

**Introduced By: Alderman Thompson**

**AN ORDINANCE AMENDING CHAPTER 530, THE  
COMPREHENSIVE SIGN CODE OF THE CITY OF  
WARSON WOODS**

**WHEREAS**, on July 11, 2018, the Planning and Zoning Commission considered proposed amendments to the City’s Comprehensive Sign Code to modernize, clarify and update the Code to comply with changes in the law and industry (the Amendments), and after reviewing the matter, recommended that the Amendments be approved; and

**WHEREAS**, on August 21, 2018, the Board of Aldermen held a duly noticed and published public hearing to allow citizen comment on the proposed Amendments; and

**WHEREAS**, the Board of Aldermen wishes to amend the City’s Comprehensive Sign Code finding that adopting the Amendments is in the best interest of the citizens of the City of Warson Woods.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WARSON WOODS, MISSOURI, AS FOLLOWS:**

**Section 1:** Chapter 530 of the Municipal Code is hereby amended by repealing that chapter in its entirety and adopting in its place the revised Chapter 530, the Comprehensive Sign Code, attached hereto as Exhibit A and incorporated herein by reference.

**Section 2:** This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 25th day of September 2018.

\_\_\_\_\_  
Laurance M. Howe, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Kathy Mahany, City Clerk

\_\_\_\_\_  
Paul V. Rost, City Attorney

## Exhibit A

### **Chapter 530: Comprehensive Sign Code**

#### **Section 530.010: Purpose, Findings and Scope.**

- A. *Purpose.* The provisions of this Chapter shall govern the erection of all Signs and Flags, together with their appurtenant and auxiliary devices, in respect to size, color, location, and structural and fire safety. The City has promoted and preserved its character by systematically adopting and updating its zoning regulations. As a result, the purpose of this Chapter is to allow a Property Owner the ability to make use of its property for free expression without any content based limitations but in a manner designed to avoid the visual clutter that is harmful to traffic and pedestrian safety, property values, business opportunities and community appearances.
- B. *Findings.* The Board hereby finds that:
1. Sign regulations may impact First Amendment rights and that these rights are important constitutional rights that must be protected.
  2. Unregulated signage has direct and secondary effects that are harmful to the safety and general welfare of the City as a whole and to its individual citizens.
  3. These direct and secondary effects result from the visual clutter that occurs as a result of the unregulated installation and lack of maintenance of Signs.
  4. These direct and secondary effects include harm to traffic and pedestrians' safety, depreciation of property values within the City, decreased business opportunities for individual and business residents of the City (resulting in decreased sales, property and other tax revenues that are necessary to provide an adequate level of public service to City residents), community blight and an overall less pleasing community appearance.
  5. Residents are virtually captive audiences of Signs displayed by neighbors; Signs are an intrusion into residential privacy and interfere with the enjoyment of a resident's property because the view from the resident's property may become so marred by the clutter of Signs that the resident cannot successfully avoid observing the Sign clutter.
  6. Because of these direct and secondary effects, the City has a compelling interest in regulating Signs within the City.
  7. These regulations are content-neutral and place restrictions that directly advance the City's stated interests.
  8. To the extent that any provisions of these regulations are content-based, they are intended to further compelling governmental interests.
  9. A primary and compelling interest of the City is to allow Property Owners to post Public Interest Signs to protect the safety of others and to allow all Persons to comply with legal requirements imposed by law or by order of a court requiring the posting of notices, without being subject to regulation.
  10. The scope of these regulations is proportionate to the interests served and narrowly tailored

to achieve the desired objective.

11. A direct nexus exists between the desired City's goals and the means chosen in these regulations to achieve its desired goals.

C. *Scope.*

1. *Classifications.* Regulations in the Sign Code are classified by use, and the definitions in Section 530.030 shall govern with regards to the type of use.
2. *Building Code Applicable.* In the absence from this Chapter of specifications governing details of Sign construction, the standards listed in the applicable Building Code shall apply.
3. *Government Signs.* This Chapter recognizes that Government Signs are government speech intended to ensure public safety.

**Section 530.020 Computations.**

The following principles shall control the computation of Sign Face and Sign Height:

- A. *Computation of Sign Face of Individual Signs.* The area of a Sign Face shall be computed by measuring the area of the smallest square, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the Sign or used to differentiate the Sign from the back drop or Sign Structure against which it is placed, but not including the Sign Structure or wall that is clearly incidental to the display itself.
- B. *Computation of Multi-Face Signs.*
  1. A Double-Faced Sign shall be considered one (1) Sign. Provided however, to the extent a Double-Faced Temporary Sign has Sign Faces that are not identical, each Sign Face shall be considered a separate Sign and the area shall be computed by adding together the area of each non-identical Sign Face.
  2. The Sign Area for a Sign with more than two Sign Faces shall be computed by adding together the area of all Sign Faces on the Sign.
- C. *Computation of Height.* The height of a Sign shall be computed as the distance from the base of the Sign Structure at normal grade to the top of the highest attached component of the Sign. Sign height of a Wall Sign shall be computed as the distance from the base of the Sign to the top of the Sign. Normal grade shall be construed to be the lowest of (a) existing grade prior to construction, or (b) the newly established grade, after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the Sign. In cases in which normal grade cannot reasonably be determined, Sign height shall be computed on the assumption that the elevation of the normal grade at the base of the Sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal Structure on the zoned Lot, whichever is lower.
- D. *Computation of Wall Size.* For purpose of measuring the percentage of a wall that a Wall Sign comprises, the wall is measured as the width of the storefront times its height.

**Section 530.030 Definitions.**

For the purpose of this Chapter, certain words and terms are defined as follows:

**ABANDONED SIGN**

Any Sign that was once an On-Premises Sign but has become an Off-Premises Sign because the business owner of the Sign has ceased its operations on the Lot where the Sign is located.

**AWNING**

Any structure entirely supported by the wall to which it is attached and which has a frame covered by canvas, cloth or other similar temporary material and/or which can be retracted or rolled to the structure by which it is supported.

**BALLOON SIGNS**

An inflatable balloon of any size. Balloon Signs are "*FLUTTERING SIGNS*".

**BANNER**

A Sign other than a Flag that is made of lightweight material either enclosed or not enclosed in a rigid frame and secured or mounted to allow motion caused by the atmosphere. This definition includes pennants, ribbons, streamers, spinners, or other similarly moving devices.

**BILLBOARD**

A Sign that generally directs attention to a business, product, commodity, service or entertainment conducted, sold or offered at a location other than the Premises on which the Sign is located.

**BOX SIGN**

A Sign where the entire Sign Surface is illuminated from an internal lighting source.

**BUSINESS SIGN**

A Sign located over the entry door, perpendicular to pedestrian traffic or on the entry door or window to a business.

**CANOPY**

Any structure attached to a building at the inner end and supported on the outer end.

**CITY**

The City of Warson Woods, Missouri

**CHANGEABLE MESSAGE DISPLAY, or CMD**

A device designed to have a Message displayed which can only be changed or rearranged manually.

**DIRECTIONAL SIGN**

A Sign located at the entrance and exit of a Lot.

**ELECTRONIC CHANGEABLE MESSAGE DISPLAY, or eCMD**

A powered, illuminated device designed to have a Message displayed, changed and/or rearranged instantaneously via remote control, an onboard central processing unit or some other mechanical means.

**ERECT**

To build, construct, attach, hang, rehang, place, affix or relocate, including the painting and repainting of Permanent Window Signs.

**FLAG**

A generally rectangular piece of fabric of distinctive design traditionally raised on a Flagpole.

**FLAGPOLE**

A pole mounted to the ground and used for flying a Flag.

**FLASHING SIGN**

An Illuminated Sign on which artificial or reflected light is not steady or on which colors change (and which is not a traffic Sign).

**FLUTTERING SIGN**

A Sign which flutters or is made of flexible materials which move with the wind or by some other artificial means, including, but not limited to, pennants, Banners, Balloons, whirligigs, streamers and Flags.

**FRONTAGE**

The length of the Lot along the street side. The front of a Lot bordering more than one (1) street is considered separate for each street.

**GOVERNMENT SIGN**

A Sign that is constructed, placed or maintained by the federal, state or local government or a Sign that is required to be constructed, placed or maintained by the federal, state or local government either directly or to enforce or protect a Property Owner's rights.

**GRAFFITI**

A hand-painted work that is either affixed to or painted directly on the exterior wall of a surface without the permission of the Property Owner.

**HOLIDAY DISPLAYS**

A display for decorative purposes during any nationally recognized holiday period.

**ILLUMINATED SIGN**

Any Sign which is illuminated by light sources mounted on or in the Sign or at some other location.

**LOT**

A parcel, tract, plot or area of land accessible by means of a street or other permanently reserved principal means of access. It may be a single parcel separately described in a deed or plat which is recorded in the office of the County Recorder of Deeds, or it may include parts of or a combination of such parcels when adjacent to one another and used as one.

**MARQUEE**

Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

**MARQUEE SIGN**

A Sign attached to or illustrated on the generally vertical plane of a Marquee, Canopy or awning, respectively. These are considered to be Wall Signs. Also known as Canopy or awning Signs.

**MESSAGE**

A text, image, or combination thereof meant to be comprehended as a whole by the viewer. Each simple concept shall be deemed a separate Message. A Message can either be a static display or a display that, not fitting onto the screen all at once, is broken into parts which appear sequentially, appearing on or scrolling across the screen. Electronic Changeable Message Display are capable of changeable Messages.

**MONUMENT SIGN**

A Sign having the appearance of a solid base of landscape construction materials such as masonry, stucco, stonework, textured wood, tile, anodized metal or textured concrete materials. The base of a Monument Sign shall be architectural in nature, with a concealed means of support, and utilize materials consistent with the design of the building in which it is associated.

**MOVING SIGN**

A Sign, all or any part of which moves or is so designed or constructed as to facilitate movement of all or any portion thereof by means of any mechanical, electric, pneumatic, hydraulic or other natural or artificial force. These types of Signs are prohibited.

**MULTI-TENANT RETAIL BUILDING**

A building housing more than three (3) tenants, with separate entrances, more than fifty percent (50%) of which building is used for the retail sales of products or in which building more than fifty percent (50%) of the tenants are engaged in the retail sales of product.

**NON-CONFORMING SIGN**

Any Sign lawfully in use (advertised a business that was conducted or a product sold on the Premises or Lot) at the time of passage of this Chapter or amendments thereto that does not conform after the passage of this Chapter or amendments thereto with the Sign regulations of the district in which it is situated or with these Sign regulations generally.

**OFF-PREMISES SIGN**

Commercial speech in the form of a Permanent Sign that does not relate to a use of the real property on which it is located.

**ON-PREMISES SIGN**

Commercial speech in the form of a Permanent Sign that relates to a use of the real property on which it is located.

**ORIGINAL ART DISPLAY**

A form of non-commercial speech wherein a hand-painted work of visual art is either affixed to or painted directly on the exterior wall of a Structure with the permission of the Property Owner. An Original Art Display does not include: mechanically produced or computer generated prints or images, including but not limited to digitally printed vinyl; electrical or mechanical components; or Changeable Message Display.

**PERMANENT SIGN**

A sign firmly attached to the ground, wall or other portion of a building and not designed or intended to be readily removed or relocated or a sign that is intended to be displayed for an

unlimited duration. For purposes of this Chapter, "permanent" shall include signs intended for display or actually displayed for more than nine (9) months.

**PERMANENT WINDOW SIGN**

A Sign that is permanently affixed to either side of the glass of an exterior door or window. For the purpose of this Chapter, a "glass brick wall" shall be deemed a window.

**PERSON**

Any natural person, firm, partnership, association, corporation, company or organization of any kind.

**POLE SIGN**

Any detached Sign located on the same Lot or parcel as the use it advertises which is supported by one (1) or more stationary poles or other Sign Supports longer than two (2) feet above the mean grade line of the ground at its base.

**PORTABLE SIGN**

A Sign designed to be moved about from one place to another rather than set in or fixed to the ground or other. This includes Signs placed on trucks, trailers or other transportable devices. A truck or trailer or other vehicle with advertising Signs painted on the sides or rear and parked in a conspicuous location will be considered a Portable Sign.

**PREMISES**

That portion of a Lot or building occupied by a single occupant, exclusive of common area, if any, shared with adjacent occupants.

**PROJECTING SIGN**

Any Sign which projects more than fifteen (15) inches beyond the plane of the wall on which the Sign is erected or attached.

**PROPERTY OWNER**

An individual or entity who has the right to possess, use, and convey the property, Premises, building, Sign or Sign Structure. For the purposes of this Chapter, the tenant of a property or Premises is considered the Property Owner as to the property the tenant holds a right to use exclusive of others (or the sole right to occupy). If there are multiple tenants of a property or Premises, then each tenant shall have the same rights and duties as the Property Owner as to the property or Premises the tenant leases and has the sole right to occupy, and the size of the property or Premises shall be deemed to be the property that the tenant has the sole right to occupy under the lease.

**PUBLIC/SEMI-PUBLIC USE**

Any use wherein individuals or families utilize single-family, two-family and Multi-Family Complex for private housing purposes.

**REQUIRED SIGNS**

Signs required or permitted by law.

**ROOF SIGN**

Any Sign erected on a roof but excluding Marquee and Canopy Signs and excluding wall or Projecting Signs which do not project greater than twenty-four (24) inches above a parapet wall.

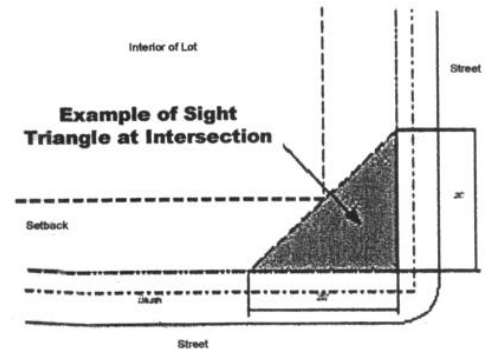
The generally vertical plane of a mansard type roof shall be interpreted as the same as a wall of a building. Roof Signs are prohibited.

### **SHOPPING CENTER**

A Shopping Center is a group of retail stores, planned and developed for the site upon which they are built and owned or managed as a unit and designated as such by filing in the office of the City Clerk a declaration showing the legal boundaries of such center and listing the name and address of the owner and manager thereof.

### **SIGHT TRIANGLE**

Generally, a triangular-shaped portion of land at a street intersection in which nothing shall be erected, placed, planted or allowed to grow in such a manner as to materially impede, limit or obstruct the sight distance or vision of motorists entering or leaving the intersection.



### **SIGN**

A name, identification, description, display or illustration, which is affixed to, painted or represented directly or indirectly upon a building, or other outdoor surface which directs attention to or is designed or intended to direct attention to the Sign Face or to an object, product, place, activity, Person, institution, organization or business. Signs located completely within an enclosed building, and not exposed to view from a street or sidewalk, shall not be considered a Sign. A Flag shall not be considered a Sign. This definition includes Holiday Displays.

### **SIGN AREA**

The area of the Sign Face. If a Sign is attached to a building or suspended in any manner whereby there is no apparent trim or confining border, the Sign Area shall be computed by drawing an imaginary straight line around a generally rectangular margin and measuring the area so encompassed by these lines.

### **SIGN, DOUBLE-FACED**

A Sign with two Sign Faces of the same shape designed to be seen from two opposite directions, supported on the same support, and at the same elevation.

### **SIGN, FACE**

The entire area within a square, circle, rectangle, triangle or combination thereof that encompasses the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the Sign from the backdrop or Structure against which it is placed, but not including the Sign Structure or wall that is clearly incidental to the display itself.

### **SIGN FACING OR SURFACE**

Any surface of a Sign upon, against or through which the advertising Message is displayed or illustrated, including Structural Trim, which displays or upon which is displayed any color, Message (including any informational or letter-board portion), name or symbol of any kind for the purpose of advertising, announcing, directing or attracting attention from Persons located outside of a building and which can be seen from a single location on an adjacent street provided that the ends or thickness of a Sign shall not be counted as a separate Sign Face unless an advertising Message is conveyed thereon.



**SIGN STRUCTURE**

The Sign and all parts associated with its construction including the Sign Supports and the Sign facing or surface.

**SIGN SUPPORTS**

All structures by which a Sign is held up including, for example, poles, braces, guys and anchors.

**STREET BANNER**

A cloth Sign stretched across and above a City street.

**STRUCTURAL TRIM**

The molding, battens, cappings, nailing strips, latticing and platforms which are attached to the Sign Structure.

**SIGN, PERMANENT**

Any Sign affixed or attached to the ground or a Structure and which cannot be removed without special handling. Any Sign type that is not a Temporary Sign is a deemed a Permanent Sign and shall be governed by the regulations for Permanent Signs.

**TEMPORARY SIGN**

A non-Permanent Sign constructed of paper, cloth, canvas, plastic sheet, vinyl, cardboard, fiberboard, plywood or other like materials and that by design, installation, materials and/or appearance is intended to be displayed for a limited or intermittent period of display. For purposes of this Chapter, "temporary" shall mean nine (9) months or less.

**WALL SIGN**

Any Sign erected or attached against the wall of any building with the plane of the face parallel to the plane of the wall below the roof line. Any Wall Sign projecting more than fifteen (15) inches from the wall is prohibited as a Projecting Sign.

**Section 530.040. General Regulations.**

- A. Notwithstanding anything else in this Chapter or the City Code, the following restrictions shall govern all Signs displayed in the City:
  - 1. *Code Compliance.* Signs may only be displayed in accordance with this Chapter.
  - 2. *Maintained.* All Signs shall be of sound structural quality, be maintained in good repair and condition, have a clean and neat appearance and, as appropriate, abide by all Building, Electrical and other Codes.
  - 3. *Substitution.* For any Sign authorized in any zoning district, a non-commercial Message may be substituted for any allowed commercial Message or any other allowed Non-commercial Message, provided that the Sign is legal without consideration of Message content. If the Sign is one for which no Sign permit is required, the Message substitution may be made without additional approval. The purpose of this provision is to prevent inadvertent favoring of commercial speech over noncommercial speech or favoring of any particular non-commercial Message over any other non-commercial Message. This provision does not allow for the substitution of an Off-Premise commercial Message in place of an On-Premise commercial Message.

4. *Location.* No Flag or Sign shall be permitted or displayed:
  - a. In the public right-of-way, or other City property, except as expressly provided for by this Chapter or other City ordinance.
  - b. So that its location might obstruct the view of, or be confused with any street markers, traffic Signs or signals or other regulatory devices or warnings or any other Signs erected by any governmental body or agency.
  - c. So that it is located within a Sight Triangle or interferes with the view reasonably necessary for motorists to proceed safely through streets and intersections, or to enter or exit from public or private streets.
5. *Temporary Signs.* Unless otherwise provided for specific uses, Temporary Signs shall not:
  - a. Exceed three (3) feet in height on any property.
  - b. Be placed on any utility pole, street light pole, tree, fence or similar object.
  - c. Exceed the applicable size limits for the use category.
  - d. Fail to be secured or mounted so as to allow movement or motion.
  - e. Be affixed to any wall of a building unless attached as required with a Permanent Sign (including issuance of a permit) and unless securely attached so as to be flush at all points to the building surface.
6. *Permanent Sign Materials.* All Permanent Signs shall be constructed of durable, outdoor and weather-appropriate materials and shall not have as their primary composition impermanent materials such as paper, cloth, canvas, plastic, plastic sheet, vinyl, cardboard, fiberboard, plywood or other like materials.
7. *Wall Signs.* Wall Signs shall be attached firmly to the building, parallel with and adjacent to the wall, in which the Wall Sign is attached.
8. *Changeable Message Displays.* CMDs and eCMDs shall only be permitted in the form of a Monument Sign (and only where and as permitted by this Code).
9. *Original Art Displays.* Original Art Displays are allowed provided that they meet the following requirements:
  - a. Located in public and semi-public spaces in any zoning district.
  - b. Shall not extend more than six (6) inches from the plane of the wall upon which it is painted or to which it is affixed.
  - c. Shall be no more than sixty-four (64) square feet in size, per Lot or Premises.
10. *No Permit Required.* The following graphics meeting the requirements of this Chapter shall not require a Sign permit:

- a. Flags.
- b. Holiday Displays.
- c. Interior Window/Door Signs.
- d. Temporary Signs.
- e. Original Art Displays.
- f. Government Signs.
- g. Required Signs.

**Section 530.050 Signs by District.**

A. *All Zoning Districts.*

1. *Permitted Graphics.* The following graphics are permitted in every district as established by the City's Zoning Code:
  - a. Government Signs.
  - b. Required Signs.
  - c. Traffic control devices on private or public property provided such complies with the Manual on Uniform Traffic Control Devices<sup>1</sup>.
  - d. Any Sign necessary for public safety erected by utility companies within their respective easements.
  - e. Holiday Displays provided that said display does not traverse any public right-of-way, or create any traffic problem, congestion or safety hazard.
  - f. Flags.
  - g. Temporary Signs.
  - h. Business Signs.
  - i. Street Banners.
2. Signs are prohibited unless constructed pursuant to a valid building permit and electrical permit when required under the City Code and authorized under this Chapter. Except as is otherwise set forth in this Sign Code, in all of the City's zoning districts the following signs shall be prohibited:

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<sup>1</sup> **Comment:** *The Federal Highway Administration has established uniform standards for Signs that regulate traffic or that are erected and maintained within road rights-of-way or adjacent property. These uniform standards are intended to be used by owners of private property that is open to the public to reduce confusion and limit the risk of accident. While these regulations are content specific, they serve an extraordinarily important public function.*

- a. Signs of a size, location, movement, coloring, or manner of illumination which may be confused with or construed as a traffic control device or which hide from view any traffic or street Sign or signal.
- b. Flashing Signs, except for Holiday Displays as permitted pursuant to this Chapter.
- c. Graffiti.
- d. Vehicle Signs located within one hundred and fifty (150) feet of a public right-of-way.
- e. Moving Signs.
- f. Roof Signs.
- g. Signs that are in disrepair or hazardous.
- h. Projecting Signs.

B. *Commercial Corridor District.*

- 1. The following graphics are permitted subject to the applicable regulations:
  - a. Directional Signs.
  - b. Monument Signs.
  - c. Wall Signs.
  - d. Off Premises Signs.
  - e. Temporary Signs.
  - f. Flags.
- 2. Except as otherwise set forth in this Sign Code, the following Signs shall be prohibited in the City's "C" District:
  - a. Box Signs.
  - b. Pole Signs.
  - c. Fluttering Signs including Balloons and pennants or other devices.
  - d. Billboards, detached Pole Signs on separate parcels, Wall Signs, or other Permanent Signs that are over seventy-five (75) square feet in size and/or are illuminated.

C. *"A" And "B" Residential Zoning Districts.*

1. Except as otherwise set forth in this Sign Code, the following Signs shall be prohibited in the City's "A" and "B" Residential Districts:
  - a. Flashing lights, neon lights or those that appear to move (except Holiday Signs.
  - b. Moving Signs.
  - c. Roof Signs.
  - d. Signs on public street right-of-way (other than public notices).
  - e. Signs that are in disrepair or hazardous.
  - f. Signs directly painted on any wall or any wall of any structure.
  - g. Off-Premises Signs.

**Section 530.060 Sign Regulations.**

**A. All Districts.**

1. *Portable Signs and special promotion Signs or Banners.*
  - a. Portable Signs are prohibited.
  - b. Banners are allowed only where stores front on a parking lot. Each group of stores facing a common street is allowed one (1) Sign. Each individual store is allowed to use such a Sign five (5) times per year and each use is not to exceed fourteen (14) days. Banners are not to exceed thirty (30) square feet per face. Banners shall not be counted as part of the allowable Sign Area for the Premises. Authorization for all Sign Banners must be secured from the Building Commissioner.
2. Required Signs. Required Signs are permitted subject to the following standards:
  - a. The Sign Face of the Required Sign shall not exceed four (4) square feet.
  - b. The height of the Required Sign shall not exceed three and a half (3 ½) feet for ground or fence mount, and six (6) feet for wall mount.
  - c. Four (4) Required Signs are permitted per Lot but not more than one (1) Required Sign may be displayed per each Lot side.
  - d. Required Signs shall be ground, wall or fence mounted.
3. *Street Banners.* Street Banners may be authorized only by the City Clerk. Approval may be given by the City Clerk for displays for periods up to thirty (30) days. Requests must be made six (6) weeks in advance and must include evidence of public liability insurance carried by the requesting organization and details of construction and support. Street Banners shall be at least sixteen (16) feet above the pavement and securely fastened. Street Banners may be ordered removed by the City Clerk if, in his/her judgment, they

are, or become, unsafe or a public nuisance. Street Banners may not exceed dimensions of two (2) feet by thirty (30) feet per face.

4. *Signs to be removed from Premises.* Any Abandoned Sign, together with its supports, braces and anchors ("related structures"), shall be removed by the owner or operator of such business within thirty (30) days after the cessation of such operations. If such Sign and related structures are not removed within such thirty (30) day period, the Mayor or City Attorney may issue a notice to the last known owner or operator of such business, as shown by the last business license issued by the City for the operation of such business, directing that such Sign and related structures be removed within ten (10) days of the delivery of such notice. A copy of such notice shall be sent to the owner of the land on which such Sign is located. If such Sign and related structures are not removed within such ten (10) day period, the Sign and related structures may be removed by the City and the costs of such removal shall be assessed to the last known owner or operator of such business. If the last known owner or operator of such business does not pay such costs to the City within thirty (30) days after a statement therefor has been sent to such owner or operator by the City, the owner of the land on which such Sign was located shall be liable for the payment of such costs. Any notice or statement sent by the City to the last known owner or operator of such business and the owner of the land on which such Sign is located shall include a copy of this Chapter and shall be delivered by any courier service operating in St. Louis County with a certification as to date of delivery to the addressee or by sending of a certified letter, return receipt requested, utilizing the U.S. Postal Service.
5. *Non-Conforming Signs.* All Signs in violation of the provisions of this Chapter shall be removed or brought into conformity with all requirements whenever the occupant of the Premises or the owner of the Sign is changed or when any part of a Non-Conforming Sign, is changed, altered or removed. All Non-Conforming Signs must be removed, changed or altered to conform to the provisions of this Chapter.
6. *Traffic control Signs.* Traffic control Signs identifying or directing traffic to entrances or exits of parking areas shall not, in a Shopping Center or abutting a Federally designated highway, exceed twelve (12) square feet of surface area per face. In other areas, no such Sign shall exceed six (6) square feet of surface per face. Such traffic control Signs shall not be included in the calculated permitted Sign Area.
7. *Maintenance of Signs.* All Signs, together with their supports, braces and anchors, shall be maintained in such a manner to assure at all times substantially the same safety and appearance factors of the original design.
8. *Places of Public Assembly.*
  - a. Places of Public Assembly, as defined in Section 400.020 of the Warson Woods Municipal Code shall be permitted a maximum of two (2) Permanent Signs (Wall Signs and/or Monument Signs) are permitted per Lot, subject to the following standards:
    - 1) *Wall Signs.*
      - I. A Wall Sign may be no larger than thirty (30) square feet in area and five (5) feet in height.

- II. A Wall Sign shall not be Illuminated.
- 2) *Monument Signs.*
- I. One (1) Monument Sign is permitted per Lot.
  - II. A Monument Sign shall not exceed:
    - a) Six (6) feet in height (inclusive of base and supports);
    - b) Eight (8) feet maximum in length; and
    - c) Twenty-four (24) inches in width.
    - d) Must have the appearance of a solid base of landscape construction materials such as masonry, stucco, stonework, textured wood, tile, anodized metal or textured concrete materials.
    - e) The base must be architectural in nature, with a concealed means of support, and utilize materials consistent with the design of the building with which it is associated.
    - f) Monument Signs must be outside the applicable Sight Triangle.
  - III. The Monument Sign may have a Changeable Message Display or Electronic Changeable Message Display subject to the following standards:
    - a) The Sign Face (panel) of the CMD or eCMD must not exceed twenty-eight (28) square feet.
    - b) The CMD or eCMD shall conform to Section 530.080.
    - c) The Monument Sign's static graphic or text (non-CMD/eCMD panel portion of the sign) must not exceed twenty-four (24) inches in height.
    - d) Illumination of eCMD must cease at 10 P.M. (static, non-eCMD portion of sign may remain lit).
    - e) Illumination of CMD panels may remain lit overnight.
- b. *Flags and Flagpoles.* Flags and Flagpoles are permitted subject to the following standards:
- 1) A Flag shall not exceed twenty-four (24) square feet in size.
  - 2) Each Property Owner shall have no more than three (3) Flags on display at any given time.
  - 3) Each Property Owner may have one (1) Flagpole not to exceed twenty-five (25) feet in height.
  - 4) Such Flagpole shall be ground-mounted and may be located anywhere on the Premises, except within ten (10) feet of any property line.
  - 5) Flags may be Illuminated in accordance with in Section 530.080.

- c. Temporary signage for Places of Public Assembly shall be governed by the applicable District regulations for Temporary Signs.

B. *Commercial Corridor District.*

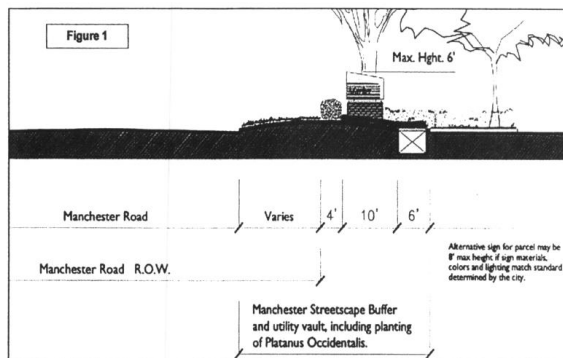
1. *Paper posters and Billboards.* Billboards and paper posters applied directly to the wall or buildings or pole or other support are prohibited. Temporary Signs or paper posters may be displayed in or attached to the inside of show or display windows, provided the total Sign Area does not exceed fifty percent (50%) of each show or display window area. Signs or devices which, by color, location or design, resemble or conflict with traffic control devices are prohibited. Such Temporary Signs or paper posters, as allowed, must be dated at time of posting and must be removed at the end of thirty (30) days.

2. *Aesthetic requirements of the Manchester Road Corridor Urban Design Plan.*

- a. Unless otherwise noted in this Section, all background colors used on Signs shall match or be compatible with primary accent colors used on building elevations and shall be approved by the City.
- b. Signs may not be externally illuminated.
- c. All tenants shall install one (1) address Sign (numbers only) with numbers not exceeding eighteen (18) inches in height adjacent to the main tenant or building entrance if not included on a Monument Sign identifying the parcel. Materials and colors shall be the same as those used in the parking, direction and information signage (see below). Address Signs need not be illuminated but shall be highly visible for emergency use as well as visitors.

3. *Monument Signs.* Monument Signs are permitted subject to the following standards:

- a. Monument Signs shall have an six (6) feet maximum height (inclusive of base), eight (8) feet maximum length and twenty-four (24) inch maximum width.
- b. Monument Signs shall have a brick masonry or stone base that matches the primary finish material used in the project building elevation. The base of the Sign shall be twenty-four (24) inches in height (Figure 1).
- c. A Monument Sign's graphic or text shall be not more than twenty-four (24) inches in height.
- d. Monument Signs shall be no closer than ten (10) feet from any side Lot line and outside the Sight Triangle.
- e. *Shopping Centers/Multi-Tenant Retail Buildings.* The Monument Sign shall be located within the middle fifty percent (50%) of the





aggregate street Frontage. (Fig. 1)

4. *Wall Signs.* Wall Signs are permitted subject to the following standards:
  - a. *Number.* One (1) Wall Sign is permitted per Lot unless the Lot has a Multi-Tenant Retail Building, then one (1) Wall Sign is permitted per tenant or owner on the building front.
    - i. Notwithstanding subsection a. above, in the case of a tenant space or retail bay in a Multi-Tenant Retail Building that has more than one (1) customer entrance which faces an abutting, but different, public street, then in addition to a primary Wall Sign, the tenant of the retail space with the additional customer entrance shall be entitled to one (1) secondary Wall Sign over such customer entrance which faces a public street, for a maximum of two (2) Wall Signs.

For the purpose of this Section:

"Customer entrance" means an entrance to a retail establishment that is regularly open to and used by the public as a means to access the retail establishment; it does not include employee or service entrances.

"Primary" Wall Sign means the Sign on the wall of a Multi-Tenant Retail Building above the door facing Manchester Road.

"Secondary" Wall Sign means the Sign on the wall of a Multi-Tenant Retail Building that faces a public street other than Manchester on a wall containing a customer entrance.

- b. *Area.* The Sign Face of a Walls Sign shall not exceed 5% of the individual storefront profile (i.e. storefront width multiplied by height).
  - i. If a tenant or owner in a Multi-Tenant Retail Building meets the requirements for, and chooses to have, a primary and secondary Wall Sign, the primary Sign's area shall be no greater than 5% of the area of the store front and the secondary Wall Sign's area shall be no greater than 60% of the Sign Area of the primary Wall Sign.
- c. *Height.* The maximum height of Wall Signs shall be 80% of storefront width. The Maximum letter height for such Signs shall be twenty-eight (28) inches.
  - i. If a tenant or owner in a Multi-Tenant Retail Building meets the requirements and chooses to have a primary and secondary Wall Sign, the primary Wall Sign shall not have a height greater than 80% of the width of the store front with a maximum letter height of 28 inches and the secondary Wall Sign's height shall exceed 67% of the lettering height of the primary Sign.
  - ii. Letters shall not overlap either top or bottom edge of the building fascia or any trim board and must be a minimum of three (3) inches from either of these edges. However, stores that exceed 13,000 square feet may have a maximum letter height of five (5) feet and stores that exceed 70,000 square feet may have a maximum letter height of seven (7) feet.

- d. Location. Wall Signs shall be located on the store-front or, in the case of a Multi-Tenant Retail Building that has more than one (1) customer entrance which faces a different public street, then over such entrance which faces a public street.
5. *Additional signage.* In addition to the Monument Sign guidelines above, building signage for tenants shall adhere to the following criteria:
  - a. No Wall Sign shall extend beyond the building more than fifteen (15) inches. No Wall Sign shall be so erected as to cover the doors or windows of any building or otherwise prevent free ingress or egress to or from any window, door or any fire escape of any building. When a wall of a building which houses a business faces a parking lot but not a street, there may be a Wall Sign on such wall not exceeding six (6) square feet in area. Said Wall Sign shall not be included in the calculation of the area under Section 530.060, Subsection (B)(4).
  - b. Generally, where two (2) or more tenants rent a single building, the area of Signs of each tenant shall be in proportion to the space that each tenant occupies in said building.
  - c. Letters and/or Signs shall not overlap either top or bottom edge of the building fascia or any trim board and must be a minimum of three (3) inches from either of these edges.
  - d. Notwithstanding anything to the contrary in this Chapter 530, any tenant in a Multi-Tenant Retail building ("building"), the side of which building abuts directly to Manchester Road but the front of which building does not face Manchester Road, and which tenant occupies commercial retail space in said building that has previously been permitted two (2) Wall Signs, is permitted one (1) Wall Sign for the side wall facing Manchester Road along the portion of the building occupied by such tenant and one (1) Wall Sign for the face of the building for the portion of the building occupied by tenant. The Wall Sign shall not be larger than the Wall Sign for the face of the building and shall otherwise comply with all other requirements of this Chapter.
6. *Permanent Window Sign.* Permanent Window Signs are permitted subject to the following standards:
  - a. Each tenant is permitted two (2) Permanent Window Signs.
  - b. Permanent Window Signs shall not exceed four (4) square feet in size.
  - c. A Permanent Window Sign shall be located in a window.
7. *Temporary Signs.* Temporary Signs are permitted subject to the following standards:
  - a. Three (3) Temporary Signs on the property at any time with a Sign Face no larger than sixteen (16) square feet per Sign.
  - b. The location of the Temporary Signs must be on private property and ground

mounted.

c. Temporary Signs shall not be Illuminated.

8. *Flags and Flag Poles.* Flags and Flagpoles are permitted subject to the following standards:

a. A Flag shall not exceed three (3) by nine (9) feet in size.

b. Each Property Owner shall have no more than one (1) Flag on display at any given time located on a Flagpole.

c. Each Property Owner may have one (1) Flagpole, per Lot, not to exceed thirty (30) feet in height.

d. Such Flagpole shall be ground-mounted and may be located anywhere on the Premises, except within ten (10) feet of any property line.

e. Flags may be Illuminated in accordance with Section 530.080

9. *Directional Signs.* Directional Signs are permitted subject to the following standards:

a. The Sign Face of a Directional Sign may not exceed ten (10) square feet.

b. A Directional Sign may not exceed six (6) feet in height.

c. Each Property Owner may have two (2) Directional Signs per entrance.

d. Directional Signs shall be ground or wall mounted.

10. *No Off-Premises Signs.*

11. *Two-sided Signs.* A Sign with two (2) sides (i.e., two (2) Sign Faces mounted back-to-back) shall be counted as one (1) Sign.

12. Exceptions to the size and characteristics of permitted Sign types may be approved as part of the redevelopment plan process (C-P zoning) or as part of an integrated Sign plan for a Shopping Center or Multi-Tenant Retail Building pursuant to Section 530.070 but no Sign type specifically prohibited under this Sign Code shall be allowed except as may be approved by the Board of Aldermen as a part of such redevelopment or Sign plan.

C. *"A" And "B" Residential Districts.*

i. *Business Signs.* Business Signs are not permitted.

ii. *Flags and Flag Poles.* Flags and Flagpoles are permitted subject to the following:

a. A Flag shall not exceed five (5) by eight (8) feet in size.

b. Each Property Owner shall have no more than three (3) Flags on display at any given time either located on a Flagpole or mounted to the house.

- c. Each Property Owner may have one (1) Flagpole, per Lot, not to exceed twenty-five (25) feet in height.
  - d. Such Flagpole shall be ground-mounted and may be located anywhere on the Premises, except within ten (10) feet of any property line.
  - e. Flags may be Illuminated in accordance with Section 530.080.
- iii. Temporary Signs.* Temporary Signs are permitted subject to the following standards:
- a. Three (3) Temporary Signs, ground mounted on the private Lot at any time with a Sign Face no larger than six (6) square feet per Sign.
  - b. One (1) Temporary Sign with a Sign Face no larger than 8.5 inches by 11 inches in one (1) window per dwelling at a time.
  - c. Temporary Signs shall not be Illuminated.

**Section 530.070 Sign Plans.**

- A. *Purpose.* The City has determined that in the Commercial Corridor District, it is desirable to allow, as an alternative to an ad hoc review, for the submission of a Sign Plan for Shopping Centers and Multi-Tenant Retail Buildings. Sign Plans will allow owners of areas to submit a plan for a more flexible, creative, unified visual statement that integrates the design of signage with the design of a building for which a Sign is sought or on which such Signs will be displayed as well as with the surrounding area taking into account the unique characteristics of the site, abutting streets, internal traffic circulation and the development as a whole.
- B. *When Allowed.* The owner of a tract of land, which is the site of or is proposed as the site for a single integrated development consisting of one (1) or more buildings, off-street parking, such as a Multi-Tenant Retail Building or Shopping Center, may submit a Sign Plan for all or part of the site to the Board of Aldermen for review and decision. The Sign Plan shall contain a visual representation of the lettering, illumination, color, size, height, placement and location of the Signs proposed for display. This also may be done in conjunction with or as a part of the site development plan review. Any Person submitting a Sign Plan for consideration shall pay such fee as may be set by the City for its review costs at the time of submission when not done in conjunction with a site development plan.
- C. *Deviations From General Provisions Of Comprehensive Sign Code.* If an applicant seeks to submit a Sign Plan that seeks signage in size (area), height, type, location or number that is not permitted under the express requirements of the Sign Code, then the applicant shall show on the plan or submit a separate statement that explains the deviations from the Sign Code and the reasons for deviation from the applicable Sign regulations including any unique circumstances of the site that warrant the deviation.
- D. *Standards.* When reviewing a Sign Plan, the Board of Aldermen shall determine that the following standards are met:
  - 1. The Sign Plan is consistent with and fulfills the intent, spirit and purposes of this Chapter;

2. The Signs described in the plan are appropriately related in size, shape, materials, lettering, color, illumination and character to the function and character of the building or Premises on which they will be displayed;
3. The Signs described in the plan are compatible with the theme, visual quality and overall character of the surrounding area and the approval of the proposed Sign Plan will not be detrimental to the adjoining properties; and
4. The deviation from the applicable Sign regulations in size, location or number of Signs is warranted due to the unique characteristics or layout of the proposed building(s) or the unique characteristics or topography of the proposed site.
5. After consideration of the Sign Plan, the Board of Aldermen may deny, approve or conditionally approve all or part of the Sign Plan as submitted.

**Section 530.080 Illumination Restrictions.**

- A. *Illumination Standards.* All Illuminated Signs shall be subject to the following standards:
1. External lighting, such as floodlights, thin line and gooseneck reflectors, are permitted unless otherwise noted in a Section of this Code, provided the light source is directed upon the Sign Face and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of an adjacent street and the lights are not of such intensity so as to cause glare, impair the vision of the driver of a motor vehicle or otherwise interfere with a driver's operation of a motor vehicle; provided however, that the light source is effectively shielded so as to prevent beams or rays of light from shining on any adjacent street or residential uses.
  2. No Sign shall be so Illuminated that it interferes with the effectiveness of or obscures any official traffic Sign, device or signal.
  3. If a Sign or Flag is externally lighted, the light source shall be completely concealed and not visible to pedestrians, vehicles or Persons located on adjacent property.
  4. All Signs with internal illumination shall require an electrical permit and meet all requirements of the City's Electrical Code and other applicable Codes.
  5. Except where otherwise noted, Pole Signs and Monument Signs within one-hundred fifty (150) feet of a residential dwelling shall only be Illuminated by an external light source. Nothing herein shall not prohibit continuous illumination of Flags and Monument Signs.
  6. No revolving or rotating beam or beacon of light that simulates an emergency light or device shall be permitted as part of any Sign. No Illumination shall be allowed that converts the Sign to a Flashing Sign except if reasonably necessary to convey public service information.
  7. A Sign may not include a Changeable Message Display or Electronic Changeable Message Display unless expressly permitted by Section 530.060.
  8. Notwithstanding the above lighting requirements, no Illuminated Sign shall be of such brightness or intensity so as to cause glare, impair the vision of the driver of a motor vehicle or otherwise interfere with a driver's operation of a motor vehicle, obscure or interfere with the effectiveness of an official traffic control device, prevent or interfere with the quiet use or enjoyment of any Lot which is used or zoned residential, or otherwise be maintained as a nuisance.
- B. *Changeable Message Displays/Electronic Changeable Message Displays.* Monument Signs with CMDs and eCMDs shall be subject to the general illumination standards of Subsection A of this Section and eCMDs are subject to the following additional regulations:

1. *Duration of Message Intervals.* Messages must be displayed for a minimum of fifteen (15) seconds for each item shown or information displayed.
2. *Transition and Display.* Message changes shall be instantaneous without dissolving, growing, melting, traveling up or down scrolling, fading. Messages shall have a static display and shall not be illuminated so as to be a Flashing Sign or that in any manner creates the illusion of movement.
3. *Brightness.* The brightness of an eCMD shall automatically adjust via photocell for use during daylight hours and non-daylight hours. No Sign may be illuminated to a degree of brightness that is greater than necessary for adequate visibility. The maximum permitted brightness for an eCMD during daylight hours is five thousand (5,000) NIT (candela per square meter) and five hundred (500) NIT during non-daylight hours as measured from the Sign's Face perpendicular to the rays of the source at maximum brightness. The lighting and other specifications for a proposed eCMD shall be submitted with the application proposing to incorporate an eCMD.
4. *Story Advertising.* An eCMD Sign shall not display consecutive Messages facing the same traveled way, which constitute a substantially similar theme or story and is a continuation of any immediately preceding Message, thereby creating a storyboarding effect when viewed by Persons operating a motor vehicle. Nothing contained in this paragraph shall prohibit the display of identical consecutive Messages.
5. *Malfunction and Non-compliance.* All eCMD Signs shall be designed and equipped to freeze the device in one (1) position if a malfunction occurs. The eCMD Signs shall be equipped with a means to promptly discontinue the display if it malfunctions, and the Sign owner shall immediately stop the dynamic display when notified by the City that it is not complying with standards of this Code.
6. *Conversion.* Conversion of an existing Monument Sign to an eCMD is authorized only where eCMDs are permitted by this Chapter and the current Sign complies with existing Code requirements.

#### **Section 530.090 Permits.**

- A. Except as provided in Section 535.040.A.10, a permit is required for the erection of a Sign or outdoor display structure. An application therefor shall be filed with the City Clerk and said application shall, when required by the Building Commissioner, include the plans and specifications for said Sign, including the dimensions, materials and required details of construction, including weights and methods of anchorage.
- B. The application shall be accompanied by the written consent of the owner and lessee of the Premises upon which the Sign is to be erected.
- C. No Sign shall be enlarged or relocated except in conformity with the provisions of this Chapter for new Signs, nor until a permit has been issued. The changing of movable parts of an approved Sign that is designed for such changes or repainting or reposting of display matter shall not be deemed an alteration, provided that the conditions of the original approval and the requirements of this Chapter are not violated.

- D. Even where no authorization or permit is required, the owner of a Sign retains responsibility for its erection and maintenance in a safe manner, for compliance with all provisions of this Chapter, and for damages or injuries to property or Persons.

**Section 530.100 Appeals.**

- A. Any Person, firm or corporation may appeal any order, requirement, decision or determination made by the City Clerk or Building Commissioner in the enforcement of this Chapter to the Board of Adjustment of the City of Warson Woods. A fee of seventy-five dollars (\$75.00) shall be paid to the Treasurer at the time the notice of appeal is filed to be credited to the General Revenue Fund of the City of Warson Woods. In addition, the petitioner shall pay for publishing public hearing notices, duplication costs and the transcription of the public hearing. Petitioner will be invoiced by the City after actual costs are determined.
- B. The Board of Adjustment shall have the power to:
  - 1. Affirm, modify or reverse the decision of the Building Commissioner if the Board finds an error has been made in any order, requirement, decision or determination in the enforcement of this Chapter.
  - 2. Permit variations where practical difficulties, unnecessary hardships and results inconsistent with the general purpose of this Chapter. If it is determined that the applicant for a variance is subject to such difficulty, hardship or result, then the Board shall find that the proposed Sign:
    - a. Will not be inappropriate to the scale of the building to which it is related, or to the aesthetic environment of the surrounding structures and land use,
    - b. Will not materially diminish or impair established property values within the surrounding area, and
    - c. Will not in any other respect impair the public health, safety, comfort, morals and welfare of the City of Warson Woods.
- C. Any Person, firm or corporation that is aggrieved by a notification from the Building Commissioner to remove or bring into conformity any existing Non-Conforming Sign shall have the right to appeal such decision to the Board of Adjustment. The Board shall have the power to permit the retention of such Non-Conforming Sign providing the Sign:
  - 1. Will not be inappropriate to the scale of the building to which it is related or to the aesthetic environment of the surrounding structures and land use, and
  - 2. Is in good state of repair and is of such materials of construction that deterioration is minimized.