I-35, nor shall any such non-accessory or billboard sign be erected within one hundred (100) feet of any existing single family dwelling.

D. The maximum height of the highest point of the structure or display surface of any non-accessory or billboard sign existing or under permit on the effective date of this ordinance shall be forty (40) feet, measured from grade level of the ground surface in which the structure supports are placed.

E. All non-accessory or billboard signs facing in the same direction shall be at least one thousand (1,000) feet apart laterally; provided, however, that temporary non-accessory signs may be permitted by the city council in case of a special event sponsored by the city, a civic organization or an organized business group of the city. Such signs shall not be permitted to stand more than thirty (30) days and shall be removed immediately upon termination of the special event.

F. Erection, construction, location or placement of a non-accessory or billboard sign on the roof or otherwise attached or affixed to any building or other structure is prohibited.

G. No non-accessory or billboard sign shall have more than six hundred seventy-two (672) square feet of sign face facing one direction of travel, nor shall such sign be more than sixty (60) feet in horizontal distance.

H. No non-accessory or billboard sign shall be placed in a vertical position with one structure atop another.

I. All non-accessory or billboard signs shall comply with permit requirements of the state and federal governments.

J. Except as specifically permitted by this chapter, no non-accessory signs shall be permitted within the boundaries of an area known as the I-35 corridor as defined in the Moore Plan 21 Land Use Map.

K. Nonconforming nonaccessory signs. Within the previously described area, existing nonaccessory signs shall be considered nonconforming, and shall be allowed to continue unless such sign is altered in a manner that increases the degree of nonconformity or is abandoned for a period of more than two (2) years.

L. Exception. Whenever a condemnation proceeding or a civil action results in an order entered by a court of competent jurisdiction approving a settlement agreement, or any other court order which invests the lessee of a nonaccessory sign with the right to maintain such nonaccessory sign within the described area, then that lessee shall have a vested property right in the nonaccessory sign, and the right to maintain it, for the term of the lease and any extensions or renewals thereof.

N. No non-accessory sign with a display area of 100-feet or less shall utilize flashing, intermittent or moving light or lights.

## **SECTION 12-633 - ACCESSORY SIGN REGULATIONS.**

For purposes of this code, an accessory sign is defined as any advertising device which identifies or displays information concerning the proprietor of the business conducted on the premises, or directs attention to an activity, service or products sold or offered on the premises on which the sign is located.

### **A. Freestanding Signs**

1. The maximum display area for freestanding signs shall not exceed two hundred (200) square feet per side, except that any such sign located within the I-35 corridor defined in the Plan 21 Land Use Map shall have a maximum display area of three hundred (300) square feet per side.

a. Electronic Messaging Center- Maximum allowable space for an Electronic Messaging Center is 25% of total sign area, except that any such sign located within the I-35 corridor shall have a maximum display area of 50% of the total sign area.

2. One freestanding sign per street frontage shall be permitted; provided, that an additional sign location shall be permitted for each additional two hundred (200) feet of frontage in excess of the first three hundred (300) feet of frontage on each street.

3. The maximum height shall be forty (40) feet above grade level; provided, a maximum height of sixty-five (65) feet shall be permitted for signs located in commercial zones which lie within the I-35 corridor. A minimum clearance of fourteen (14) feet above any driveway or service drive shall be maintained.

4. Multi-tenant signs are subject to the following conditions:

a. One multi-tenant sign shall be permitted per street frontage of the development in lieu of an allowable freestanding pole sign. One additional multi-tenant sign is permitted along a street for each additional seven hundred and fifty (750') linear feet of street frontage.

b. The maximum display area shall not exceed two hundred (200) square feet per side, except that any such sign located within the I-35 corridor shall have a maximum display area of three hundred (300) square feet per side.

1. Electronic Messaging Center- Maximum allowable space for an Electronic Messaging Center is 25% of total sign area, except that any such sign located within the I-35 corridor shall have a maximum display area of 50% of the total sign area.

c. Materials and design of multi-tenant signs shall be architecturally compatible with the main structure.

4. Freestanding Signs shall not be placed in or overhang any street right-of-way or public easement, nor shall they be located so as to cause a sight distance problem at any street or driveway.

B. Wall Signs are subject to the following conditions:

1. Wall signs shall not exceed a maximum display area of two and one-half (2.5) square feet per one (1) linear foot of the Building Façade Front, and one and one-half (1.5) per one (1) linear foot of the Building Façade Side on which the sign is affixed, except that any such sign located on a side of a building that fronts the I-35 corridor shall not exceed a maximum display area of five (5) square feet per one (1) linear foot of the building frontage. The community development director may determine location of 'Front Façade' based on the intent of these regulations and character of the area.

2. Banners may be used as a temporary wall sign to identify the name of the business, but they shall be regulated by the above specifications and may only be used for a maximum of thirty (30) days from the opening date of the business.

3. A Wall sign length shall not exceed seventy-five percent (75%) of the length of the building façade on which the sign is affixed.

5. No illuminated Wall sign shall be permitted on the rear or side of the building that is adjacent to a residential use.

6. All wall signs shall have a surface or facing of noncombustible material; however, combustible structural trim may be used thereon.

C. Portable Signs shall be subject to the following conditions:

1. Shall not be lighted;
2. Shall be limited to ground signs only;
3. Shall not exceed thirty-two (32) square feet of total surface area per side, but may be double sided;
4. No more than one portable sign per occupant or business shall be permitted, but it may be double sided;
5. Shall be kept in good repair and shall be removed if they fall into disrepair; and
6. Shall not be placed in or overhang any street right-of-way or public easement, nor shall they be located so as to cause a sight distance problem at any street or driveway.
7. All Portable Signs as defined in Section 12-633 shall come into compliance with the requirements set forth herein within six (6) months from the effective date of this ordinance.

#### **SECTION 12-634 - MAINTENANCE.**

All nonaccessory and accessory signs shall be maintained in good and safe structural condition. The painted portions shall be periodically repainted and kept in good condition.

#### **SECTION 12-647 TEMPORARY SIGNAGE**

##### **A. GRAND OPENING SIGNS**

1. For the purposes of this code, a Grand Opening Sign refers to a sign that publicizes a new establishment opening to the public for the first time.
2. The sign or signs shall not be displayed more than thirty (30) days.
3. There shall be only one (1) grand opening allowed per business, and this grand opening must occur in conjunction with the time the business first opens to the public at a particular location.
4. Grand Opening Signs shall not exceed a total surface area of thirty-two (32) square feet per side, may be double sided, and shall not exceed a maximum of two (2) Grand Opening Signs per lot, except that any such Grand Opening Event located in the I-35 corridor shall not have Grand Opening Signs that exceed a total surface area of sixty-four (64) square feet per side, may be double sided, and shall not exceed a maximum of two (2) Grand Opening Signs per lot.
5. Grand Opening Signs shall not be placed in or overhang any street right-of-way or public easement, nor shall they be located so as to cause a sight distance problem at any street or driveway.

B. Other Temporary signs: Temporary Signs not specifically regulated shall be displayed only in accordance with the following conditions:

1. Shall be limited to ground signs only, shall not exceed nine (9) square feet of total surface area per side, may be double sided.
2. Shall be comprised of no more than one (1) temporary sign per business.
3. Shall remain in place no longer than thirty (30) days at a time.
4. Each business shall be allowed three (3) temporary signs per year.
5. Temporary Sign shall not be placed in or overhang any street right-of-way or public easement, nor shall they be located so as to cause a sight distance problem at any street or driveway.

C. All Temporary Signs as defined in Section 12-647 shall come into compliance with the requirements set forth herein within six (6) months from the effective date of this ordinance.

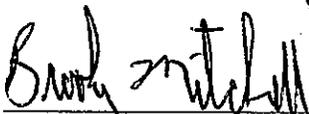
**Severability:** If any of the provisions of this ordinance are determined to be unconstitutional or unlawful by any court of competent jurisdiction, the remainder shall be several and unaffected.

**Repealer:** Any ordinance or parts thereof in conflict with this section are hereby repealed.

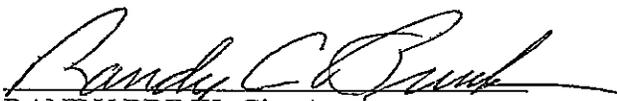
PASSED AND APPROVED  day of July, 2016.

ATTEST: (Seal)

  
GLENN LEWIS, Mayor

  
BROOKS MITCHELL, City Clerk

APPROVED AS TO FORM & LEGALITY:

  
RANDY BRINK, City Attorney