



## ZONING ORDINANCE

### ARTICLE TEN SIGN REGULATIONS

## ARTICLE TEN – SIGN REGULATIONS

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### 1001 Purpose

The Sign Regulations provide standards for communicating information in the environment of the City of Beatrice and its jurisdiction. The regulations recognize the need to protect public health, safety, and welfare; to maintain the City's attractive appearance; to provide for adequate business identification, advertising, and communication of information; and to encourage the fair enforcement of sign regulations.

### 1002 Definition of Terms

The following definitions shall be used for terms contained in this Article that are not otherwise defined in this Zoning Ordinance:

1. Abandoned Sign: A sign, including sign face and supporting structure, which refers to a discontinued business, profession, commodity, service, or other activity or use formerly occupying the site; or which contains no sign copy on all sign faces for a continuous period of thirty (30) calendar days; and is not clean or in substantial good repair, or are not affixed to a sound structure.
2. Attached Sign: A sign which is structurally connected to a building or depends upon that building for support.
3. Awning and Awning Sign: A temporary or movable shelter supported entirely from the exterior wall of a building and composed of non-rigid materials, except for a supporting framework. An awning sign is a message printed on such a shelter.
4. Banner: Any sign of lightweight fabric or similar material with a printed message or graphic permanently secured or mounted from a structure in such a way as to allow wind movement.
5. Building Marker: A historic or commemorative plaque, or a building name or cornerstone carved into a masonry surface.
6. Business Center Identification Sign: A sign which identifies a building or group of commercial buildings in single ownership or control, sharing parking and access.
7. Business Identification Sign: A sign that identifies a business located on the same premises upon which the sign is located.
8. Canopy: A projecting non-movable structure cantilevered or suspended from a building, supported by the main structural members to which it is attached, and used as a protective cover over a door, window, entrance, or outdoor service area.
9. Canopy Sign: A sign which is attached or made an integral part of a canopy.
10. Clearance: The distance from the bottom of a sign face elevated above grade and the grade below.

11. Detached Sign: A sign which is self-supporting and structurally independent from any building.
12. Directional Sign: A sign which serves solely to designate the location or direction of any area or place.
13. Double-Faced Sign: A sign consisting of no more than two parallel faces, no more than forty-two inches (42") apart and supported by a single structure.
14. Frontage: The length of a property line of any one (1) premises abutting and parallel to a public street.
15. Ground Sign: A detached on-premise sign built on a freestanding frame, mast, or pole(s) with a clearance no greater than three (3) feet.
16. Illumination: Lighting sources installed for the primary purpose of lighting a specific sign or group of signs.
17. Incidental Sign: A sign which is incidental to and aids the functioning of a use, but which does not provide primary identification for the use. Examples of incidental signs include entrance and exit signs, or signs that provide directions to traffic on a site.
18. Marquee: A permanent roofed structure attached to and supported by a building and extending over public right-of-way.
19. Maximum Permitted Sign Area: The maximum permitted combined area of all signs allowed on a specific property.
20. Monument Sign: An on-premise freestanding sign with the appearance of a solid base. The width of such base shall be at least seventy-five percent (75%) of the width of the sign.
21. Moving Sign: A sign which conveys its message through rotating, changing, or animated elements.
22. Nonconforming Sign: A sign that was legally erected prior to the adoption of this Ordinance but which violates the regulations of this Ordinance.
23. Pole Sign: A sign on a premise built on a freestanding frame, mast, or pole(s) with a clearance greater than 3 feet (3'), and where the support encompasses less than seventy-five percent (75%) of the width of the sign.
24. Portable Sign: Any sign supported by frames or posts rigidly attached to bases not permanently attached to the ground or a building and capable of being moved from place to place.
25. Premise Identification Sign: Any sign which pertains to the non-residential use of a premises and which contains information about the owner or operator of that use; the type of business being conducted or the principal brand name of a commodity sold on the premises; and other information relative to the conduct of the use.

26. Premises: A tract of one or more lots or sites which are contiguous and under common ownership or control.
27. Projecting Sign: A sign other than a wall sign that is attached to and projects from a building face.
28. Residential Sign: A small wall sign located on a residential premise, conveying a message lawfully communicated by the owner of the property or used to identify home occupations, the name of the premises, or the occupants thereof. Residential signs are non-illuminated and non-reflecting signs which do not exceed four square feet (4 ft.<sup>2</sup>) in area.
29. Roof Sign: Any sign or part of sign erected upon, against, or directly above a roof or on top of or above the parapet or cornice of a building.
- (a) Integral Roof Sign: A roof sign positioned between an eave line and the peak or highest point on a roof, substantially parallel to the face of a building.
- (b) Above-peak Roof Sign: A roof sign positioned above the peak of a roof or above a parapet or cornice.
30. Sign: A symbolic, visual device fixed upon a building, vehicle, structure, or parcel of land which is intended to convey information about a product, business, activity, place, person, institution, candidate, or political idea.
31. Sign Type: A functional description of the use of an individual sign. Includes owner identification, advertising, directional, electronic message, and temporary.
32. Street Facade: Any separate external face of a building, including parapet walls and omitted wall lines, oriented to and facing a public street. Separate faces oriented in the same direction or within forty-five degrees (45°) degrees of one another are considered part of the same street façade.
33. Temporary Signs: A sign, flag, banner, pennant, or valance constructed of light weight materials which is not permanently attached to building or land.
34. Wall Sign: A sign attached to and parallel with the side of a building.
35. Window Sign: A sign painted on or installed inside a window for the purpose of viewing from outside the premises.
36. Zone Lot: A parcel of land in single ownership that is large enough to meet the minimum zoning requirements of its zoning district and can provide such yards and other open spaces as required by the site development regulations.

## **1003 General Sign and Street Graphics Regulations**

### **A. Compliance**

Each sign or part of a sign erected within the zoning jurisdiction of the City of Beatrice must comply with the provisions of this Ordinance and of other relevant provisions of the City of Beatrice Municipal Code.

### **B. Resolution of Conflicting Regulations**

This Ordinance is not meant to repeal or interfere with enforcement of sections of the Beatrice City Code. In cases of conflicts between the Beatrice City Code, this Ordinance, or State or Federal Regulations, the more restrictive regulations shall apply.

### **C. Prohibited Signs**

The following signs are prohibited in all zoning districts:

1. Signs painted on or attached to trees or other natural objects.
2. Signs or sign structures which resemble or conflict with traffic control signs or devices, which mislead or confuse persons traveling on public streets, or which create a traffic hazard.
3. Signs on public property and City and State right-of-ways including permanent, temporary, and exempt signs, unless specifically authorized by the appropriate public agency. To place a sign in the City right-of-way:
  - a. Property owner must obtain approval from the City Engineer. Such approval shall be revocable without cause or prior notice to the property owner.
  - b. A recorded notice shall be filed in the office of the Gage County Register of Deeds. Costs for filing such notice recorded in the Gage County Register of Deeds office shall be paid for by the property owner.
  - c. Property owners who wish to place a sign within a portion of the Right-of-Way do so at their own risk. The City of Beatrice may require use of the Right-of-Way for any number of public purposes and future needs. The property owner of record shall pay all costs associated with adjustment, replacement, or removal of any sign located within the Right-of-Way when required by the City of Beatrice.
4. Signs which create a safety hazard by obstructing the clear view of pedestrians or vehicles, or which obscure official signs or signals.
5. Abandoned signs. Any abandoned sign must be removed within thirty (30) calendar days of date of abandonment.
6. Signs advertising activities that are illegal under Federal, State, or local laws and regulations.
7. Signs that are not clean or in substantial good repair, or are not affixed to a sound structure.

8. Signs which move or have animated or moving parts that are visible from the travelled ways of US Highways 77 and 136.
9. Signs in officially designated scenic areas or parkland visible from the travelled way of US Highways 77 and 136.
10. Signs with wiring not in accordance with the Nebraska State Electrical Act and all related rules and regulations.  
(Ord. No. 19-008; 3-4-19)

**D. Exempt Signs**

The following signs are permitted in any zoning district and are exempt from Sections 1006 through 1012:

1. Official signs authorized by a government or governmental subdivision which give traffic, directional, or warning information.
2. Seasonal decorations for display on private or public property.
3. Works of graphic art painted or applied to building walls.
4. Residential signs under four square feet (4 sq ft) in size.
5. Street numbers.

**E. Temporary Signs**

Temporary signs are permitted in any zoning jurisdiction, subject to the following requirements:

- (a) Such signs may be placed on the City right-of-way but not within ten feet (10') of the back of the curb or the edge of any unimproved street. A temporary sign shall not be located so as to cause a sight obstruction as defined in Section 1003(G).
- (b) Such signs shall not be larger than four square feet (4 sq ft) when located in Residential Districts (R-1, R-2, R-3 & R-4), a Residential Commercial District (RC), or Central Business District (CBD) and not larger than thirty-two square feet (32 sq ft) in other zoning districts.
- (c) Examples of temporary signs which may be subject to this Section include, but are not limited to: real estate signs; garage sale signs; construction signs; sales signs; meeting notices; political signs; event notices; and similarly related signs traditionally placed near streets, sidewalks, and roadways.
- (d) Such signs shall conform to all requirements of the State of Nebraska when located within right-of-way owned and controlled by the State.

**F. Bufferyards**

No sign other than on-premise directional signs shall be placed within any bufferyard required by Article Eight, Landscaping and Screening Regulations, except bufferyards adjacent to intervening major streets.

**G. Vision-Clearance Area**

No sign may project into or be placed within a vision-clearance area defined by a triangle with legs of thirty feet from the point at which the curbs or edges of two intersecting streets, or an intersecting street and driveway, meet.

**1004 General Regulations: Basic Design Elements For On-premise Signs**

**A. Wall Signs and Graphics**

Wall signs and graphics are subject to the following general regulations.

1. A wall sign shall not extend more than thirty inches (30") from the wall to which it is attached.
2. A wall sign must be parallel to the wall to which it is attached.
3. A wall sign may not extend beyond the corner of the wall to which it is attached, except where attached to another wall sign, it may extend to provide for the attachment.
4. A wall sign may not extend beyond its building's roof line.
5. A wall sign attached to a building on its front property line may encroach upon public right of way by no more than eighteen inches (18"). Such a wall sign shall provide minimum clearance of eight feet, six inches (8'6").
6. For the purpose of calculating permitted sign areas pursuant to this Article, signs painted on the walls of buildings shall be considered wall signs.
7. Where permitted, canopy signs are counted as wall signs when calculating total permitted sign area.

**B. Projecting Signs and Graphics**

Projecting signs and graphics are subject to the following general regulations.

1. The maximum projection of any projecting sign shall be as follows:
  - (a) Six feet, six inches (6'6") over public sidewalks less than twelve (12) feet wide;
  - (b) Eight feet (8') over public sidewalks twelve (12) feet wide or more, or over private property.
2. A projecting sign may be no closer than three feet from the vertical plane of the inside curb line.
3. Each projecting sign must maintain at least the following vertical clearances:
  - (a) Eight feet, six inches (8'6") over sidewalks; except that a canopy may reduce its vertical clearance to seven feet, six inches (7'6");
  - (b) Ten feet (10') for signs located outside of driveways or parking areas, but within three feet (3') of such areas; or within fifty feet (50') of the right-of-way lines formed by the intersection of two (2) or more streets.
  - (c) Fourteen feet (14') over parking lots;

(d) Sixteen feet, six inches (16'6") over alleys or driveways.

4. No projecting sign extending three feet (3') or more from a property line may be located within twenty-five feet (25') of any other projecting sign extending three feet or more from a property line.
5. Projecting signs must minimize visible support structure and may not expose guy wires, cables, turnbuckles, angle iron, or other similar external support structure.

**C. Pole Signs**

Pole signs, where permitted, are subject to the following general regulations:

1. Each pole sign must maintain at least the following vertical clearances:
  - (a) Eight feet, six inches (8'6") over sidewalks;
  - (b) Ten (10) feet for signs located outside of driveways or parking areas, but within three feet (3') of such areas; or within fifty feet (50') of the right-of-way lines formed by the intersection of two (2) or more streets.
  - (c) Fourteen feet (14') over parking lots;
  - (d) Sixteen feet, six inches (16'6") over alleys or driveways.
2. Permitted pole signs may revolve at a rate not to exceed six (6) revolutions per minute.

**D. Roof Signs**

Roof signs are subject to the following regulations.

1. Where permitted, integral roof signs may be used interchangeably with wall signs.
2. Integral roof signs may not exceed the permitted height for pole signs.
3. An integral roof sign must be mounted parallel to the wall of the building that it faces.

**1005 General Regulations: Other Design Elements**

**A. Illumination**

1. Lighting, when installed, must be positioned in such a manner that light is not directed onto an adjoining property or onto a public street or highway.
2. Lighted signs in direct vision of a traffic signal shall not be illuminated in red, green, or amber.

**B. Marquees and Marquee Signs**

1. Signs placed on, attached to, or constructed on a marquee are subject to the maximum projection and clearance regulations of projecting signs.

**C. Banners**

1. A banner sign projecting from a building may not exceed the wall height of the building.



2. Maximum projection for any banner is five feet (5').
3. Each banner sign must maintain at least the following vertical clearances:
  - (a) Eight feet, six inches (8'6") over sidewalks;
  - (b) Ten feet (10') for signs located outside of driveways or parking areas, but within three feet (3') of such areas; or within fifty feet (50') of the right-of-way lines formed by the intersection of two (2) or more streets.
  - (c) Fourteen feet (14') over parking lots;
  - (d) Sixteen feet, six inches (16'6") over alleys or driveways.
4. Maximum size of a banner is the lesser of twice the permitted size of a projecting sign or one-hundred-twenty square feet (120 ft.<sup>2</sup>).

**D. Clocks**

For the purposes of this Ordinance, clocks are not considered a moving sign.

**1006 Specific Regulations for Zoning Districts**

This Section sets forth regulations and design standards for signs and graphics for each zoning district.

**1007 Measurement of Regulators**

**A. Maximum Permitted Sign Area**

Maximum permitted sign area for a zone lot is set forth as a numerical limit or as a function of the frontage of the premises on a street. For properties with frontage on more than one (1) street, the total frontage shall be calculated as the longest frontage plus one-half (1/2) the length of all additional frontages.

**B. Sign Area**

1. Sign area includes the entire area within the perimeter enclosing the extreme limits of the sign, excluding any structure essential for support or service of the sign, or architectural elements of the building.
2. The area of double-faced signs is calculated on the largest face only.
3. The sign area for ground signs, monument signs, and architectural sign bands is calculated as the area enclosing the extreme limits of the copy only.
4. In the case of individual letters mounted to a wall, only the total area of the letters themselves is included within the sign area.

**C. Height**

The height of a sign is measured from the average grade level below the sign to the topmost point of the sign or sign structure.

**D. Setback**

The setback of a sign is measured from any property line to the line projected onto the ground of any component of the sign nearest such property line. All setbacks shall comply with standards established by the Federal Highway Administration and the Nebraska Department of Roads.

**1008 Permitted Sign Types by Zoning Districts**

Table 10-1 sets forth the sign types permitted within each zoning district of the City of Beatrice.

**1009 Maximum Permitted Sign Area**

Table 10-2 sets forth the maximum sign area permitted within each zoning district of the City of Beatrice.

**1010 Permitted Signs by Numbers, Dimensions, and Location**

Table 10-3 sets forth the maximum permitted numbers of signs per premise; the maximum permitted dimensions of each sign; and the required setbacks for detached signs.

**1011 General Permit Procedures**

**A. Applicability**

Any installation, modification, or expansion of any sign which is not exempt from the provisions of this Article shall be subject to the following permit procedure prior to installation.

**B. Applications**

All applications for sign permits shall be submitted to the Building Official in accordance with application specifications established by him/her.

**C. Fees**

Each application for a sign permit shall be accompanied by any applicable fees, which shall be established by the City Council from time to time by resolution.

**D. Action**

Within seven (7) business days of the submission of a complete application for a sign permit, the City shall either issue the sign permit, if the sign conforms to the provisions of this Article or reject the sign permit if the sign(s) that is the subject of the application fails in any way to conform with the requirements of this Article.

**E. Permit Expiration**

If a sign is not constructed in accordance with an approved permit within six (6) months of the date of approval, such permit shall lapse.

**F. Maintenance of Valid Sign Permit**

The owner of a property containing signs requiring a permit under this ordinance shall at all times maintain in force a sign permit for such property. Sign permits shall be issued for individual zone lots.

## 1012 Repair or Modification of Nonconforming Signs

### A. Nonconforming Signs; Modifications

All permanent signs in place and in existence on the effective date of this Ordinance shall be considered as legal nonconforming signs. The copy area of such signs may be changed or the copy thereon replaced; provided, however, the sign area shall not be enlarged beyond the sign area of said sign on the effective date of this Ordinance.

### B. Replacement of Damaged Nonconforming Signs

Any nonconforming sign which presently is or becomes structurally damaged or deteriorated, or is altered by more than fifty percent (50%) of its replacement cost, shall be either removed or altered so as to comply with this Article.

(Ord. No. 17-007; 4-3-17)

**TABLE 10-1: PERMITTED SIGNS BY TYPE AND ZONING DISTRICT**

Sign Type	AG	RR	R-1 R-2	R-3	R-4	RC	O	LC	GC	CBD	CS	LI	GI
<b>Detached Signs</b>													
Residential	P	P	P	P	P	P	P	P	N	N	N	N	N
Business Identification	P	P	P (C)	P (C)	P	P	P	P	P	P	P	P	P
Incidental/Directional	P (C)	P (C)	P (C)	P (C)	P	P (C)	P	P	P	P	P	P	P
Ground/Monument	P	P	N	N	P	P	P	P	P	P	P	P	P
Pole	N	N	N	N	N	N	N	N	P	N	P	P	P
Temporary Signs	P	P	P	P	P	P	P	P	P	P	P	P	P
<b>Attached Signs</b>													
Awning	N	N	N	N	P	P	P	P	P	P	P	P	P
Banner	N	N	N	N	N	N	P	P	P	P	P	P	P
Building Marker	P	P	P	P	P	P	P	P	P	P	P	P	P
Canopy	N	N	N	N	N	P	P	P	P	P	P	P	P
Premise Identification	P	P (C)	P (C)	P (C)	P	P	P	P	P	P	P	P	P
Incidental/Directional	P (C)	P (C)	P (C)	P (C)	P	P	P	P	P	P	P	P	P
Marquee	N	N	N	N	N	N	N	P	P	P	P	P	P
Projecting	N	N	N	N	N	N	N	P	P	P	P	P	P
Roof, Integral	N	N	N	N	N	N	N	P	P	P	P	P	P
Roof, Above Peak	N	N	N	N	N	N	N	N	N	P	P	P	P
Wall	P	P	P	P	P	P	P	P	P	P	P	P	P
<b>Miscellaneous</b>													
Flag	P	P	P	P	P	P	P	P	P	P	P	P	P
Portable	N	N	N	N	N	N	N	N	N	N	N	N	N
Flashing	N	N	N	N	N	N	N	N	P	P	P	P	P
Illuminated	P	N	N	N	N	P	P	P	P	P	P	P	P

P: Permitted for All Uses  
P(C): Permitted for Civic Uses  
N: Not Permitted

(Ord. No. 17-012; 6-5-17)

**TABLE 10-2: MAXIMUM PERMITTED SIGN AREA FOR ZONE LOT BY ZONING DISTRICT**

*The Maximum Permitted Area for all signs on a premises excluding incidental signs, building marker signs, and flags shall not exceed the lesser of the following:*

Zoning District	AG	RR R-1 R-2 R-3	R-4	RC	O	LC	GC	CBD
Square Feet of Signage per Linear Foot of Frontage	NA	NA	NA	0.50	0.75	2.0	3.0	2.0
Maximum Total Square Feet	Note 1	Note 2	Note 3	100 Note 4	150 Note 4	200	600	200

**Note 1:**

One hundred square feet (100 ft.<sup>2</sup>) for civic or commercial uses, 4 square feet for residential uses, including home occupations.

**Note 2:**

Thirty-two square feet (32ft.<sup>2</sup>) for civic uses, four square feet (4 ft.<sup>2</sup>) for residential uses, including home occupations.

**Note 3:**

Four square feet (4 ft.<sup>2</sup>) for residential uses, including home occupations, except as otherwise provided herein; thirty-two square feet (32 ft.<sup>2</sup>) for civic uses, for mobile home parks, for multiple-family residential uses consisting of ten (10) or more units, and for temporary signs at a construction site to identify the nature of the construction and those persons/firms associated with it.

**Note 4:**

Maximum limits apply to non-residential premises only. On premises with a primary residential use, four square feet (4 ft.<sup>2</sup>) for residential uses, including home occupations, except as otherwise provided herein; thirty-two square feet (32 ft.<sup>2</sup>) for mobile home parks, for multiple-family residential uses consisting of ten (10) or more units, and for temporary signs at a construction site to identify the nature of the construction of a multiple-family development and those persons/firms associated with it.

**TABLE 10-2 (CONTINUED):**  
**MAXIMUM PERMITTED SIGN AREA FOR ZONE LOT BY ZONING DISTRICT**

*The Maximum Permitted Area for all signs on a premises excluding incidental signs, building marker signs, and flags shall not exceed the lesser of the following:*

Zoning District	CS	LI	GI
Square Feet of Signage per Linear Foot of Frontage	2.0	2.0	2.0
Maximum Total Square Feet	800	400	400

(Ord. No. 98-51, Sec. 2, 10-19-98)

**TABLE 10-3: PERMITTED SIGNS BY NUMBERS, DIMENSIONS, AND LOCATION**

Each individual sign shall comply with the regulations for maximum quantity, maximum size, minimum setbacks, and height limits shown in this table:

Zoning District	AG	RR R-1 R-2 R-3	R-4	RC	O	LC Note 1	GC Note 1	CBD
<b>Detached Signs:</b>								
<b>Number Permitted</b>								
Per Premise	1	1	1	1	NA	NA	NA	1
Per Feet of Frontage	NA	NA	NA	NA	1 per 300	1 per 200	1 per 200	NA
<b>Maximum Size*</b> (sq. feet)	100*	32*	32*	100*	100*	100	300	100
<b>Maximum Height</b> (feet)	25	10	10	10	15	25	35	25
<b>Front Yard Setback</b> (feet) (See Note 2)	25	5	10	10	10	10	5	0
<b>Side Yard Setback</b> (feet) (See Note 2)	10	10	10	10	10	10	5	0
<b>Attached Signs:</b>								
<b>Maximum Size*</b> (sq. feet)	100	32*	32*	100*	100	100	150	100
<b>% of Street Facade</b>	NA	NA	NA	20%	20%	20%	25%	20%

\*For those uses only permitted a sufficient maximum sign area in Table 10-2

**Note 1:** Within its total permitted sign area, each premises used for a business center may have one (1) additional detached business center identification sign, subject to the following conditions:

1. The maximum area for a business center identification sign shall be two-hundred square feet (200 ft.<sup>2</sup>).
2. No business center identification sign shall be within three-hundred feet (300') of any other business center identification sign or within sixty-five feet (65') of any other detached sign on the same or adjacent premises.
3. The sign shall display no more than the name and location of the business center.
4. Each sign shall be subject to all other regulations for detached signs or graphics set forth in this Article.

**Note 2:** Smaller setbacks may be permitted upon compliance with the requirements listed in Section 1003(c)(3).

(Ord. No. 98-51, Sec. 3, 10-19-98; Ord. No. 19-008, 3-4-19)

**TABLE 10-3: PERMITTED SIGNS BY NUMBERS, DIMENSIONS, AND LOCATION**

*Each individual sign shall comply with the regulations for maximum quantity, maximum size, minimum setbacks, and height limits shown in this table:*

<b>Zoning District</b>	<b>CS</b>	<b>LI</b>	<b>GI</b>
<b><i>Detached Signs</i></b>			
<b>Number Permitted</b>			
Per Premise	NA	NA	NA
Per Feet of Frontage	1 per 200	1 per 200	NA
<b>Maximum Size*</b> (sq. feet)	300*	200*	300*
<b>Maximum Height</b> (feet)	35	25	35
<b>Front Yard Setback</b> (feet) (See Note 2)	10	5	0
<b>Side Yard Setback</b> (feet) (See Note 2)	5	5	0
<b><i>Attached Signs</i></b>			
<b>Maximum Size*</b> (sq. feet)	300	200	300
<b>% of Street Facade</b>	25%	25%	25%

\* For those uses only permitted a sufficient maximum sign area in Table 10-2

(Ord. No. 98-51, Sec. 3, 10-19-98; Ord. No. 19-008, 3-4-19)