

# Memorandum

## Department of Planning



**To:** Planning and Public Works Committee  
**From:** Mike Knight, Assistant City Planner *JmK*  
**Date:** March 10, 2022

**RE:** **P.Z. 16-2021 City of Chesterfield (Unified Development Code – Article 4 and Article 10):** An ordinance amending Article 4 and Article 10 of the Unified Development Code pertaining to signs.

### **Summary**

The Unified Development Code (UDC) was approved and adopted by the City of Chesterfield City Council in June of 2014. The purpose of the UDC is to promote public health, safety and general welfare, while recognizing the rights of real property owners and providing administrative procedures and development standards. The purpose of this petition is to discuss the potential revision to the regulations of the UDC pertaining to signs; in Article 4, Section 405.04.050 Sign Requirements and Article 10, Section 405.10.040 Signage Terms.

The Unified Development Code contains municipal regulations for residential and non-residential/commercial signs. Although the regulations in code (UDC) are static, sign technology and legalities are ever evolving. It is important to continually adapt and update the City's Sign Code regulations to conform to recent legal decisions, address changes in technology, and provide a clear set of codified standards with a clear submission and approval process for residential and commercial properties. The City of Chesterfield remains well poised to address future sign issues by continuing to review and modernize the City's Sign Code regulations within the UDC.

A Public Hearing was held on November 8th, 2021. At that meeting, City staff discussed possible issues with the City's current sign code as they relate to content neutrality (Article 4, Section 405.04.050 of the UDC) and identified potential resolutions and methodology to address the identified issues. The Planning Commission provided a general consensus to move forward with the methodology created by City Staff.

On January 10th, 2022, the petition was brought back to the Planning Commission solely for review, with no action requested from the Commission. At that meeting, City staff brought forward clarification over the discussion items raised at the Public Hearing. Also at that meeting, City staff articulated in presentation form how the methodology secured at the Public Hearing would be implemented into Article 4 including a description of the areas of code least and most affected by the implementation.

On February 14, 2022, the petition was brought back to the Planning Commission. At this meeting, the Planning Commission took action on the petition. A motion was made to approve the petition as submitted. This motion passed by a vote of (9-0).

At the March 10<sup>th</sup> Planning and Public Works Committee meeting, staff will provide a presentation to the committee articulating the overall effect implementing content neutral sign regulations through this petition would potentially have on the current sign code.

Attached to this memo is the February 14<sup>th</sup> Planning Commission Packet which includes the draft red-line changes to the City's sign code, an updated copy of this City's sign code incorporating the red-line changes and updated Article 10 definitions.

Attachments: February 14, 2022 Planning Commission Packet



VIII.D

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## Planning Commission Staff Report

**Meeting Date:** February 14, 2022

**From:** Mike Knight, Assistant City Planner

**Location:** City of Chesterfield

**Description:** **P.Z. 16-2021 City of Chesterfield (Unified Development Code – Article 4 and Article 10)**: An ordinance amending Article 4 and Article 10 of the Unified Development Code pertaining to signs.

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A Public Hearing was held on November 8<sup>th</sup>, 2021. At that meeting, City Staff discussed possible issues as they relate to content neutrality (Article 4, Section 405.04.050 of the UDC) and identified potential resolutions and methodology to address the identified issues. Although there was general consensus from the Planning Commission to move forward with the methodology chosen by City Staff, the Planning Commission also outlined a few additional items for discussion. These items include providing the

definition of a “Sign” in the City’s Unified Development Code, regulation of profanity, how signs relate to seasonal displays on residential property, and the communication between the City’s sign regulation and subdivision trustees.

On January 10<sup>th</sup>, 2022 the petition was brought back to the Planning Commission solely for review with no action requested from the Commission. At that meeting city staff brought forward clarification over the discussion items raised at the Public Hearing. Also at that meeting City staff articulated in presentation form how the methodology secured at the Public Hearing would be implemented into Article 4 of the Unified Development Code.

### **NEXT STEPS**

At the November 8<sup>th</sup> Public Hearing, the Planning Commission confirmed the methodology to address the identified issues. On January 10, 2022 Planning Commission confirmed the implementation strategy utilizing the methodology confirmed at the Public Hearing. On February 14<sup>th</sup> the petition is being presented to the Planning Commission utilizing the implementation strategy discussed at the January 10<sup>th</sup> meeting for vote.

After a vote is taken by the Planning Commission, this project will be presented before the Planning and Public Works Committee for a recommendation to the City Council. Attached to this report please find the November 8<sup>th</sup> Public Hearing report, the January 10<sup>th</sup> Planning Commission Staff Report, a draft red-line of the amended sign code, a draft of the amended sign code incorporating the red-line changes and a updated list of sign definitions found in Article 10 of the City’s Unified Development Code.

Attachment:

1. Public Hearing Report
2. January 2022 Planning Commission Staff Report
3. Draft Redline Sign Code
4. Draft Updated Sign Code Incorporating Redline
5. Updated Article 10 Definitions



VIII.A

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### **HISTORY**

The Unified Development Code contains municipal regulations for residential and non-residential/commercial signs. Although the regulations in code (UDC) are static, sign technology and legalities are ever evolving. It is important to continually adapt and update the City's Sign Code regulations to conform to recent legal decisions, address changes in technology, and provide a clear set of codified standards with a clear submission and approval process for residential and commercial properties. The City of Chesterfield remains well poised to address future sign issues by continuing to review and modernize the City's Sign Code regulations within the UDC.

In regulating signs, it is important to understand the distinction between content-based regulations and content-neutral regulations. Content-based regulations of speech target the content of a message, whereas content-neutral regulations target the time, place, and manner that speech occurs.

## **PUBLIC HEARING**

A Public Hearing was held on November 8<sup>th</sup>, 2021. At that meeting, City Staff discussed possible issues as they relate to content neutrality (Article 4, Section 405.04.050 of the UDC) and identified potential resolutions and methodology to address the identified issues. Although there was general consensus from the Planning Commission to move forward with the methodology chosen by City Staff, the Planning Commission also outlined a few additional items for discussion. These items include providing the definition of a “Sign” in the City’s Unified Development Code, regulation of profanity, how signs relate to seasonal displays on residential property, and the communication between the City’s sign regulation and subdivision trustees.

### **Sign Definition**

Article 10 of the City’s Unified Development Code provides signage terms. The definition provided for a sign is found in the language below.

SIGN: Any device, structure, fixture, or placard that uses any graphics, symbols, written copy, and/or illumination to advertise, direct, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

### **Profanity**

In consultation with the City Attorney the regulation of defamatory conditions, including profanity as it relates to signs, would not be regulated through the City’s Unified Development Code but through Title II of the City Ordinance: Public Health, Safety and Welfare.

### **Seasonal Displays on Residential Property**

The City currently does not recognize seasonal displays on residential properties as signs. As previously represented at the Public Hearing, City Staff is proposing updated language that identifies and defines temporary signs as they relate to residential properties.

### **Communication**

It was acknowledged that communication of sign regulation as it relates to City Code updates and information relative to content-neutrality would be beneficial for subdivision trustees as a bridge of communication to Home Owner’s Associations. Staff is working towards adding this item to an upcoming Subdivision Trustee Symposium agenda and developing a comprehensive list of e-mail addresses to potentially formulate an informational mass-communication.

## **NEXT STEPS**

At the November 8<sup>th</sup> Public Hearing, the Planning Commission confirmed the provided methodology to address the identified issues. On January 10, 2022 Staff will present to the Planning Commission the implementation strategy utilizing the methodology confirmed at the Public Hearing. Staff will demonstrate through presentation form not only where the updates will occur in code but why they are

being made through this zoning petition request. **No action is being requested at the January 10<sup>th</sup> Planning Commission meeting.** Once the implementation strategy is confirmed by the Planning Commission, the item will join a Planning Commission Agenda for vote. After a vote is taken by the Planning Commission, this project will be presented before the Planning and Public Works Committee for a recommendation to the City Council. Attached to this report please find the November 8<sup>th</sup> Public Hearing report and Links to both Section 405.04.05 and Section 405.10.040 of the City's Unified Development Code.

Attachment:

1. Public Hearing Report

Links:

1. [UDC Article 04-05 Sign Requirements](#)
2. [UDC Article 10-04 Signage Terms](#)



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### **HISTORY**

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Discussed on the next page are three landmark court proceedings and the findings that involve the ability of a municipality to regulate signs. These cases involve the First Amendment of the US Constitution as it applies to sign regulation.



**City of Ladue v. Gilleo (1994):** This case challenged the legality of a Ladue, Missouri city ordinance restricting the placement of signs in residential yards. The finding affirmed the Supreme Court's belief that a city cannot infringe upon the free speech rights of its inhabitants without a compelling reason to do so. In this case the city's desire to reduce clutter in residential areas was found not to be compelling enough to justify a ban on signage. The outcome confirms the right to free speech on signage in residential lots.

**Reed v. Town of Gilbert (2015):** A case in which the United States Supreme Court clarified when municipalities may impose content-based restrictions on signage. The case also clarified the level of constitutional scrutiny that should be applied to content-based restrictions on speech. In Reed, the Court established two tests to determine whether a sign regulation is content-based. First, a sign restriction is considered content-based if an individual must read the sign to understand how the sign restriction applies (e.g., to distinguish a political sign from an advertising sign). Second, a sign restriction is considered content-based if the underlying purpose of the sign restriction is to control certain subject matters. The Supreme Court found that the Town of Gilbert's sign regulations included content-based restrictions on free speech. The restrictions imposed on Clyde Reed and the organization he represented were unconstitutional, as they could not pass the strict scrutiny test.

**Willson V. City of Bel-Nor (2019):** The City of Bel-Nor's ordinance limited each residential parcel to one yard sign and one flag. The ACLU of Missouri filed a lawsuit on behalf of Bel-Nor homeowner Lawrence Willson, for violating Bel-Nor's ordinance for placing political signs in his yard. The ACLU submitted this case to court in 2018. The case was appealed to the Eight Circuit United States Court of Appeals. In May 2019, the Court of Appeals found an injunction should have been granted because Bel-Nor's ordinance is likely unconstitutional.

In regulating signs it is important to understand the distinction between content-based regulations and content-neutral regulations. Content-based regulations of speech target the content of a message, whereas content-neutral regulations target the time, place, and manner that speech occurs. Understanding these landmark decisions is important for ensuring the sign code remains content-neutral, thus only regulates signage based on time, place and manner.

## **RECOMMENDATION**

In seeking to review and modernize the UDC sign code for the City of Chesterfield, it is important that any updates are written as content-neutral regulations. The purpose of the November 8<sup>th</sup> Public Hearing is to have a discussion on the City's current sign code and how content neutrality is being used, and confirm the approach city staff will take to begin any updates to the UDC with content-neutral regulations. In the following examples of the existing sign code, staff has examined possible issues as they relate to content neutrality (Article 4, Section 405.04.050 of the UDC). Each issue includes a potential resolution and methodology to address the identified issue.

### **Perceived Issue #1 – Differing Regulations for Non-Commercial Speech**

Sign regulations for temporary signs are found in Article 4 of the UDC. The city code states that a temporary public information sign shall not exceed 32 square feet in outline area not to exceed the duration of a year. It also states a political sign shall not exceed 16 square feet in outline area and shall be removed 7 days after the election. For reference below are definitions of both signs found in Article 10 of the UDC.

**SIGN, POLITICAL:** Any sign which is designed to influence the action of the voters for the passage or defeat of a measure appearing on the ballot at any national, state, or local election or which is designed to influence the voters for the election or defeat of a candidate for nomination or election at any national, state or local level.

**SIGN, PUBLIC INFORMATION:** A sign used for public events, promotion of civic causes or activities for charitable or not-for-profit purposes.

The potential issue with the current code as written is that both signs are examples of temporary non-commercial signs, yet are regulated by different metrics (a political sign versus a public information sign). Some may perceive this regulation as one that is not content-neutral.

### **Perceived Issue #1 – Proposed Resolution**

One way to modernize the current code for this specific issue is to remove the specific regulation for the political signs, and public information signs and clarify a new sign type as “Temporary Sign without a Commercial Message”. City staff also recommends removing the definitions of the user specific signs in Article 10 and providing new definitions for a “Temporary Sign” and “Non-commercial message”. To better regulate the use of temporary signs in a content-neutral manner, staff recommends regulations to temporary signs based on location. The temporary signs may be regulated differently depending on their location in a residential or a non-residential zoning district.

Regulating these signs differently with respect to zoning district is an acceptable update to the code as it fits the content neutral requirement of regulation based on time, place or manner. It is also important to note that a temporary sign without a commercial message may not be held to a more strict standard than a temporary sign with a commercial message.

### **Perceived Issue #2 – Regulations of specific wording**

Throughout the sign code there are multiple examples of specific wording or messaging that the City’s sign code requires to be utilized for specific signs. One example would be that a service station with a canopy may have no more than one sign which may include the name and logo of the business and one sign which may include the words "self-service" and "full service" attached on each of any two sides of

the vertical face of the canopy. In this case the city is regulating the content of the sign by dictating the specific wording and or graphics to be utilized.

### **Perceived Issue #2 – Proposed Resolution**

One way to modernize the current code is to allow an additional sign on a service canopy or similar requirement for a different type of sign, but not dictate the graphic messaging or specific wording to be utilized.

### **Perceived Issue #3 – Restrictions based on the message content**

Like Issue #2, the current sign code allows exceptions to certain restrictions based on the content of the message. An example is that the City’s sign code has an exemption allowing a sign to be illuminated by intermittent light source to display stock market quotes. Allowing a separate lighting criterion for the stock market quotes vs any another other message is regulating based on the content of the signage being displayed.

### **Perceived Issue #3 – Proposed Resolution**

In circumstances such as these, staff proposes to simply remove any exceptions or restrictions based on message content.

## **NEXT STEPS**

The purpose of the Public Hearing is for city staff to articulate to the Planning Commission ways to modernize the City’s current sign code with respect to content-neutral regulations. If Planning Commission confirms/agrees with the proposed solution methodology, staff will draft updated regulations to be presented for consideration at a future Planning Commission meeting. **No vote will be taken at the November 8th Planning Commission meeting.**

Links:

1. [UDC Article 04-05 Sign Requirements](#)
2. [UDC Article 10-04 Signage Terms](#)

## **ARTICLE 04. DEVELOPMENT REQUIREMENTS AND DESIGN STANDARDS**

### Sec. 04-01. SIGN REQUIREMENTS

#### **A. Purpose.**

The purpose of the sign regulations provided herein are to encourage excellence in design of signs, fostering economic viability of the community, and provide safe and concise directional information designed to facilitate traffic flow. Signs shall be designed so as to protect motorists, bicyclists, and pedestrians from distractions that may cause crashes or other detrimental impacts.

Signs shall not overload the public's capacity to receive information, or cause visual confusion by interfering with pedestrian or vehicular traffic. Signs shall conform to the character of the community, enhance the visual harmony of development, and preserve the public health, convenience, welfare and/or safety within the City of Chesterfield by maintaining the high aesthetic quality of the community.

The City does not intend to infringe on the rights of free speech as protected by the First Amendment to the United States Constitution and Article I, Section 8, of the Missouri Constitution. All regulations in this article are to be construed, whenever possible, in favor of vigorous political debate and accommodation of the rights of residents and visitors to speak freely.

#### **B. Scope of Provisions.**

1. These regulations are supplemented and qualified by the regulations of the particular zoning district in which a sign may be located and by additional general regulations appearing elsewhere in this UDC which are incorporated as part of this Section by reference. This Section contains regulations applicable to all signs in all zoning districts.
2. Regulations for any signs may be made more restrictive in the conditions of the ordinance governing a particular Planned District or Special Procedure. Regulations may also be modified when a sign package is submitted and approved by the City of Chesterfield.
3. On the effective date of this UDC, no sign, except a sign presently so lighted, shall be illuminated by intermittent light sources. This prohibition shall not apply to the manual changeable copy on a sign.
4. When sign illumination is desired, it shall be arranged so as to not cast light directly from any source of illumination on any public right-of-way or on adjoining properties in the "NU" Non-Urban, "PS" Park and Scenic, "AG" Agricultural or any residential district.

**C. Permits and Municipal Zoning Approvals (MZAs) for Signs.**

1. Unless excepted by these regulations or the City of Chesterfield Building Code, no sign shall be erected, constructed, posted, altered, enlarged, maintained, or relocated until an MZA has been issued by the Department and a sign permit issued by St. Louis County Department of Public Works. Before any MZA is issued, an application, provided by the Department, shall be filed, together with drawings and specifications as may be necessary to fully advise and acquaint the Department and St. Louis County Department of Public Works with the location, construction, materials, manner of illuminating, and securing or fastening, and the wording or delineation to be carried on the sign. All signs that are to be illuminated by one (1) or more sources of artificial light shall require a separate electrical permit and inspection conducted by St. Louis County Department of Public Works.
2. Structural and safety features and electrical systems shall be in accordance with the requirements of the City of Chesterfield Building Code or any applicable building codes being enforced by the City of Chesterfield. No sign shall be approved for use unless it has been inspected by the Department issuing the permit and is found to be in compliance with all the requirements of this UDC and applicable technical codes. Signs found to be in violation of the requirements of this UDC and/or applicable technical codes and which are determined to be a danger to public health and safety may, after 15 days of an inspection determining said violation and after notification to the property owner, be dismantled and removed by the City of Chesterfield. The expense for such action shall be charged to the owner of the property on which the sign is erected and shall be filed as a special lien thereon.
3. Planning Commission Approval. The proponent of a sign subject to Planning Commission Approval as set out in subsequent sections shall file with the Department, in addition to those document requirements specified in Section 04-05.C. of this Article, a written statement addressing the following information:
  - a.) The underlying purpose of such a sign.
  - b.) Why such a sign should exceed the maximum height and/or outline area specification for a particular sign in order to accomplish the underlying purpose as stated in item a.) above.
  - c.) What the proponent of such a sign believes the adverse impact may be upon the underlying purpose of such a sign if the proponent is compelled to reduce the height and/or outline area of such a sign to within the maximum height and/or outline area specification for any one (1) sign and the factual basis supporting such belief.

- d.) The approximate distance the proposed sign will be from other existing or planned structures visible or planned to be visible within a radius of 1,000 feet from said sign, identifying such structures with sufficient particularity to enable the Planning Commission to determine whether there is a reasonable likelihood of an adverse public health, convenience, welfare and/or safety impact within the 1,000 foot radius area while maintaining the high aesthetic quality of said area.
- e.) What steps, if any, the proponent has taken to integrate the design with the surrounding environment in order to minimize the amount of visual clutter, and to avoid the distraction to pedestrians and motorists beyond that necessary to convey the underlying purpose of said sign.
- f.) If no steps (referred in item e.) above) have been taken, provide information as to why such steps should not be required of the Applicant.
- g.) Any other information, such as length of frontage, special speed limit or topographic considerations, that the proponent deems pertinent to the approval of such a sign request.

**D. Sign Package Submittals.**

1. The purpose of a sign package is to provide comprehensive, complementary and unified signage throughout a single planned zoning district, development or contiguous lots under common ownership. If a sign package exists for a multi-lot development or subdivision, then individual lots within that subdivision or development may not submit their own, separate sign package. In addition, developments of a certain size, quality, or mix of uses may require special signage consideration. Therefore, in order to encourage superior design, quality and character, comprehensive sign packages allow for specialized review of signs and flexibility from standard signage requirements.
2. When a sign package is requested for a proposed or existing development, the criteria for signs, as provided for in this Article, may no longer be applicable in its entirety or portions thereof. The reason for the requested modification is to provide for flexible sign criteria that promotes superior design and is tailored to a specific development which may vary from general ordinance provisions.
3. Consideration of flexibility in sign criteria is based on a number of review factors, including, but not limited to, the physical impact of the proposed comprehensive sign package, the quality of the proposed comprehensive sign package, and mitigation of unfavorable conditions such as excessive signs, light spillover from signs, height, and other related conditions and potentially negative impacts.

4. When a sign package is requested for a development, the following shall be submitted to the Department:
  - a.) A narrative detailing the reasoning for the sign package request and why it will enhance the proposed development above what would be permitted through the City of Chesterfield UDC.
  - b.) The maximum number of proposed signs.
  - c.) Location, size, height, construction material, and placement of all proposed signs.
  - d.) General elevations of all proposed freestanding, monument, wall, and any other sign that requires City of Chesterfield approval.
  - e.) Illumination level, color and type. Illumination shall conform to the Section 405.04.03, Lighting standards, of this Article.
  - f.) Dimensions, height, square footage of all existing signs or note that none exist for both freestanding and attached signs (submit picture of all existing signage).
  - g.) Material specifications for proposed signs including sign materials.
  - h.) Landscaping of any freestanding or monument signs.
5. Electronic Message Centers.
  - a.) In addition to submittal requirements noted in sub-section 4., any request for an electronic message center shall comply with the following:
    - (1) Distance. Electronic message centers that exceed the size requirements eligible for administrative approval per the Unified Development Code (UDC) for permanent freestanding signs shall not be permitted within 2,000 feet of any property with a land use designation that permits residential uses as determined by the Comprehensive Land Use Plan.
    - (2) Distance. Electronic message centers that exceed the size requirements eligible for administrative approval per the Unified Development Code (UDC) for permanent freestanding signs shall not be permitted within 1,000 feet from the center point of two intersecting arterial roadways as designated within the City of Chesterfield Street Classification Map.

- (3) Duration of image display. Each image displayed shall have a minimum duration of ten (10) seconds.
- (4) Presentation. The image shall be a static display. No portion of the image shall flash, scintillate, fade in or fade out, scroll, twirl, change color, or in any manner imitate movement. No motion imagery, special effect to imitate movement, or presentation of graphics displayed in a progression of frames that give the illusion of motion shall be permitted.
- (5) Transition. When the image or any portion thereof changes, the change sequence shall only be accomplished by means of instantaneous re-pixelization.
- (6) Dimmer control. The electronic message center shall be equipped with an automatic dimmer control to automatically produce a distinct illumination change from a higher illumination level to a lower level according to ambient light conditions and for the time period between sundown and sunrise.
- (7) Brightness. The electronic message center shall not exceed a maximum of seven thousand (7,000) nits (candelas per square meter) during daylight hours and a maximum illumination of six hundred (600) nits (candelas per square meter) between sundown and sunrise measured from the sign's face at maximum brightness.
- (8) Fluctuating or flashing illumination. No portion of the electronic message center may fluctuate in light intensity or use intermittent, strobe or moving light or light that changes in intensity in sudden transitory bursts, streams, zooms, twinkles, sparkles or that in any manner creates the illusion of movement.
- (9) Malfunction and noncompliance. In the case of malfunction, digitally-illuminated signs are required to contain a default design to freeze the sign message in one position.
- (10) Resolution and pixel spacing. The electronic message center shall not have a pixel pitch larger than sixteen (16) millimeters (mm).
- (11) Angle. When the interior angle formed by the faces of a V-shaped sign is less than one hundred eighty (180) degrees, both faces of the sign must display the same image.



- b.) In considering a Sign Package that includes an electronic message center, the Planning Commission shall consider the following additional items in their review:
    - (1) Proximity of the proposed electronic message center to other similar signs;
    - (2) Proximity and impact on adjacent land uses with particular consideration given to residential properties and uses;
    - (3) Impact of the total amount of signage on the site in conjunction with the use of the electronic message center;
    - (4) Nature and character of the roadway on which the project is located;
    - (5) Nature and character of the proposed use and area within which the project is located;
    - (6) Size of the project and roadway frontage; and
    - (7) Resolution of proposed sign accounting for size of sign, roadway characteristics, and other relevant features.
  - c.) Any of the standards in sub-section 5a. of this section may be modified by a separate 2/3 vote of the Planning Commission.
  - d.) Sign packages including electronic message centers shall only apply to on-site signage. Advertising signs (billboards) are prohibited.
6. Planning Commission Action. The Planning Commission may approve, approve with modifications, or deny the proposed sign package based on its conformance with this subsection, findings of the submittals furtherance of the purpose in Subsection (A) of this Section and consistency with the Comprehensive Plan.
7. Appeals. Appeals from any portion of this subsection, including the Planning Commission's decision on the electronic message center, shall be made to the City Council in accordance with the process and requirements in Section 405.02.190.

**E. Sign Regulations – Area and Height Computations.**

The following regulations shall govern the computation of sign area and height computations:

- 1. Freestanding Sign – Outline Area.

- a.) The outline area of a freestanding sign shall include the area within a continuous perimeter of a plane enclosing the limits of writing, graphic representation, logo, or any figure or similar character together with the outer extremities of any frame, or other material or color forming an integral part of the display which is used as a background for this sign. The area of a freestanding sign of individually cut out writing, graphic representation, logo, or any figure or similar character which is not enclosed by framing, and which projects from a sign support or main body of a sign, is the sum of the areas of all of the triangles or parallelograms necessary to enclose each writing, graphic representation, logo, or any figure or similar character, including the space between individual letters comprising a word, and including the space between individual words.
- b.) The outline area of a freestanding sign shall not include the necessary supports for the sign when such supports do not extend above the sign and are not a part of the overall design of a sign. The outline area of a freestanding sign shall also not include the area between separate cabinets or modules of such sign or any pole covers, lighting fixtures, or landscaping provided they contain no commercial or non-commercial messaging.

2. Freestanding Signs – Height.

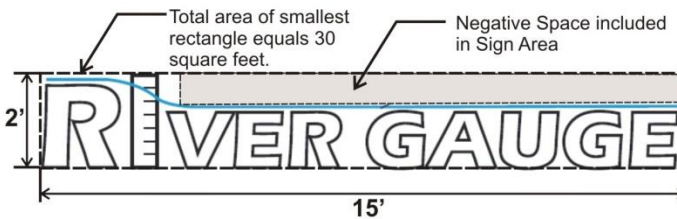
- a.) Except as may be specifically noted in these regulations, setbacks for all signs shall be governed by the minimum setback yard requirements in each particular zoning district.
- b.) Freestanding signs shall not exceed the maximum allowed height above the ground elevation. The ground elevation of freestanding signs shall be measured at the elevation of the adjacent street or the average existing finished ground elevation at the base of the sign, whichever is higher.
- c.) The height of all signs on corner lots shall not exceed three (3) feet above the elevation of the adjacent street pavement when located within the sight distance triangle.

3. Attached Wall Sign – Outline Area.

The size of attached wall signs shall be measured in the following manner:

- a.) The outline area of an attached sign shall include all lettering, graphic representation, logo, design or any figures together with the background whether open or enclosed upon which they are displayed.

- b.) A sign consisting of individually cut out writing is measured as the total area of a rectangle or square enclosing all words. This includes any negative space.



4. Outline Area - Double-Faced Signs. Only one (1) side of a double-faced sign shall be included in the sign area. Double-faced signs shall include those signs where the sign face is parallel or where the interior angle formed by the faces of a V-shaped sign is 60 degrees or less. If the two (2) faces of a double-faced sign are of unequal area, the area of the sign shall be the area of the larger face.
5. Sign Area on Walls of Circular Buildings and Other Buildings with Curved Wall Surfaces.
- a.) The area constituting a single wall of a circular building shall be designated by the owner on a portion of the wall, but shall be limited to be determined by multiplying three-fourths (3/4) of the diameter of an area of the building by the average height of the exterior walls of the building at the finished ground elevation of the building.
- b.) The area contained on a single wall of a non-circular building with continuous curved wall surfaces shall be designated by the owner on a portion of the wall but shall be limited to an area determined by multiplying three-fourths (3/4) of the average diameter of the building by the average height of the exterior walls of the building at the finished ground elevation of the building.
- c.) The area contained on any single curved wall of a building that is not totally circular or is not composed of a continuous curved wall surface shall be determined by multiplying the shortest distance between the two (2) ends of the arc forming the curved wall surface by the average height of the exterior walls of the curved wall surface at the finished ground elevation of that surface.
- d.) The horizontal length of any single wall of a building that is characterized by the multiple curved wall surfaces or other irregular wall surfaces shall be measured as a straight line extending between both edges of the wall.

**F. Sign Regulations – Permanent Signs.**

The following provisions shall govern the erection of all permanent signs, together with their appurtenant and auxiliary devices with respect to size, number, height, location and construction.

1. General Provisions.

- a.) Permitted signs may either be a flat sign permanently affixed to the face of a building, awning or canopy or be freestanding. Incidental Signs affixed to buildings shall not project above the eave line of the roof except as an integral roof sign.
- b.) All freestanding signs shall be located as not to impair the visibility of any official highway sign or marker and no commercial or non-commercial sign shall be so placed as to unnecessarily obstruct the visibility of any other commercial or non-commercial sign.

2. Signs – Freestanding.

- a.) General. Subject to other provisions of this Section, each developed lot may have no more than one (1) freestanding business sign facing each roadway on which the lot has frontage regardless of the number of buildings upon the lot. Furthermore, each building regardless of the number of lots upon which it may be located, shall have no more than one (1) freestanding business sign facing each roadway on which its lot or lots has frontage. Permanent freestanding signs are prohibited on single family lots and common ground, except for when approved as a Residential Subdivision Identification Sign. For the purpose of these regulations, an aggregation of two (2) or more structures connected by a wall, firewall, facade or other structural element, except for a sidewalk, shall constitute a single building.

The height of all permanent freestanding signs shall not exceed six (6) feet when located within the minimum front yard setback of a particular zoning district.

- b.) Specific Regulations and Exceptions.

- (1) A freestanding sign shall not exceed six (6) feet in height above the average existing finished grade at the base of the sign, or the elevation of the adjacent street, whichever is higher. The total outline area per face shall not exceed 50 square feet or twenty-five one hundredths (0.25) square feet of signage per linear foot of street frontage up to 100 feet of street frontage and one-tenth (0.1) square foot of signage per linear foot of street frontage thereafter, whichever is less (see exceptions below).

- (2) Said sign face shall be attached to a proportionate enclosed base, integrated planter or structural frame, the width of which shall be a minimum of one-half ( $\frac{1}{2}$ ) the width of the widest part of the sign face. The bottom of the sign face shall not exceed a height of three (3) feet above the average existing finished grade at the base of the sign, or elevation of the adjacent street, whichever is higher. An enclosed sign base or integrated planter shall not be required if the sign face is within one (1) foot of the average finish grade at the base of the sign.

Exceptions:

- (a) For each additional four (4) foot setback from the minimum yard requirement, one (1) additional foot may be added to the sign height to a maximum of ten (10) feet above the average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher. However, at no time shall the bottom of the sign face exceed a height of three (3) feet above the average existing finished grade at the base of the sign or the elevation of the adjacent street, whichever is higher, or;
- (b) The maximum outline area and/or height of any freestanding business sign may be increased to a maximum of 100 square feet in outline area and/or 20 feet in height above the average existing finished grade elevation at the base of the sign or elevation of the adjacent street, whichever is higher, with no height restriction for the bottom of the sign face subject to Planning Commission approval as outlined in Section 405.04.05.C. of this Article.
- (3) An individual lot having a minimum of 850 feet of frontage on any roadway, and a minimum size lot of 20 acres or more, shall be allowed two (2) freestanding business signs on each roadway frontage exceeding 750 feet of frontage. However, a minimum of 400 feet shall separate the two (2) permitted signs.

In lieu of the two (2) permitted freestanding signs, one (1) freestanding business sign may be permitted, the maximum outline area of which may be increased to 150 square feet, subject to Planning Commission approval as outlined in Section 405.04.05.C.3. of this Article "Planning Commission Approval".

- (4) A single commercial, non-commercial or industrial development or subdivision without residential uses in excess of 20 acres in size shall be permitted a project identification sign at each main entrance to the subdivision or development. Such sign may be located on any platted lot or common ground of a development or subdivision or any unplatted portion of the development or subdivision identified as part of a particular development on an approved preliminary plat, site development concept plan, site development section plan, or site development plan.
- (5) A project identification sign shall not exceed six (6) feet in height above the average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher, with the total outline area per face not to exceed 50 square feet or twenty five one hundredths (0.25) square feet of signage per linear foot of street frontage up to 100 feet of street frontage and one tenth (0.1) square foot of signage per linear foot of street frontage thereafter, whichever is less.

Exceptions:

- (a) For each additional four (4) foot setback from the minimum yard requirement, one (1) additional foot may be added to the sign height of a project identification sign to a maximum of ten (10) feet above the average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher. However, at no time shall the bottom of the sign face exceed a height of three (3) feet above the average existing finished grade at the base of the sign or the elevation of the adjacent street, whichever is higher; or,
  - (b) The minimum outline area and/or height of any project identification sign may be increased to a maximum of 100 square feet in outline area and/or 20 feet in height above the average existing finished grade elevation at the base of the sign or elevation of the adjacent street, whichever is higher, with no height restriction for the bottom of the sign face subject to Planning Commission approval as outlined in Section 405.04.05.C.3. of this Article "Planning Commission Approval".
- (6) Commercial, non-commercial, industrial or mixed-use subdivisions without residential uses of ten (10) lots/units

or more that are less than 20 acres shall be permitted a subdivision identification sign at each main entrance to the subdivision. Such sign shall not exceed 50 square feet in outline area per face, nor extend more than six (6) feet above the average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher. Subdivision identification signs shall be located within an easement on any platted lot or on common ground of subdivision. Such sign may also be located on any unplatted portion of the subdivision identified as part of a particular development on an approved preliminary subdivision plat, site development concept plan, site development section plan, or site development plan. No subdivision identification sign shall be permitted for a development permitted a project identification sign.

- (7) Landscaping. All permanent freestanding signs shall have landscaping, which may include, but not be limited to, shrubs, annuals, and other materials, adjacent to the sign base or structural supports.

3. Signs – Attached to Wall.

a.) General Provisions.

- (1) Subject to the specific regulations set out below, each commercial or non-commercial tenant space or the sole occupant of a freestanding building shall have no more than one (1) attached sign on any two (2) walls of a building that are exterior walls of the particular building or tenant space. Permanent wall signs are prohibited on single family residential buildings, multi-family residential buildings, and the exterior residential walls of a mixed-use building.
- (2) The outline area of each sign shall not exceed five percent (5%) of the wall area of the commercial or non-commercial tenant space on which said sign is attached. No sign shall exceed 300 square feet in outline area.
- (3) Countable wall area shall include the entire surface of a wall, such as gable and similar areas, and the vertical face of a mansard roof, whether real or artificial, which extends above the wall of the business on which the sign is attached. However, the countable area of mansard roofs shall be limited to the area not greater than six (6) feet above the eave line of the roof times the length of associated wall.

Example: Where "Z" equals the maximum square footage of a wall sign. The height of a building "Y" is multiplied the width of a building "X" to provide the total square footage of the façade. This value is then multiplied by 0.05 or 5% to provide "Z" the maximum signage square footage. See Illustration A:

Illustration A.



b.) Specific Regulations and Exceptions.

- (1) For a commercial or non-commercial tenant being the sole occupant of a building located on a corner lot or a lot with double frontage, said business may have one (1) attached sign on any three (3) walls of a building that are exterior walls.
- (2) Where a lot or parcel of land is developed with more than one (1) building, interior buildings shall be permitted the same type and number of wall signs on the interior buildings as are allowed on peripheral buildings. The mounting requirements of the permitted signs shall be the same as any attached wall sign.
- (3) In buildings containing single or multiple tenants where public access to individual tenant space(s) is gained via interior entrances, said building shall be allowed no more than one (1) attached sign on any two (2) walls having roadway frontage.
- (4) A sign may be painted or otherwise permanently affixed to the surface of an awning or canopy. The outline area of the message shall not exceed 15% of the horizontal projection in elevation of the exterior surface of the awning or canopy.



Said message outline area, shall not be counted toward the allowable outline area for a wall sign.

- (5) Where a multi-tenant building contains both public access to individual tenant space(s) via interior entrances and an additional exterior access point(s) that services only one tenant, signage may be permitted above said exterior access point of the tenant. This signage is in addition to the exterior signage permitted in subsection (3) above. The outline area of each sign shall not exceed five percent (5%) of the wall area of the tenant space on which said sign is attached. No wall sign shall exceed 300 square feet in outline area.

4. Advertising Signs (Billboards).

- a.) Advertising signs (subsection 4. refers to Billboards only) are permitted in the Planned Commercial District, Planned Industrial District, and "MXD" Mixed Use Development District if permitted in the conditions of the ordinance governing the particular planned district.
- b.) Advertising signs shall not exceed 800 square feet in outline area, nor extend more than 35 feet above the elevation of the adjacent street. Subject to more restrictive regulations of the zoning district in which it is located, an advertising sign shall not be located closer than 100 feet to any other advertising sign or building, nor within 50 feet of any "PS" Park and Scenic or any residentially zoned property or any property line of any "NU" Non-Urban zoned property, nor within ten (10) feet of any side or rear property line. Not more than one (1) advertising sign shall be permitted on one (1) structure, except that where a structure is located perpendicular to the street right-of-way, two (2) sign facings shall be permitted in each direction.
- c.) No outdoor advertising sign shall be located within 50 feet of any roadway right-of-way line, except that where existing buildings on immediately adjacent tracts (on both sides) are located closer to the roadway right-of-way than 50 feet, an advertising sign may be placed within the average setback of the existing buildings on each side of the advertising sign. Where a building on an adjacent tract exists on one (1) side only, located closer to the roadway right-of-way than 50 feet, an advertising sign may be placed within the average setback of the existing building and the 50 foot setback required by these regulations.

- d.) Notwithstanding the regulations as set out above, all Advertising Signs (Billboards) must be in conformance with Chapter 226.500 through 226.600 RSMo. as amended.
- e.) Separation from Other Zoning Districts. No advertising sign shall be located within 1,000 feet of any "NU" Non-Urban District, "AG" Agricultural, residential districts, or "PS" Park and Scenic District zoned tract, or any tract subject to the Landmark and Preservation Area Special Procedure.
- f.) Separation from Other Advertising Signs. No advertising sign shall be erected within five (5) miles of any existing sign on the same side of the highway. No sign shall be located in such a manner as to obstruct or otherwise physically interfere with the effectiveness of any official traffic sign, signal, or device, or obstruct or physically interfere with motor vehicle operators' view of approaching, merging, or intersecting traffic. The separation requirements between advertising signs outlined in this subsection shall be measured perpendicular to the centerline off the subject highway. The separation distance shall apply only to advertising sign structures located on the same side of the subject highway.
- g.) Lighting. No revolving or rotating beam or beacon of light that simulates any emergency light or device shall be permitted as part of any advertising sign. No flashing, intermittent, or moving light or lights shall be allowed. External lighting, such as floodlights, thin line and gooseneck reflectors may be permitted in the conditions of the ordinance governing a particular planned or mixed use district, provided the light source is directed upon the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the public right-of-way. Lights shall not be 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. No sign shall be so illuminated that it interferes with the effectiveness of, or obscures, an official traffic sign, device, or signal, nor shall any sign illumination cast light on adjacent properties.
- h.) In accordance with the authority granted to the City pursuant to H.B. 831, 89th General Assembly (1997), the following regulations shall apply to all billboards and outdoor advertising structures, within the meaning of H.B. 831 and sections 226.500 to 226.600, R.S.Mo., which are placed or proposed to be placed at any location within the view of any Federal, State, interstate, primary or other highway within the City:

- (1) No outdoor advertising structure or billboard shall be erected or maintained which exceeds 15 feet in height above ground level.
- (2) No outdoor advertising structure or billboard shall be erected or maintained within the view of any Federal, State, interstate or primary highway at a distance of less than five (5) miles from any other outdoor advertising structure or billboard within the City which is visible to persons traveling in the same direction on such highway.
- (3) No outdoor advertising structure or billboard, other than on-premises signage specifically regulated pursuant to other provisions of the UDC of the City of Chesterfield, shall be lighted or artificially illuminated after dark in any manner visible from any location outside the right-of-way of the highway from which the outdoor advertising structure or billboard is visible.

5. Residential Subdivision Identification Signs. Residential subdivisions of ten (10) lots/units or more shall be permitted a subdivision identification sign at each main entrance to the subdivision. Such sign shall not exceed 50 square feet in outline area per face, nor extend more than six (6) feet above the average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher. Residential subdivision identification signs shall be located within an easement on any platted lot or on common ground of a subdivision. Such sign may also be located on any unplatted portion of the subdivision identified as part of a particular development on an approved preliminary subdivision plat or site development concept plan, site development section plan, or site development plan.

6. Supplementary Regulations.

- a.) An outdoor automatic teller or similar facility may have either one (1) freestanding or one (1) wall sign not to exceed 16 square feet in outline area associated with the facility. No freestanding sign for such a facility shall exceed eight (8) feet in height or width or be illuminated in any manner other than from an internal source.

**G. Sign Regulations – Temporary Signs and Attention-Getting Devices.**

The provisions of this Section shall govern the erection of all temporary signs and attention-getting devices, together with their appurtenances, with respect to size, height, location, and construction.

1. General.

- a.) A sign not permanently affixed to a vehicle or trailer, which is parked or located such that the primary purpose is to display such sign, is prohibited. This prohibition shall not apply to signs or lettering on buses, trucks, or other vehicles while in use in the normal course of business.
  - b.) For the purpose of these regulations, a temporary sign shall be considered any sign permitted for a duration not to exceed one (1) year.
  - c.) Unless otherwise specifically stated, temporary signs shall not be illuminated.
  - d.) No temporary sign shall require a foundation, support, wiring, fittings, or elements that would traditionally require a building permit or electrical permit.
  - e.) Because of the nature of materials typically used to construct temporary signs and to avoid the unsightliness of deteriorating signs and all safety concerns which accompany such a condition, temporary signs shall be removed or replaced when such sign is deteriorated.
2. Temporary signs without a commercial message. Temporary signs without a commercial message do not require a sign permit, provided that they comply with the standards of this article, including the standards that apply to all temporary signs.
- a.) The maximum sign area of any single temporary sign without a commercial message shall be eight square feet in residential zoning districts and 24 square feet for each commercial or non-commercial tenant space or the sole occupant of a freestanding building in nonresidential zoning districts.
  - b.) The maximum height of temporary signs without commercial speech shall be six feet.
  - c.) The signs are limited to yard signs and banner signs
3. Temporary signs with a commercial message in residential zoning districts. The following are the temporary signs with a commercial message allowed in residential zoning districts:
- a.) Up to two temporary signs with a commercial message are permitted on each lot in a residential zoning district.
  - b.) The maximum sign area for each sign shall be eight square feet with a maximum height of six feet.

- c.) The signs are limited to yard signs and banner signs
- 4. Temporary signs with a commercial message in nonresidential zoning districts. The following are the temporary signs with a commercial message allowed in nonresidential zoning districts:
  - a.) Each commercial or non-commercial tenant space or the sole occupant of a freestanding building is permitted up to 24 square feet of temporary signs year round, subject to the standards for each specific type of sign.
- 5. Window Signs.
  - (1) Window Signs are permitted in addition to other commercial and non-commercial temporary signs. Window Signs shall not occupy more than twenty-five percent (25%) of any single window area. The window area may include multiple panes of glass separated only by supporting framing materials but not separated by architectural elements. Such signs are solely permitted on a window of that particular tenant space and solely on a façade that has an entrance to said tenant space.
  - (2) Window Signs are solely permitted on the first and second floor of a building.
  - (3) A sign permit shall not be required for any window sign.
- 6. Living or Human Signs associated with a commercial business are permitted on the premises of the business for which the advertising is for. The maximum size of a commercial or non-commercial sign that may be held by an individual is three (3) square feet. These signs do not require an MZA and are not permitted off-site, or within the right-of-way.
- 7. Temporary Signs – Development Related.
  - a.) General. One (1) Temporary Construction sign may be erected in addition to other temporary signs per roadway frontage at any one time after first obtaining the required zoning approval and sign permit. At no time shall guy wires or auxiliary support posts be used to anchor a temporary development related sign.
  - b.) Temporary Construction Signs.
    - (1) Construction signs on a site may be erected during the construction period. Each construction site may have no more than one (1) such sign facing each roadway on which the site has frontage. No construction sign shall exceed 32

feet in outline area, nor exceed ten (10) feet in height above the average existing finished grade.

- (2) The signs shall be confined to the site of the construction and shall be removed no later than 14 days after completion of all construction on the site or after 90 days of suspension of work.
- (3) The maximum outline area of a temporary construction sign may be increased to 64 square feet subject to Planning Commission approval as outlined in Section 405.04.05.C.3. of this Article.

- c.) Attention-Getting Devices (on premises). Attention-getting devices, which shall include, but are not limited to, inflatables, beacons, festoons, pennants and streamers, shall be allowed in conjunction with a grand opening for each business. Said devices shall be in use for a period not to exceed 15 consecutive days and only upon the initial opening of each business. Attention-getting devices, with the exception of inflatables, may be used in conjunction with a special promotion for a period not to exceed 45 days per calendar year. A temporary zoning approval is not required for an attention-getting device. The total sign area must not exceed the allowable area of temporary signs for the associated zoning district.

#### H. Sign Regulations – Exempt and Prohibited

1. Exempt Signs. The following signs shall be exempt from the provisions of this UDC. However, setback and height requirements for all structures, where applicable, shall be in accord with the regulations of the particular zoning district in which the structure is located. The Director of Planning is the final authority on the interpretation of an Exempt Sign.
  - a.) Official traffic or government signs, including memorial plaques and signs of historical interest.
  - b.) Flags of any nation, government, or non-commercial message.
  - c.) Scoreboards on athletic fields.
  - d.) Display window signs, not attached to a window, incorporated and related in content to such a display.
  - e.) Temporary signs indicating a potential danger.
  - f.) Public notices and legal notices required by law.
  - g.) Signs mandated by the Federal, State, local or city government.

- h.) Gravestones.
- i.) Commemorative tablets and monument citations of less than ten (10) square feet that are an integral part of a permanent structure.
- j.) Incidental signs.
- k.) Post Office Address.

(1) All buildings and structures having a post office address shall list the street number of such post office address on the front of the building or structure in a type of sufficient size as to be clearly visible from any street adjacent to the property. In any case where the building or structure is not visible from the street that is adjacent to the property, or if the building is more than 150 feet from the street adjacent to the property, the street number must be placed at some location on said property within 50 feet of the adjacent street. This number need not always be on a mailbox, but a number on the mailbox on said property will satisfy the requirements of this statute. In the case of buildings or structures which are adjacent to more than one (1) street, the number shall be visible from the street to which the post office address corresponds.

(2) All buildings or structures which are used for business, commercial, industrial, manufacturing or public purposes which have post office addresses shall list the street number of such post office address on the front of the building in a type of sufficient size (minimum three (3) inches, maximum 12 inches) as to be clearly visible from a street adjacent to the property and on the rear of the building on the right edge of the building when facing the rear of the building and not less than six (6) feet nor more than eight (8) feet above the ground level.

2. Prohibited Signs. All signs not expressly permitted under this UDC or expressly exempt from regulation hereunder in accordance with the above Section are prohibited within the City of Chesterfield. Such signs shall include:

- a.) Abandoned signs.
- b.) Neon.
- c.) Off-premises signs, other than those specified previously in this Section of the UDC.

- d.) Portable signs, unless used to convey public, not-for-profit, or civic information.
  - e.) Projecting signs.
  - f.) Rooftop signs.
  - g.) Signs attached or painted on vehicles parked and visible from the public right-of-way unless said vehicle is used in the normal day-to-day operations of a business.
  - h.) Signs affixed to bus stop shelters or other similar structures.
- I. Sign Regulations – Non-conforming Signs.

Information on non-conforming signs may be found in Article 7 of this UDC.



## **ARTICLE 04. DEVELOPMENT REQUIREMENTS AND DESIGN STANDARDS**

### Sec. 04-01. SIGN REQUIREMENTS

#### **A. Purpose.**

The purpose of the sign regulations provided herein are to encourage excellence in design of signs, fostering economic viability of the community, and provide safe and concise directional information designed to facilitate traffic flow. Signs shall be designed so as to protect motorists, bicyclists, and pedestrians from distractions that may cause **accidents crashes** or other detrimental impacts.

Signs shall not overload the public's capacity to receive information, or cause visual confusion by interfering with pedestrian or vehicular traffic. Signs shall conform to the character of the community, enhance the visual harmony of development, and preserve the public health, convenience, welfare and/or safety within the City of Chesterfield by maintaining the high aesthetic quality of the community.

**The City does not intend to infringe on the rights of free speech as protected by the First Amendment to the United States Constitution and Article I, Section 8, of the Missouri Constitution. All regulations in this article are to be construed, whenever possible, in favor of vigorous political debate and accommodation of the rights of residents and visitors to speak freely.**

#### **B. Scope of Provisions.**

1. These regulations are supplemented and qualified by the regulations of the particular zoning district in which a sign may be located and by additional general regulations appearing elsewhere in this UDC which are incorporated as part of this Section by reference. This Section contains regulations applicable to all signs in all zoning districts.
2. Regulations for any signs may be made more restrictive in the conditions of the ordinance governing a particular Planned District or Special Procedure. Regulations may also be modified when a sign package is submitted and approved by the City of Chesterfield.
3. On the effective date of this UDC, no sign, except a sign presently so lighted, shall be illuminated by intermittent light sources. This prohibition shall not apply to ~~signs displaying time and temperature, stock market quotes or~~ the manual changeable copy on a sign.
4. When sign illumination is desired, it shall be arranged so as to not cast light directly from any source of illumination on any public right-of-way or on adjoining properties in the "NU" Non-Urban, "PS" Park and Scenic, "AG" Agricultural or any residential district.

#### **C. Permits and Municipal Zoning Approvals (MZAs) for Signs.**

1. Unless excepted by these regulations or the City of Chesterfield Building Code, no sign shall be erected, constructed, posted, altered, enlarged, maintained, or relocated until an MZA has been issued by the Department and a sign permit issued by St. Louis County Department of Public Works. Before any MZA is issued, an application, provided by the Department, shall be filed, together with drawings and specifications as may be necessary to fully advise and acquaint the Department and St. Louis County Department of Public Works with the location, construction, materials, manner of illuminating, and securing or fastening, and the wording or delineation to be carried on the sign. All signs that are to be illuminated by one (1) or more sources of artificial light shall require a separate electrical permit and inspection conducted by St. Louis County Department of Public Works.
2. Structural and safety features and electrical systems shall be in accordance with the requirements of the City of Chesterfield Building Code or any applicable building codes being enforced by the City of Chesterfield. No sign shall be approved for use unless it has been inspected by the Department issuing the permit and is found to be in compliance with all the requirements of this UDC and applicable technical codes. Signs found to be in violation of the requirements of this UDC and/or applicable technical codes and which are determined to be a danger to public health and safety may, after 15 days of an inspection determining said violation and after notification to the property owner, be dismantled and removed by the City of Chesterfield. The expense for such action shall be charged to the owner of the property on which the sign is erected and shall be filed as a special lien thereon.
3. Planning Commission Approval. The proponent of a sign subject to Planning Commission Approval as set out in subsequent sections shall file with the Department, in addition to those document requirements specified in Section 04-05.C. of this Article, a written statement addressing the following information:
  - a.) The underlying ~~business, directional, or informational~~ purpose of such a sign.
  - b.) Why such a sign should exceed the maximum height and/or outline area specification for a particular sign in order to accomplish the underlying purpose as stated in item a.) above.
  - c.) What the proponent of such a sign believes the adverse impact may be upon the underlying ~~business, directional, or informational~~ purpose of such a sign if the proponent is compelled to reduce the height and/or outline area of such a sign to within the maximum height and/or outline area specification for any one (1) sign and the factual basis supporting such belief.

- d.) The approximate distance the proposed sign will be from other existing or planned structures visible or planned to be visible within a radius of 1,000 feet from said sign, identifying such structures with sufficient particularity to enable the Planning Commission to determine whether there is a reasonable likelihood of an adverse public health, convenience, welfare and/or safety impact within the 1,000 foot radius area while maintaining the high aesthetic quality of said area.
- e.) What steps, if any, the proponent has taken to integrate the design with the surrounding environment ~~including, but not limited to, use of colors and materials, size and character of typeface(s), regularity of overall shape, type of illumination, orientation and situation of such a sign~~ in order to minimize the amount of visual clutter, and to avoid the distraction to pedestrians and motorists beyond that necessary to convey the underlying ~~business, information, or directional~~ purpose of said sign.
- f.) If no steps (referred in item e.) above) have been taken, provide information as to why such steps should not be required of the Applicant.
- g.) Any other information, such as length of frontage, special speed limit or topographic considerations, that the proponent deems pertinent to the approval of such a sign request.

**D. Sign Package Submittals.**

1. The purpose of a sign package is to provide comprehensive, complementary and unified signage throughout a single ~~planned zoning district~~, development or contiguous lots under common ownership. If a sign package exists for a multi-lot development or subdivision, then individual lots within that subdivision or development may not submit their own, separate sign package. In addition, developments of a certain size, quality, or mix of uses may require special signage consideration. Therefore, in order to encourage superior design, quality and character, comprehensive sign packages allow for specialized review of signs and flexibility from standard signage requirements.
2. When a sign package is requested for a proposed or existing development, the criteria for signs, as provided for in this Article, may no longer be applicable in its entirety or portions thereof. The reason for the requested modification is to provide for flexible sign criteria that promotes superior design and is tailored to a specific development which may vary from general ordinance provisions.
3. Consideration of flexibility in sign criteria is based on a number of review factors, including, but not limited to, the physical impact of the proposed comprehensive sign package, the quality of the proposed comprehensive

sign package, and mitigation of unfavorable conditions such as excessive signs, light spillover from signs, height, and other related conditions and potentially negative impacts.

4. When a sign package is requested for a development, the following shall be submitted to the Department:
  - a.) A narrative detailing the reasoning for the sign package request and why it will enhance the proposed development above what would be permitted through the City of Chesterfield UDC.
  - b.) The maximum number of proposed signs.
  - c.) Location, size, height, construction material, and placement of all proposed signs.
  - d.) General elevations of all proposed freestanding, monument, wall, and any other sign that requires City of Chesterfield approval.
  - e.) Illumination level, color and type. Illumination shall conform to the Section ~~31~~ 405.04.03, Lighting standards, of this Article.
  - f.) Dimensions, height, square footage of all existing signs or note that none exist for both freestanding and attached signs (submit picture of all existing signage).
  - g.) Material specifications for proposed signs including sign materials ~~and colors~~.
  - h.) Landscaping of any freestanding or monument signs.
5. Electronic Message Centers.
  - a.) In addition to submittal requirements noted in sub-section 4., any request for an electronic message center shall comply with the following:
    - (1) Distance. Electronic message centers that exceed the size requirements eligible for administrative approval per the Unified Development Code (UDC) for permanent freestanding signs shall not be permitted within 2,000 feet of any property with a land use designation that permits residential uses as determined by the Comprehensive Land Use Plan.
    - (2) Distance. Electronic message centers that exceed the size requirements eligible for administrative approval per the Unified Development Code (UDC) for permanent freestanding signs shall not be permitted within 1,000 feet

from the center point of two intersecting arterial roadways as designated within the City of Chesterfield Street Classification Map.

- (3) Duration of image display. Each image displayed shall have a minimum duration of ten (10) seconds.
- (4) Presentation. The image shall be a static display. No portion of the image shall flash, scintillate, fade in or fade out, scroll, twirl, change color, or in any manner imitate movement. No motion imagery, special effect to imitate movement, or presentation of graphics displayed in a progression of frames that give the illusion of motion shall be permitted.
- (5) Transition. When the image or any portion thereof changes, the change sequence shall only be accomplished by means of instantaneous re-pixelization.
- (6) Dimmer control. The electronic message center shall be equipped with an automatic dimmer control to automatically produce a distinct illumination change from a higher illumination level to a lower level according to ambient light conditions and for the time period between sundown and sunrise.
- (7) Brightness. The electronic message center shall not exceed a maximum of seven thousand (7,000) nits (candelas per square meter) during daylight hours and a maximum illumination of six hundred (600) nits (candelas per square meter) between sundown and sunrise measured from the sign's face at maximum brightness.
- (8) Fluctuating or flashing illumination. No portion of the electronic message center may fluctuate in light intensity or use intermittent, strobe or moving light or light that changes in intensity in sudden transitory bursts, streams, zooms, twinkles, sparkles or that in any manner creates the illusion of movement.
- (9) Malfunction and noncompliance. In the case of malfunction, digitally-illuminated signs are required to contain a default design to freeze the sign message in one position.
- (10) Resolution and pixel spacing. The electronic message center shall not have a pixel pitch larger than sixteen (16) millimeters (mm).

- (11) Angle. When the interior angle formed by the faces of a V-shaped sign is less than one hundred eighty (180) degrees, both faces of the sign must display the same image.
- b.) In considering a Sign Package that includes an electronic message center, the Planning Commission shall consider the following additional items in their review:
    - (1) Proximity of the proposed electronic message center to other similar signs;
    - (2) Proximity and impact on adjacent land uses with particular consideration given to residential properties and uses;
    - (3) Impact of the total amount of signage on the site in conjunction with the use of the electronic message center;
    - (4) Nature and character of the roadway on which the project is located;
    - (5) Nature and character of the proposed use and area within which the project is located;
    - (6) Size of the project and roadway frontage; and
    - (7) Resolution of proposed sign accounting for size of sign, roadway characteristics, and other relevant features.
  - c.) Any of the standards in sub-section 5.b a. of this section may be modified by a separate 2/3 vote of the Planning Commission.
  - d.) Sign packages including electronic message centers shall only apply to on-site signage. Advertising signs (billboards) are prohibited.
6. Planning Commission Action. The Planning Commission may approve, approve with modifications, or deny the proposed sign package based on its conformance with this subsection, findings of the submittals furtherance of the purpose in Subsection (A) of this Section and consistency with the Comprehensive Plan.
  7. Appeals. Appeals from any portion of this subsection, including the Planning Commission's decision on the electronic message center, shall be made to the City Council in accordance with the process and requirements in Section 405.02.190.

**E. Sign Regulations – Area and Height Computations.**

The following regulations shall govern the computation of sign area and height computations:

1. Freestanding Sign – Outline Area.

- a.) The outline area of a freestanding sign shall include the area within a continuous perimeter of a plane enclosing the limits of writing, graphic representation, logo, or any figure or similar character together with the outer extremities of any frame, or other material or color forming an integral part of the display which is used as a background for this sign. The area of a freestanding sign of individually cut out writing, graphic representation, logo, or any figure or similar character which is not enclosed by framing, and which projects from a sign support or main body of a sign, is the sum of the areas of all of the triangles or parallelograms necessary to enclose each writing, graphic representation, logo, or any figure or similar character, including the space between individual letters comprising a word, ~~but not~~ and including the space between individual words.
- b.) The outline area of a freestanding sign shall not include the necessary supports for the sign when such supports do not extend above the sign and are not a part of the overall design of a sign. The outline area of a freestanding sign shall also not include the area between separate cabinets or modules of such sign or any pole covers, lighting fixtures, or landscaping provided they contain no ~~writing, graphic representation, logo, or any figure or similar character~~ commercial or non-commercial messaging.

2. Freestanding Signs – Height.

- a.) Except as may be specifically noted in these regulations, setbacks for all signs shall be governed by the minimum setback yard requirements in each particular zoning district.
- b.) Freestanding **business** signs shall not exceed the maximum allowed height above the ground elevation. The ground elevation of freestanding signs shall be measured at the elevation of the adjacent street or the average existing finished ground elevation at the base of the sign, whichever is higher.
- c.) The height of all signs on corner lots shall not exceed three (3) feet above the elevation of the adjacent street pavement when located within the sight distance triangle.

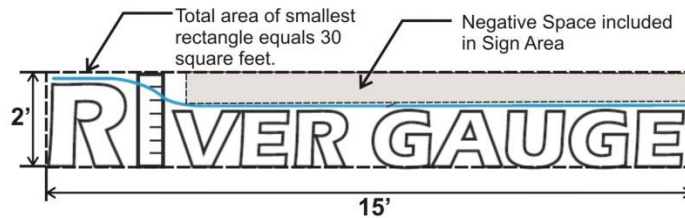
3. Attached Wall Sign – Outline Area.

The size of attached wall signs shall be measured in the following manner:

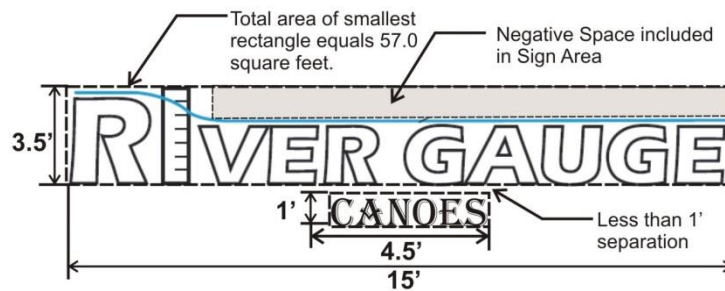
- a.) The outline area of an attached sign shall include all lettering, graphic representation, logo, design or any figures together with

the background whether open or enclosed upon which they are displayed.

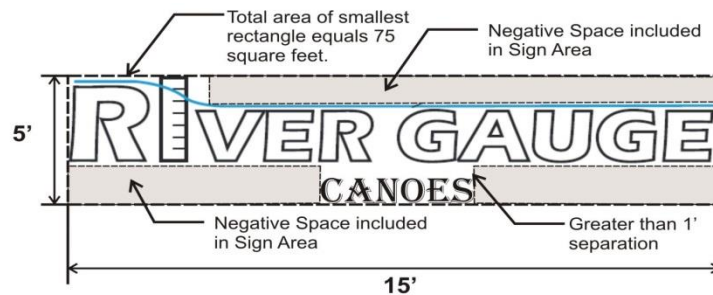
- b.) A sign consisting of individually cut out writing is measured as the total area of a rectangle or square enclosing all words. This includes any negative space.



- ~~c.) A sign with multiple lines of wording, where the lines are one (1) foot or less apart from each other, shall be measured as the area enclosing the wording on the first line plus the area enclosing the wording on subsequent lines.~~



- ~~d.) A sign with multiple lines of wording where the lines are greater than one (1) foot apart shall be measured as the total area of the smallest rectangle or square enclosing all words.~~

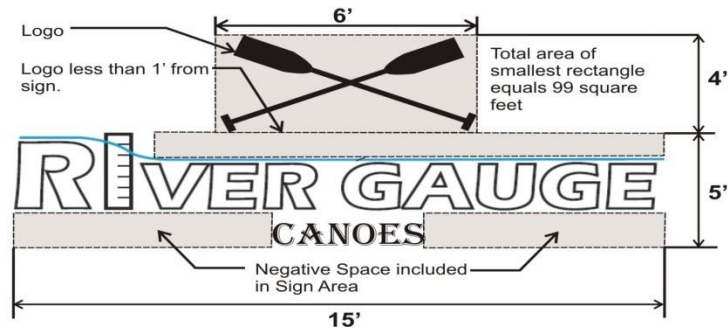


- e.) Logos or other graphic representation:

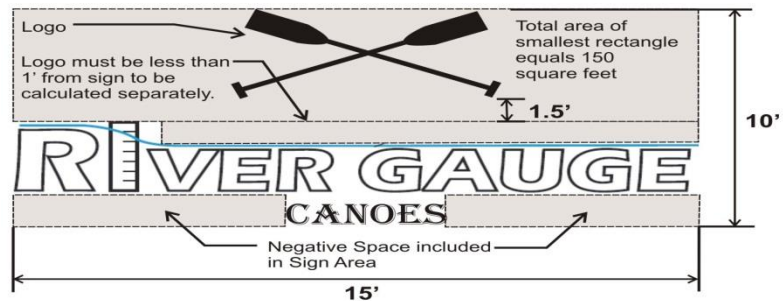
~~(1) When an attached wall sign includes a graphic representation or logo located one (1) foot or less directly above individually cut out writing, the outline area shall be~~



calculated as the sum of the area within the limits of writing plus the area within a rectangle or square enclosing the graphic representation or logo.



~~(2) When an attached wall sign includes a graphic representation or logo located more than one (1) foot directly above individually cut out writing or when a logo or graphic representation is located on either side of individually cut out writing, the outline area shall include the area within a rectangle or square, which completely contains all the sign's letters, logos, figures, designs, graphic representations or symbols.~~



4. Outline Area - Double-Faced Signs. Only one (1) side of a double-faced sign shall be included in the sign area. Double-faced signs shall include those signs where the sign face is parallel or where the interior angle formed by the faces of a V-shaped sign is 60 degrees or less. If the two (2) faces of a double-faced sign are of unequal area, the area of the sign shall be the area of the larger face.
5. Sign Area on Walls of Circular Buildings and Other Buildings with Curved Wall Surfaces.
  - a.) The area constituting a single wall of a circular building shall be designated by the owner on a portion of the wall, but shall be limited to be determined by multiplying three-fourths (3/4) of the diameter of an area of the building by the average height of the

exterior walls of the building at the finished ground elevation of the building.

- b.) The area contained on a single wall of a non-circular building with continuous curved wall surfaces shall be designated by the owner on a portion of the wall but shall be limited to an area determined by multiplying three-fourths (3/4) of the average diameter of the building by the average height of the exterior walls of the building at the finished ground elevation of the building.
- c.) The area contained on any single curved wall of a building that is not totally circular or is not composed of a continuous curved wall surface shall be determined by multiplying the shortest distance between the two (2) ends of the arc forming the curved wall surface by the average height of the exterior walls of the curved wall surface at the finished ground elevation of that surface.
- d.) The horizontal length of any single wall of a building that is characterized by the multiple curved wall surfaces or other irregular wall surfaces shall be measured as a straight line extending between both edges of the wall.

~~6. Outline Area—Exceptions. The total outline area for any freestanding signs shall be exclusive of any decorative trim. Said trim shall not exceed 30% of the outline area as determined in accordance with Section 04-05.F.1. of this Article.~~

**F. Sign Regulations – Permanent Signs.**

The following provisions shall govern the erection of all permanent signs, together with their appurtenant and auxiliary devices with respect to size, number, height, location and construction.

1. General Provisions.

- a.) Permitted ~~business, information, and directional~~ signs may either be a flat sign permanently affixed to the face of a building, awning or canopy or be freestanding. ~~Business information and directional~~ **Incidental Signs** affixed to buildings shall not project above the eave line of the roof except as an integral roof sign.
- b.) ~~Permitted information or directional signs may be flat signs permanently affixed to a boundary wall or fence. However, other than a horizontal projection of not more than six (6) inches, such signs shall not project beyond the surface of the boundary wall or fence.~~
- c.) All freestanding signs shall be located on as not to impair the visibility of any official highway sign or marker and no ~~business commercial or non-commercial~~ sign shall be so placed as to unnecessarily obstruct the visibility of any other ~~business commercial or non-commercial~~ sign.

2. ~~Business and Identification~~ Signs – Freestanding.

- a.) General. Subject to other provisions of this Section, each developed lot may have no more than one (1) freestanding business sign facing each roadway on which the lot has frontage regardless of the number of buildings upon the lot. Furthermore, each building regardless of the number of lots upon which it may be located, shall have no more than one (1) freestanding business sign facing each roadway on which its lot or lots has frontage. ~~Permanent freestanding signs are prohibited on single family lots and common ground, except for when approved as a Residential Subdivision Identification Sign.~~ For the purpose of these regulations, an aggregation of two (2) or more structures connected by a wall, firewall, facade or other structural element, except for a sidewalk, shall constitute a single building.

The height of all ~~business and identification permanent freestanding~~ signs shall not exceed six (6) feet when located within the minimum front yard setback of a particular zoning district.

b.) Specific Regulations and Exceptions.

- (1) A freestanding ~~business~~ sign shall not exceed six (6) feet in height above the average existing finished grade at the base of the sign, or the elevation of the adjacent street, whichever is higher. The total outline area per face shall not exceed 50 square feet or twenty-five one hundredths (0.25) square feet of signage per linear foot of street frontage up

to 100 feet of street frontage and one-tenth (0.1) square foot of signage per linear foot of street frontage thereafter, whichever is less (see exceptions below).

- (2) Said sign face shall be attached to a proportionate enclosed base, integrated planter or structural frame, the width of which shall be a minimum of one-half ( $\frac{1}{2}$ ) the width of the widest part of the sign face. The bottom of the sign face shall not exceed a height of three (3) feet above the average existing finished grade at the base of the sign, or elevation of the adjacent street, whichever is higher. An enclosed sign base or integrated planter shall not be required if the sign face is within one (1) foot of the average finish grade at the base of the sign.

Exceptions:

- (a) For each additional four (4) foot setback from the minimum yard requirement, one (1) additional foot may be added to the sign height to a maximum of ten (10) feet above the average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher. However, at no time shall the bottom of the sign face exceed a height of three (3) feet above the average existing finished grade at the base of the sign or the elevation of the adjacent street, whichever is higher, or;
  - (b) The maximum outline area and/or height of any freestanding business sign may be increased to a maximum of 100 square feet in outline area and/or 20 feet in height above the average existing finished grade elevation at the base of the sign or elevation of the adjacent street, whichever is higher, with no height restriction for the bottom of the sign face subject to Planning Commission approval as outlined in Section 405.04.05.C. of this Article.
- (3) An individual lot having a minimum of 850 feet of frontage on any roadway, and a minimum size lot of 20 acres or more, shall be allowed two (2) freestanding business signs on each roadway frontage exceeding 750 feet of frontage. However, a minimum of 400 feet shall separate the two (2) permitted signs.

In lieu of the two (2) permitted freestanding signs, one (1) freestanding business sign may be permitted, the maximum

outline area of which may be increased to 150 square feet, subject to Planning Commission approval as outlined in Section 405.04.05.C.3. of this Article "Planning Commission Approval".

- (4) A single commercial, **non-commercial** or industrial development or subdivision **without residential uses which is**-in excess of 20 acres in size shall be permitted a project identification sign at each main entrance to the subdivision or development **identifying the name of the project and/or containing a directory of tenants. The sign may include the name and/or logo of the development or subdivision.** Such sign may be located on any platted lot or common ground of a development or subdivision or any unplatted portion of the development or subdivision identified as part of a particular development on an approved preliminary plat, site development concept plan, site development section plan, or site development plan.
- (5) A project identification sign shall not exceed six (6) feet in height above the average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher, with the total outline area per face not to exceed 50 square feet or twenty five one hundredths (0.25) square feet of signage per linear foot of street frontage up to 100 feet of street frontage and one tenth (0.1) square foot of signage per linear foot of street frontage thereafter, whichever is less.

Exceptions:

- (a) For each additional four (4) foot setback from the minimum yard requirement, one (1) additional foot may be added to the sign height of a project identification sign to a maximum of ten (10) feet above the average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher. However, at no time shall the bottom of the sign face exceed a height of three (3) feet above the average existing finished grade at the base of the sign or the elevation of the adjacent street, whichever is higher; or,
- (b) The minimum outline area and/or height of any project identification sign may be increased to a maximum of 100 square feet in outline area and/or 20 feet in height above the average existing finished grade elevation at the base of the sign or elevation

of the adjacent street, whichever is higher, with no height restriction for the bottom of the sign face subject to Planning Commission approval as outlined in Section 405.04.05.C.3. of this Article "Planning Commission Approval".

- (6) Commercial, ~~non- commercial~~, industrial or mixed-use subdivisions ~~without residential uses~~ of ten (10) lots/units or more that are less than 20 acres shall be permitted a subdivision identification sign at each main entrance to the subdivision ~~and may include the name, logo and/or the directory of tenants of the subdivisions.~~ Such sign shall not exceed 50 square feet in outline area per face, nor extend more than six (6) feet above the average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher. ~~Commercial, industrial or mixed-use s-~~Subdivision identification signs shall be located within an easement on any platted lot or on common ground of subdivision. Such sign may also be located on any unplatted portion of the subdivision identified as part of a particular development on an approved preliminary subdivision plat, site development concept plan, site development section plan, or site development plan. No subdivision identification sign shall be permitted for a development permitted a project identification sign.

~~(7) — Developments over 20 acres located adjacent to major arterials may increase the height and the size of the project identification sign by decreasing the number of permitted project identification signs with approval of the Department. The maximum size of one (1) sign utilizing this section shall be 30 feet in height and 150 square feet of outline area per face. Total square footage is not to exceed the original allowed by the Planning Commission.~~

- (8) Landscaping. All permanent freestanding signs shall have landscaping, which may include, but not be limited to, shrubs, annuals, and other materials, adjacent to the sign base or structural supports. ~~If the outline area and/or a height increase for any permanent freestanding sign is requested, the required landscaping for such a sign will be subject to Planning Commission approval.~~

- c.) ~~A service station shall be permitted one (1) separate price sign attached to the same structure of any one (1) permitted freestanding business sign on the lot or lots on which the use may be located. The outline area of a the separate price sign shall not exceed 20 square feet per face.~~

d.) ~~A movie theater shall be permitted one (1) additional freestanding business sign, with manual changeable copy only, facing each roadway on which the lot containing the movie theater has frontage. All size requirements as provided for in Section 405.04.05.F. of this Article shall apply.~~

3. Business Signs – Attached to Wall.

a.) General Provisions.

(1) Subject to the specific regulations set out below, each ~~business occupying a commercial or non-commercial~~ tenant space or ~~being~~ the sole occupant of a freestanding building shall have no more than one (1) attached ~~business~~ sign on any two (2) walls of a building that are exterior walls of the particular building or tenant space. ~~Permanent wall signs are prohibited on single family residential buildings, multi-family residential buildings, and the exterior residential walls of a mixed-use building. In addition to identifying a particular business, such signs may be used for the name and logo of the building or development project.~~

(2) The outline area of each sign shall not exceed five percent (5%) of the wall area of the ~~business commercial or non-commercial tenant space~~ on which said sign is attached. No ~~business~~ sign shall exceed 300 square feet in outline area.

(3) Countable wall area shall include the entire surface of a wall, such as gable and similar areas, and the vertical face of a mansard roof, whether real or artificial, which extends above the wall of the business on which the sign is attached. However, the countable area of mansard roofs shall be limited to the area not greater than six (6) feet above the eave line of the roof times the length of associated wall.

Example: Where "Z" equals the maximum square footage of a wall sign. The height of a building "Y" is multiplied the width of a building "X" to provide the total square footage of the façade. This value is then multiplied by 0.05 or 5% to provide "Z" the maximum signage square footage. See Illustration A:

Illustration A.



b.) Specific Regulations and Exceptions.

- (1) For a **business commercial or non-commercial tenant** being the sole occupant of a building located on a corner lot or a lot with double frontage, said business may have one (1) attached **business**-sign on any three (3) walls of a building that are exterior walls.
- (2) Where a lot or parcel of land is developed with more than one (1) building, interior buildings shall be permitted the same type and number of wall signs on the interior buildings as are allowed on peripheral buildings. The mounting requirements of the permitted signs shall be the same as any attached **business wall** sign.
- (3) In buildings containing single or multiple tenants where public access to individual tenant space(s) is gained via interior entrances, said building shall be allowed no more than one (1) attached **business**-sign on any two (2) walls having roadway frontage. ~~Said attached business signs shall be the same, each identifying either the building or major tenant.~~
- (4) ~~Individual letters (exclusive of words), a symbol or graphic logo pertaining to a business on premises;~~ A sign may be painted or otherwise permanently affixed to the surface of an awning or canopy. The outline area of the message shall not exceed 15% of the horizontal projection in elevation of the exterior surface of the awning or canopy. Said message outline area, ~~when utilized as a design accent only as described above;~~ shall not be counted toward the allowable outline area for a **business wall** sign.



- (5) Where a multi-tenant building contains both public access to individual tenant space(s) via interior entrances and an additional exterior access point(s) that services only one tenant, signage may be permitted above said exterior access point of the tenant. This signage is in addition to the exterior signage permitted in subsection (3) above. The outline area of each sign shall not exceed five percent (5%) of the wall area of the ~~business tenant space~~ on which said sign is attached. No ~~business wall~~ sign shall exceed 300 square feet in outline area.

4. Directional Signs.

- a.) ~~Directional signs shall not exceed ten (10) square feet in outline area per facing. Freestanding directional signs shall not extend more than six (6) feet above the elevation of the adjacent street or elevation of the average existing finished grade at the base of the sign, whichever is higher.~~
- b.) ~~The height of all directional signs shall not exceed three (3) feet when located within the minimum front yard setback of each particular zoning district.~~
- c.) ~~No directional sign shall be located on or over a public right-of-way without approval of the City of Chesterfield, and/or St. Louis County Department of Highways and Traffic, and/or the Missouri Department of Highway and Transportation as applicable.~~

5. Advertising Signs (Billboards).

- a.) Advertising signs (subsection 5. refers to Billboards only) are permitted in the Planned Commercial District, Planned Industrial District, and "MXD" Mixed Use Development District if permitted in the conditions of the ordinance governing the particular planned district.
- b.) Advertising signs shall not exceed 800 square feet in outline area, nor extend more than 35 feet above the elevation of the adjacent street. Subject to more restrictive regulations of the zoning district in which it is located, an advertising sign shall not be located closer than 100 feet to any other advertising sign or building, nor within 50 feet of any "PS" Park and Scenic or any residentially zoned property or any property line of any "NU" Non-Urban zoned property, nor within ten (10) feet of any side or rear property line. Not more than one (1) advertising sign shall be permitted on one (1) structure, except that where a structure is located perpendicular to the street right-of-way, two (2) sign facings shall be permitted in each direction.

- c.) No outdoor advertising sign shall be located within 50 feet of any roadway right-of-way line, except that where existing buildings on immediately adjacent tracts (on both sides) are located closer to the roadway right-of-way than 50 feet, an advertising sign may be placed within the average setback of the existing buildings on each side of the advertising sign. Where a building on an adjacent tract exists on one (1) side only, located closer to the roadway right-of-way than 50 feet, an advertising sign may be placed within the average setback of the existing building and the 50 foot setback required by these regulations.
- d.) Notwithstanding the regulations as set out above, all Advertising Signs (Billboards) must be in conformance with Chapter 226.500 through 226.600 RSMo. as amended.
- e.) Separation from Other Zoning Districts. No advertising sign shall be located within 1,000 feet of any "NU" Non-Urban District, "AG" Agricultural, residential districts, or "PS" Park and Scenic District zoned tract, or any tract subject to the Landmark and Preservation Area Special Procedure.
- f.) Separation from Other Advertising Signs. No advertising sign shall be erected within five (5) miles of any existing sign on the same side of the highway. No sign shall be located in such a manner as to obstruct or otherwise physically interfere with the effectiveness of any official traffic sign, signal, or device, or obstruct or physically interfere with motor vehicle operators' view of approaching, merging, or intersecting traffic. The separation requirements between advertising signs outlined in this subsection shall be measured perpendicular to the centerline off the subject highway. The separation distance shall apply only to advertising sign structures located on the same side of the subject highway.
- g.) Lighting. No revolving or rotating beam or beacon of light that simulates any emergency light or device shall be permitted as part of any advertising sign. No flashing, intermittent, or moving light or lights shall be allowed. External lighting, such as floodlights, thin line and gooseneck reflectors may be permitted in the conditions of the ordinance governing a particular planned or mixed use district, provided the light source is directed upon the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the public right-of-way. Lights shall not be 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. No sign shall be so illuminated that it interferes with the effectiveness of, or obscures, an official traffic sign, device, or signal, nor shall any sign illumination cast light on adjacent properties.

- h.) In accordance with the authority granted to the City pursuant to H.B. 831, 89th General Assembly (1997), the following regulations shall apply to all billboards and outdoor advertising structures, within the meaning of H.B. 831 and sections 226.500 to 226.600, R.S.Mo., which are placed or proposed to be placed at any location within the view of any Federal, State, interstate, primary or other highway within the City:
- (1) No outdoor advertising structure or billboard shall be erected or maintained which exceeds 15 feet in height above ground level.
  - (2) No outdoor advertising structure or billboard shall be erected or maintained within the view of any Federal, State, interstate or primary highway at a distance of less than five (5) miles from any other outdoor advertising structure or billboard within the City which is visible to persons traveling in the same direction on such highway.
  - (3) No outdoor advertising structure or billboard, other than on-premises signage specifically regulated pursuant to other provisions of the UDC of the City of Chesterfield, shall be lighted or artificially illuminated after dark in any manner visible from any location outside the right-of-way of the highway from which the outdoor advertising structure or billboard is visible.

6. ~~Informational Signs.~~

- a.) ~~Informational signs shall not exceed 16 square feet in outline area per facing. Freestanding informational signs shall not extend more than six (6) feet above the elevation of the adjacent street or elevation of the average existing finished grade at the base of the sign, whichever is higher.~~
- b.) ~~No informational sign shall be located on or over a public right-of-way without approval of the City of Chesterfield, and/or St. Louis County Department of Highways and Traffic, and/or the Missouri Department of Highway and Transportation as applicable.~~
- c.) ~~The height of all informational signs shall not exceed six (6) feet when located within the minimum front yard setback of each particular zoning district.~~
- d.) ~~Outdoor public artwork or public art displays are permitted one (1) information sign. Signage shall not exceed three (3) feet in height, from grade to top of sign, and the sign face shall not exceed 10 inches by 10 inches or 5 inches by 20 inches in outline area.~~

~~Requests for modification to the size limitation shall be reviewed by the City of Chesterfield City Council. Said modification shall require a two-thirds (2/3) vote of the City Council.~~

7. Residential Subdivision Identification Signs. Residential subdivisions of ten (10) lots/units or more shall be permitted a subdivision identification sign at each main entrance to the subdivision ~~and may include the name or logo or both of the subdivision.~~ Such sign shall not exceed 50 square feet in outline area per face, nor extend more than six (6) feet above the average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher. Residential subdivision identification signs shall be located within an easement on any platted lot or on common ground of a subdivision. Such sign may also be located on any unplatted portion of the subdivision identified as part of a particular development on an approved preliminary subdivision plat or site development concept plan, site development section plan, or site development plan.
  
8. Supplementary Regulations.
  - a.) ~~Church or House of Worship.~~
    - ~~(1) — A church or house of worship located in any district shall be permitted one (1) freestanding identification sign. However, a church or house of worship, which has a minimum frontage of 400 feet on each of two (2) or more roadways, shall be permitted one (1) freestanding identification sign on each of two (2) such roadways. Said identification sign height shall be in accordance with Section 04-05.G. of this Article "Sign Regulations Permanent Signs". The copy portion of such sign shall not exceed 50 square feet in area, exclusive of one (1) separate religious symbol without lettering, which may have an additional outline area not exceeding 20 square feet.~~
  
    - ~~(2) — A church or house of worship shall have no more than one (1) attached identification sign with the size requirements in accordance with Section 04-05.G. of this Article "Sign Regulations Permanent Signs".~~
  
    - ~~(3) — A church or house of worship within the City of Chesterfield is permitted to have two (2) off-site directional signs, not to exceed six (6) square feet. The sign message shall be limited to church name and location/direction. A permit is required for all church signs. If the sign is not maintained, the City will require its repair or removal.~~
  
  - b.) ~~Hospitals, public park and recreation facilities, schools, libraries, auditoriums, and similar institutions for public assembly having a~~

~~minimum frontage of 250 feet on a roadway shall be permitted one (1) freestanding identification sign not to exceed 50 square feet in outline area per face on each roadway meeting the above minimum frontage requirements. Said identification sign height shall be in accordance with Section 04-05.G. of this Article "Sign Regulations-Permanent Signs".~~

~~Each hospital, public park and recreation facility, school, library, auditorium, or other similar institutional use, shall have no more than one (1) attached identification sign with the size requirements in accordance with Section 4-05.G. of this Article "Sign Regulations-Permanent Signs".~~

- ~~c.) Signs placed on vending machines, express mailboxes, or service station pumps advertising products sold or services offered from the particular machine, mailbox, or pump are permitted. However, no vertical or horizontal projection greater than six (6) inches from the surface of the machine, mailbox, or pump is permitted. Any other sign placed on the machine shall be considered as an advertising, business, directional, or information sign, subject to the regulations of the zoning district in which such sign is located.~~
- ~~d.) A restaurant with a drive-up or drive-through food pick-up facility may have either one (1) freestanding or one (1) wall menu sign not to exceed 32 square feet in area associated with the a order station. No freestanding menu sign shall exceed eight (8) feet in height or width or be illuminated in any manner other than from an internal source.~~
- e.) ~~A financial institution with~~ An outdoor automatic teller or similar facility may have either one (1) freestanding or one (1) wall sign not to exceed 16 square feet in outline area associated with the facility. No freestanding sign for such a facility shall exceed eight (8) feet in height or width or be illuminated in any manner other than from an internal source.
- ~~f.) A service station with a canopy may have no more than one (1) sign which may include the name and logo of the business and one (1) sign which may include the words "self-service" and "full service" attached on each of any two (2) sides of the vertical face of the canopy, excluding canopy supports. The outline area of each sign shall not exceed ten (10) square feet in outline area. Each sign shall be a flat sign permanently affixed to the vertical face of the canopy and shall not project above or below the vertical face of the canopy more than one (1) foot. No projection shall be permitted from any other side of the vertical face of the canopy. Such signs shall only be illuminated by internal and non-intermittent light sources. For service stations located on corner lots, such signs may~~

~~be located on each of any three (3) sides of the vertical face of the canopy, excluding canopy supports.~~

- g.) ~~In addition to other freestanding or attached wall signs in this Section, an individual lot or project may have a sign displaying time and temperature, and/or stock market activity not to exceed 24 square feet in outline area per face. Such sign may be attached to the same structure of any permitted freestanding business sign, or may be a flat sign permanently affixed to the face of a building. When affixed to a building, such sign shall not project above the eave line of the roof.~~

**G. Sign Regulations – Temporary Signs and Attention-Getting Devices.**

The provisions of this Section shall govern the erection of all temporary signs and attention-getting devices, together with their appurtenances, with respect to size, height, location, and construction.

1. General.

- a.) A sign not permanently affixed to a vehicle or trailer, which is parked or located such that the primary purpose is to display such sign, is prohibited. This prohibition shall not apply to signs or lettering on buses, trucks, or other vehicles while in use in the normal course of business.
- b.) For the purpose of these regulations, a temporary sign shall be considered any sign permitted for a duration not to exceed one (1) year.
- c.) ~~Unless otherwise specifically stated, temporary signs shall not be illuminated.~~
- d.) ~~No temporary sign shall require a foundation, support, wiring, fittings, or elements that would traditionally require a building permit or electrical permit.~~
- e.) ~~Because of the nature of materials typically used to construct temporary signs and to avoid the unsightliness of deteriorating signs and all safety concerns which accompany such a condition, temporary signs shall be removed or replaced when such sign is deteriorated.~~

2. ~~Temporary signs without a commercial message. Temporary signs without a commercial message do not require a sign permit, provided that they comply with the standards of this article, including the standards that apply to all temporary signs.~~

- a.) The maximum sign area of any single temporary sign without a commercial message shall be eight square feet in residential zoning districts and 24 square feet for each commercial or non-commercial tenant space or the sole occupant of a freestanding building in nonresidential zoning districts.
  - b.) The maximum height of temporary signs without commercial speech shall be six feet.
  - c.) The signs are limited to yard signs and banner signs
3. Temporary signs with a commercial message in residential zoning districts. The following are the temporary signs with a commercial message allowed in residential zoning districts:
- a.) Up to two temporary signs with a commercial message are permitted on each lot in a residential zoning district.
  - b.) The maximum sign area for each sign shall be eight square feet with a maximum height of six feet.
  - c.) The signs are limited to yard signs and banner signs
4. Temporary signs with a commercial message in nonresidential zoning districts. The following are the temporary signs with a commercial message allowed in nonresidential zoning districts:
- a.) Each commercial or non-commercial tenant space or the sole occupant of a freestanding building is permitted up to 24 square feet of temporary signs year round, subject to the standards for each specific type of sign.
5. Window Signs.
- (1) Window Signs are permitted in addition to other commercial and non-commercial temporary signs. Window Signs shall not occupy more than twenty-five percent (25%) of any single window area. The window area may include multiple panes of glass separated only by supporting framing materials but not separated by architectural elements. Such signs are solely permitted on a window of that particular tenant space and solely on a façade that has an entrance to said tenant space.
  - (2) Window Signs are solely permitted on the first and second floor of a building.
  - (3) A sign permit shall not be required for any window sign.

6. ~~Advertising or Informational Signs (on premises). The following provisions shall govern the erection of all temporary advertising/ informational signs and appurtenances with respect to size, height, location and construction.~~
- a.) ~~Banners. Commercial banners, except those used for real estate leasing, affixed to a fence or wall or similar structure are allowed in conjunction with a special promotion or grand opening with a temporary sign authorization. The use of a banner in conjunction with a grand opening shall be limited to a 15-day period. Banners used for special promotions shall be limited to 30 days per calendar year for each business. Said banner shall not exceed 50 square feet in outline area. A MZA is required prior to erecting a banner.~~
  - b.) ~~Flags. One (1) commercial non-commercial flag may be flown on a property, incorporating a business name and/or logo may be flown in conjunction with a flag display in all Commercial, Industrial and Mixed Use Development Districts. One (1) commercial flag incorporating a business name and/or logo used in conjunction with a flag display may be flown in the "NU" Non-Urban District, "AG" Agricultural and all residential districts operating under a Conditional Use Permit. A minimum of three (3) flags, including a local, State or National flag in addition to one (1) permitted commercial flag shall constitute a flag display. All flag lengths, excepting the National flag, shall not exceed ten (10) feet, with a pole height not to exceed 40 feet. An MZA and building permit is required prior to erecting any flag pole.~~
  - c.) ~~Garage Sale. Garage sale signs may be erected on premises in the "NU" Non-Urban District, "AG" Agricultural and all residential districts only. A temporary sign authorization is not required for garage sale signs.~~
  - d.) ~~Public Information Signs. Freestanding public information signs are allowed in any zoning district with a temporary sign authorization. Said signs shall not exceed 32 square feet nor extend more than ten (10) feet above the elevation of the street adjacent, or the average existing finished grade at the base of the sign, whichever is higher. The height of any public information sign shall not exceed six (6) feet when located in the minimum front yard setback of a particular zoning district.~~
  - e.) ~~Sandwich Boards. Sandwich boards, not to exceed eight (8) square feet per face, may be used to convey commercial or non-commercial messages in all Commercial Districts, Industrial Districts and "MXD" Mixed Use Development Districts. A sandwich board shall be considered as an incidental sign, and therefore, should not~~



~~be visible from off-site. At no time shall a sandwich board block a public walkway. A MZA is not required for a sandwich board.~~

f.) ~~Window Signs.~~

~~(1) Window Signs shall not occupy more than twenty five percent (25%) of any single window area. The window area may include multiple panes of glass separated only by supporting framing materials but not separated by architectural elements. Such signs are solely permitted on a window of that particular tenant space and solely on a façade that has an entrance to said tenant space.~~

~~(2) Window Signs are solely permitted on the first and second floor of a building.~~

~~(3) A sign permit shall not be required for any window sign.~~

g.) Living or Human Signs associated with a commercial ~~or retail~~ business ~~or activity~~ are permitted on the premises of the business for which the advertising is for. The maximum size of a ~~commercial or non-commercial~~ sign that may be held by an individual is three (3) square feet. These signs do not require an MZA and are not permitted off-site, or within the right-of-way.

7. ~~Advertising or Informational Signs Temporary (off premises).~~

a.) ~~General. Temporary off premises advertising/informational commercial signs, such as portable signs attached to vehicles, are prohibited by the provisions of these regulations.~~

b.) ~~Specific Regulations and Exemptions. Banners and freestanding public information non-commercial signs which convey public, not-for-profit, or civic information are permitted with a temporary sign authorization. Street banners shall not exceed 30 inches by 84 inches per face. Freestanding public information non-commercial signs shall not exceed 32 square feet in outline area or ten (10) feet in height above the elevation of the adjacent street, or average existing finished grade at the base of the sign, whichever is higher. Signs that are accessory to signage for a civic, non-commercial event shall be subject to Department approval.~~

8. ~~Political Signs — Political Campaign Signs Announcing the Candidates Seeking Public Political Office and Other Pertinent Data. The maximum area for any one (1) sign shall be eight (8) square feet, with a total area of 16 square feet permitted for each lot or unit. These signs shall be erected only~~

~~on private property and shall be removed within seven (7) days after the election for which they were made.~~

9. ~~Temporary Off-Premise Directional Signs.~~

- a.) ~~Temporary off-premise directional sign(s) shall be allowed for businesses where recent changes in traffic patterns adversely affect access to said business, as determined by the Department. Said temporary directional sign(s) may be erected for a period not to exceed six (6) months following completion of construction.~~
- b.) ~~Said temporary directional sign(s) shall not exceed ten (10) square feet in outline area per face, nor extend more than six (6) feet above the elevation of the adjacent street or elevation of the average existing finished grade at the base of the sign, whichever is higher.~~
- c.) ~~The height of a temporary directional sign shall not exceed three (3) feet when located within the minimum front yard setback of each particular zoning district.~~
- d.) ~~No temporary directional sign shall be located on or over a public right-of-way without approval of the City of Chesterfield, and/or St. Louis County Department of Highways and Traffic, and/or the Missouri Department of Highway and Transportation, as applicable.~~

10. Temporary Signs – Development Related.

- a.) General. One (1) ~~Temporary Construction, future use of site, or subdivision promotion~~ sign may be erected in addition to other ~~temporary signs~~ per roadway frontage at any one time after first obtaining the required zoning approval and sign permit. At no time shall guy wires or auxiliary support posts be used to anchor a temporary development related sign.
- b.) ~~Banners, Subdivision Identification. Subdivision identification banners are allowed in any zoning district with a temporary sign authorization. Said banners shall not exceed 30 inches by 84 inches in sign area and shall be erected, internal to a subdivision, for a period not to exceed one (1) year.~~
- c.) ~~Flags, Subdivision Promotion. Within developing subdivisions, subdivision promotion flags are allowed without securing a temporary sign authorization; however, an MZA and building permit is required prior to erecting a flag pole. Said flags shall not be flown on poles exceeding 16 feet in height with a flag length not to exceed two and one-half (2 1/2) feet.~~
- d.) Temporary Construction Signs.

- (1) Construction signs ~~which identify the architects, engineers, contractors or other individuals or firms involved with construction~~ on a site may be erected during the construction period. Each construction site may have no more than one (1) such sign facing each roadway on which the site has frontage. No construction sign shall exceed 32 feet in outline area, nor exceed ten (10) feet in height above the average existing finished grade.
- (2) The signs shall be confined to the site of the construction and shall be removed no later than 14 days after completion of all construction on the site or after 90 days of suspension of work. ~~The message on a construction sign shall not include any advertisement of a product but may include information announcing the character of the business enterprise or the purpose for which the business is intended.~~
- (3) The maximum outline area of a temporary construction sign may be increased to 64 square feet subject to Planning Commission approval as outlined in Section 405.04.05.C.3. of this Article.

e.) ~~Temporary Signs Announcing Future Use of Site.~~

- ~~(1) Signs announcing the future use of a site, by a use permitted by the regulations of the particular zoning district in which the lot or development is located or by an approved special procedure permit, may be erected immediately following the approval of said use but not more than six (6) months prior to construction or development of the site. If after six (6) months construction has not commenced, the sign(s) must be removed. Signs announcing future use of site shall be erected only on the lot or development in question and shall be removed within 14 days after the completion of construction of a building on the site in the case of a previously undeveloped site, or the occupancy of an existing building, or the beginning of the intended use of the site where no building is to be constructed.~~
- ~~(2) Each site may have no more than one (1) such sign facing each roadway on which the site has frontage. No such sign shall exceed 32 square feet in outline area per facing, nor exceed ten (10) feet in height above the average existing finished grade elevation of the sign or elevation of the adjacent street, whichever is higher.~~
- ~~(3) The maximum outline area of temporary signs announcing future use of site may be increased to 64 square feet,~~

~~subject to Planning Commission approval, as in Section 04-05.C.3. of this Article.~~

f.) ~~Subdivision Direction Signs.~~

~~(1) For the purpose of these regulations, a subdivision direction sign is a sign placed at some location outside the limits of a residential subdivision intended to inform and direct the general public to an approved or pending development. Subdivision direction signs may not be erected until a site plan or preliminary plat has been approved for the subject development. The message upon the sign shall be limited to the name of the subdivision, the name of the developer, insignia, price range, a directional arrow, and written directions.~~

~~(2) Signs may have one (1) face, a face on each side of the sign board, or be V-shaped (not to exceed an interior angle of 60 degrees) and contain two (2) faces.~~

~~(3) Subdivision direction signs may be erected on properties at any of the corners of intersecting streets, highways or roads, subject to the following criteria, see Illustration B:~~

~~(a) Location:~~

~~i. Within the area bounded by the street right-of-way lines, a line connecting two (2) points from the street right-of-way lines 130 feet from the point of intersection of the street right-of-way lines, but not including the area within the sight distance triangle; or~~

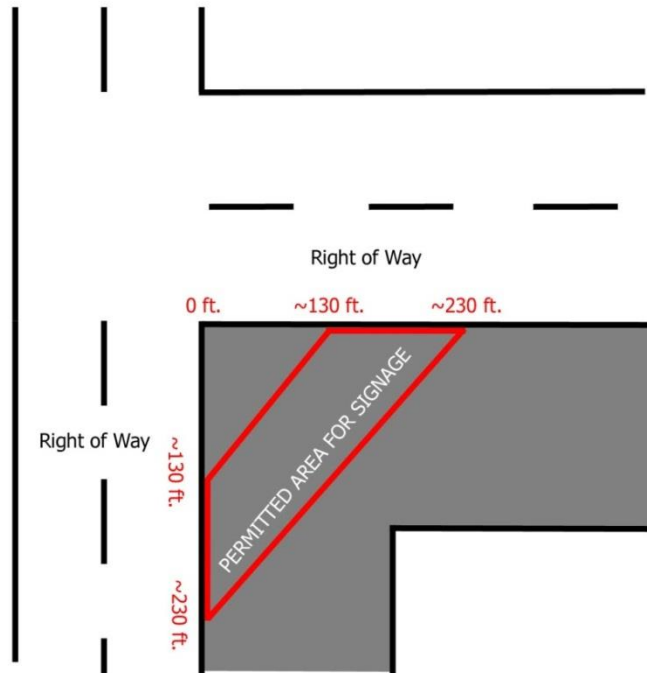
~~ii. Subdivision direction signs may be erected beyond a point located not closer than 130 feet, but not farther than 230 feet from the point of intersection of the street right-of-way lines, as measured along the right-of-way line.~~

~~iii. In the case of non-symmetrical intersections, the limits established for sign placement shall be measured from the prolongation of the right-of-way lines on the opposite side of the street.~~

~~iv. No subdivision direction sign shall be erected within the sight distance triangle or~~

~~otherwise be placed to obstruct vehicular sight distance.~~

Illustration B.



- ~~(b) — Subdivision direction signs shall be located no closer to the street right-of-way line than permitted under the requirements for structure setbacks of the applicable zoning district.~~
- ~~(c) — Guy wires shall not be utilized to anchor the sign.~~
- ~~(d) — Subdivision direction signs shall not be located closer than 20 feet to any other sign.~~
- ~~(e) — Not more than four (4) subdivision direction signs, each authorizing the placement of a single subdivision direction sign at a location, will be authorized for each development, at any given time. Each development is allowed not more than four (4) sign locations concurrently. For the purposes of this Section, multiple plats or phases of contiguous development shall be considered a single development without regard to ownership.~~
- ~~(f) — All subdivision direction signs shall be removed within one (1) year of the date the authorization was issued for said sign.~~
- ~~(g) — A limit of one (1) sign per development shall be allowed at an intersection.~~

- ~~(h) — A residential subdivision located outside the City limits of the City of Chesterfield shall be permitted one (1) subdivision directional sign to be located within the City of Chesterfield.~~
  - ~~(i) — A limit of four (4) subdivision direction signs shall be allowed per intersection. Only one (1) of the four (4) subdivision direction signs per intersection shall be permitted for a residential development located outside the City limits of the City of Chesterfield.~~
  - ~~(j) — Each sign face shall have a decorative border of a minimum width of one and one-half (1 1/2) inch.~~
  - ~~(k) — No single sign shall exceed 32 square feet or be less than 16 square feet in outline area. The total permitted sign area allocated for an individual development shall not exceed 96 square feet.~~
  - ~~(4) — An MZA shall be obtained from the Department for the placement of all subdivision direction signs. Applicant must provide a written consent authorizing the removal of said sign upon permit expiration. Any existing subdivision directional sign erected prior to the establishment of this UDC shall be permitted until expiration of the municipal zoning approval.~~
  - ~~(5) — Sign maintenance. — The permittee of any approved subdivision direction sign is required to maintain such signage in a safe and satisfactory manner. A sign is considered to be unsafe and in unsatisfactory condition if the sign contains peeling paint, and/or the sign surface or support structures are rotted, warped, damaged, faded, sun baked or deteriorated. If the Department determines repair is needed and the owner fails to repair said sign within 30 days of receiving notification of the disrepair, the City will remove such signs at the permittee's expense.~~
- g.) ~~Subdivision Promotion Signs. —~~
- ~~(1) — For the purpose of these regulations, a subdivision promotion sign is a sign which may be erected within a subdivision in progress and which is intended to inform the general public about the project. Subdivision promotion signs may not be erected until a site plan or preliminary plat has been approved for the subject development. The message upon the sign shall be relevant to the subdivision;~~

~~including the name of the subdivision, the name of the developer, insignia, price range, and related information.~~

- ~~(2) Subdivision promotion signs shall not exceed 32 square feet. The maximum outline area of a subdivision promotion sign may be increased to 64 square feet subject to approval by the Planning Commission as outlined in Section 04-05.C.3. of this Article.~~
- ~~(3) Subdivision promotion signs shall not exceed ten (10) feet in height above the average existing finished grade at the base of the sign or above the elevation of the adjacent street.~~
- ~~(4) Location:
  - ~~(a) Subdivision promotion sign(s) may be erected at each main entrance to a subdivision or at the entry to each individual plat of a subdivision.~~
  - ~~(b) No subdivision promotion sign shall be erected within the sight distance triangle or otherwise be placed to obstruct vehicular sight distance.~~
  - ~~(c) No subdivision promotion sign shall be located within a street right of way, access easement or designated emergency access way.~~~~
- ~~(5) Guy wires shall not be utilized to anchor the sign.~~
- ~~(6) An MZA shall be obtained from the Department for the placement of all subdivision promotion signs. Applicant must provide a written consent authorizing the removal of said sign upon permit expiration.~~
- ~~(7) Sign maintenance. The permittee of any approved subdivision promotion sign is required to maintain such signage in a safe and satisfactory manner. A sign is considered to be unsafe and in unsatisfactory condition if the sign contains peeling paint, and/or the sign surface or support structures are rotted, warped, damaged, faded, sun baked or deteriorated. If the City of Chesterfield determines repair is needed and the owner fails to repair said sign within 30 days of receiving notification of the disrepair, the City will remove such signs at the permittee's expense.~~



h.) ~~Display House Signs.—~~

~~(1) —For the purpose of these regulations a display house sign is a sign placed on a subdivision lot where a display house has been properly permitted by the City. The display house sign is intended to provide information to the general public related to the display home. In those instances where lots have not yet been permitted, display house signs shall only be permitted in those locations where construction has been authorized by an approved display house plat.~~

~~(2) —A single display house promotion sign may be erected on each lot on which a display house has been erected.~~

i.) Attention-Getting Devices (on premises). Attention-getting devices, which shall include, but are not limited to, inflatables, beacons, festoons, pennants and streamers, shall be allowed in conjunction with a grand opening for each business. Said devices shall be in use for a period not to exceed 15 consecutive days and only upon the initial opening of each business. Attention-getting devices, with the exception of ~~balloons inflatables~~, may be used in conjunction with a special promotion for a period not to exceed 45 days per calendar year. A temporary zoning approval is not required for an attention-getting device. ~~The total sign area must not exceed the allowable area of temporary signs for the associated zoning district.~~

H. Sign Regulations – Exempt, Prohibited, ~~and Real Estate Signs.~~

1. Exempt Signs. The following signs shall be exempt from the provisions of this UDC. However, setback and height requirements for all structures, where applicable, shall be in accord with the regulations of the particular zoning district in which the structure is located. ~~The Director of Planning is the final authority on the interpretation of an Exempt Sign.~~

a.) Official traffic or government signs, including memorial plaques and signs of historical interest.

b.) Flags of any nation, government, or non-commercial ~~message organization.~~

c.) Scoreboards on athletic fields.

d.) Display window signs, not attached to a window, incorporated and related in content to such a display.

e.) Temporary signs indicating a potential danger.

f.) Public notices and legal notices required by law.

- g.) Signs mandated by the Federal, State, local or city government.
- h.) ~~"Now Hiring" banners under 25 square feet and attached to a permanent structure.~~
- i.) ~~Holiday or Seasonal Displays. Property owners and tenants shall be permitted to put up and display decorations and displays celebrating or denoting religious holidays or events, the seasons of the year, state and national holidays, and similar occasions; provided, however, that this shall not allow balloons or similar devices prohibited herein; nor shall such seasonal displays be in place for a period longer than 30 days. Should any seasonal display fail to meet these criteria, it shall be considered a sign under this Section. If any seasonal display conveys a commercial advertising message or bears the name of the business, it shall be considered a sign.~~
- j.) Gravestones.
- k.) ~~Statues.~~
- l.) Commemorative tablets and monument citations of less than ten (10) square feet that are an integral part of a permanent structure.
- m.) ~~Incidental signs such as signs placed on vending machines, mailboxes, or service station pumps. Any sign such as a sandwich board with a commercial message that cannot be understood from a position off site shall be considered incidental.~~
- n.) ~~Accessory signs not exceeding four (4) square feet in outline area, which have an accessory use with respect to the lot on which the sign is located.~~
- o.) ~~Identification signs which shall consist of lettering permanently attached to a wall or building, not exceeding four (4) square feet in outline area, which announce the name, and/or occupation of the building occupant and is absent of any illumination.~~
- p.) Post Office Address.
  - (1) All buildings and structures having a post office address shall list the street number of such post office address on the front of the building or structure in a type of sufficient size as to be clearly visible from any street adjacent to the property. In any case where the building or structure is not visible from the street that is adjacent to the property, or if the building is more than 150 feet from the street adjacent to the property, the street number must be placed at some location on said property within 50 feet of the adjacent

street. This number need not always be on a mailbox, but a number on the mailbox on said property will satisfy the requirements of this statute. In the case of buildings or structures which are adjacent to more than one (1) street, the number shall be visible from the street to which the post office address corresponds.

- (2) All buildings or structures which are used for business, commercial, industrial, manufacturing or public purposes which have post office addresses shall list the street number of such post office address on the front of the building in a type of sufficient size (minimum three (3) inches, maximum 12 inches) as to be clearly visible from a street adjacent to the property and on the rear of the building on the right edge of the building when facing the rear of the building and not less than six (6) feet nor more than eight (8) feet above the ground level.

2. Prohibited Signs. All signs not expressly permitted under this UDC or expressly exempt from regulation hereunder in accordance with the above Section are prohibited within the City of Chesterfield. Such signs shall include:

- a.) Abandoned signs.
- b.) ~~Inflatables.~~
- c.) ~~Electronic message centers.~~
- d.) Neon ~~Prohibited. The use of visible neon tubing as a sign or for architectural element, whether located on the exterior or interior of a wall or window, if visible from the street is prohibited.~~

~~(1) — Exceptions. Neon window "OPEN" signs are permitted and are not subject to review by the Planning Commission. Said signs shall not exceed in aggregate an area equal to more than 20% of the window glass area on which it is located. Said signs may not utilize an intermittent light source or flash and/or blink.~~

~~(2) — Request for Exception. Requests for the allowance of a neon sign shall be made to the Planning Commission, which shall review the same in accordance with the following criteria:~~

~~(a) — A written statement from an architect explaining the intended use of the neon lighting and its relationship to the project and surrounding environment shall be submitted to the Planning Commission demonstrating that the neon will encourage,~~

~~promote, or reward good architecture and/or urban planning.~~

~~(b) The Light Plan, including neon, shall be submitted for review to the Department and shall adhere to all conditions set forth in this Section of the UDC.~~

~~(c) In reviewing a request for such an exception, the Planning Commission shall consider safety, design and other factors deemed appropriate and shall verbally make a record relative to their specific determination.~~

- e.) Off-premises signs, other than those specified previously in this Section of the UDC.
- f.) Portable signs, unless used to convey public, not-for-profit, or civic information.
- g.) Projecting signs.
- h.) Rooftop signs.
- i.) Signs attached or painted on vehicles parked and visible from the public right-of-way unless said vehicle is used in the normal day-to-day operations of a business.
- j.) Signs affixed to bus stop shelters or other similar structures.

~~3. Real Estate Signs. Real estate signs advertising the sale, rental or lease of a property or portion thereof may be erected on the property being offered. Each property may have no more than one (1) such sign facing each roadway on which the property has frontage. These signs may be either freestanding or attached wall signs or banners. Such signs shall be confined to the property in question and shall be removed within 14 days after the sale, rental or lease being advertised. A sign permit and MZA shall not be required for freestanding real estate signs which are not greater than 25 square feet in outline area.~~

- a.) ~~Total area of real estate signs in the "FP" Flood Plain District, "PS" Park and Scenic District, "NU" Non-Urban District, "AG" Agricultural" or any residential district on vacant, undeveloped property containing five (5) or more acres in area shall not exceed 32 square feet in outline area per frontage or eight (8) feet in height.~~
- b.) ~~Total area of other real estate signs located in the "FP" Flood Plain District, "PS" Park and Scenic District, "NU" Non-Urban District, "AG" Agricultural, and all residential districts shall not exceed 16 square feet in outline area per frontage or three (3) feet in height.~~

- c.) ~~Total area of real estate signs located in any commercial, industrial, or mixed-use zoning district shall not exceed 32 square feet in outline area per frontage or five (5) feet in height.~~

I. Sign Regulations – Non-conforming Signs.

Information on non-conforming signs may be found in Article 7 of this UDC.

J. ~~Sign Regulations—Real Estate Signs.~~

~~The following provisions shall govern the erection of all real estate signs, together with their appurtenant and auxiliary devices with respect to size, number, height, location and construction.~~

- 1. ~~Real Estate Signs.~~ Real estate signs advertising the sale, rental or lease of a property other than single-family residential property or portion thereof may be erected on the property being offered.

- a.) ~~Signs Erected Prior to Occupancy of a Building.—~~

- (1) ~~Each property may have no more than one (1) such sign facing each roadway on which the property has frontage. These signs may be either freestanding, attached wall sign, or banner attached to the unoccupied building.~~

- (2) ~~Such signs shall be confined to the property in question and shall be removed within 14 days after the closing of the sale, rental or lease being advertised.~~

- (3) ~~A sign permit shall not be required for freestanding real estate signs which are not greater than nine (9) square feet in outline area; however, an MZA is required for all real estate signs.~~

- (4) ~~Real estate signs in the "FP" Flood Plain District, "PS" Park and Scenic District, "NU" Non Urban District, or any residence district on vacant, undeveloped property containing five (5) or more acres in area shall not exceed 32 square feet in outline area per facing. Signage for parcels less than five (5) acres shall not exceed nine (9) square feet in outline area per facing.~~

- (5) ~~Real estate signs located in any commercial, industrial district, or mixed-use zoning district shall not exceed 32 square feet in outline area per facing.~~

- b.) ~~Signs Erected after Occupancy of a Building.—~~

~~(1) — Each property may have no more than one (1) such sign facing each roadway on which the property has frontage. These signs shall be freestanding.~~

~~(2) — Such signs shall be confined to the property in question and shall be removed within 14 days after the closing of the sale, rental or lease being advertised.~~

~~(3) — Signs shall not exceed 16 square feet in outline area per facing.~~

~~(4) — Approval shall be required by the City of Chesterfield for all signage with the exception of the "FP" Flood Plain District, "PS" Park and Scenic District, "NU" Non-Urban District, or any residence district.~~

2. Application Shall Include:

a.) ~~Information on how such sign coordinates with the overall sign package for the development.~~

b.) ~~For real estate signs indicating property for rent or lease, a report shall accompany the application indicating the available lease space. Such reports shall be updated on a yearly basis (January 1) for as long as the sign is being requested.~~

3. Residential Real Estate Open House Sign on Public Streets:

~~Residential real estate open house directional signs may be placed in accordance with the restrictions on signs set forth in this Section. All residential real estate open house directional signs are subject to the following conditions:~~

a.) ~~Size. — The total face area of the signs shall not exceed three (3) square feet in size. No attention-getting devices shall be attached to any Residential Real Estate Open House Directional Sign.~~

b.) ~~Height. — The vertical distance measured from ground level to the highest point of such sign or sign structure or other support shall not exceed three (3) feet.~~

c.) ~~Local Address. — Sign shall only advertise a residence in the City of Chesterfield or for a property which can only be accessed through the City of Chesterfield.~~

d.) ~~Limit. — No more than six (6) signs per property for sale or lease shall be posted, and not more than one sign at each required change of travel direction.~~

- e.) ~~Type. Signs shall be mounted either on stakes placed in the ground or with an A frame support of sufficient weight so that the sign remains upright when mounted. Signs and any supporting structures shall be maintained in good condition at all times and shall be constructed out of quality materials normally used in professional signage.~~
- f.) ~~Location. No sign shall be placed, used or maintained in the following manners:
  - (1) ~~On trees, traffic signs or utility poles, nor be placed in such a manner as to obstruct the view of any official public sign.~~
  - (2) ~~In any location that obstructs the safe and convenient use by the public of any street, sidewalk, or curbside parkway area as determined by the City of Chesterfield.~~
  - (3) ~~In any roadway area or center median area.~~
  - (4) ~~At any location whereby the clear space for the passageway of pedestrians is reduced to a width that violates the Americans with Disabilities Act.~~
  - (5) ~~On streets undergoing construction, nor on streets with special events.~~
  - (6) ~~Within five (5) feet of any of the following: traffic signal; traffic sign; designated bus stop sign; bus bench; or any other bench on the sidewalk.~~~~
- g.) ~~Residential real estate open house directional signs shall only be displayed between 9:00 AM to 3:00 PM on Tuesdays and from 12:00 PM to 6:00 PM on Sundays, and only on days of an Open House.~~
- h.) ~~Identification Required. Every person who places or maintains a Residential Real Estate Open House Sign on the streets of the City of Chesterfield shall have his or her name, address, and telephone number affixed to the signs.~~
- i.) ~~Any sign installed, placed, or deposited in violation of the provisions of this UDC may be summarily removed by the City.~~

**ARTICLE 10. DEFINITIONS**

SEC. 10-04. SIGNAGE TERMS .....10-1

**SIGNAGE TERMS**

*Attention-getting device* – A balloon, banner, beacon, festoon, pennant or other similar object erected on a site to draw attention to that particular site, business, or activity. For additional information, see definitions for balloon, festoon, and pennant.

*Balloon* – Any nonporous bag of light material filled with heated air, a gas lighter than air, or with continuous airflow so as to be inflated whether it floats in the air or is inflated and remains on the ground. For the purposes of these regulations, a balloon devoid of characters, letters, symbols or illustrations shall be considered a sign.

*Banner* – Any temporary sign of light-weight fabric or similar material that is mounted to a pole or building at one or more edges. National flags, state or municipal flags, official flags of any institution or business, or subdivision promotion flags shall not be considered banners. See also sign, street banner.

*Beacon* – Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same premises as the light sources.

*Billboard* – A sign structure advertising a commercial enterprise, product, service, industry or other activity not conducted, sold, or offered on the same premises on which the sign is erected.

*Electronic message center* – A sign whose alphabetic, graphic, or symbolic informational content can be changed or altered on a fixed display surface, composed of electrically illuminated or mechanically-driven changeable segments either by means of pre-programming or by computer-driven electronic impulses. Also see sign, changeable copy (automatic).

*Festoon* – A string of ribbons, tinsel, small flags or pinwheels used primarily to gain attention. See also pennant.

*Graphic representation* – A written or pictorial likeness or image.

*Message, Commercial* – Any sign, wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service, or other commercial activity.

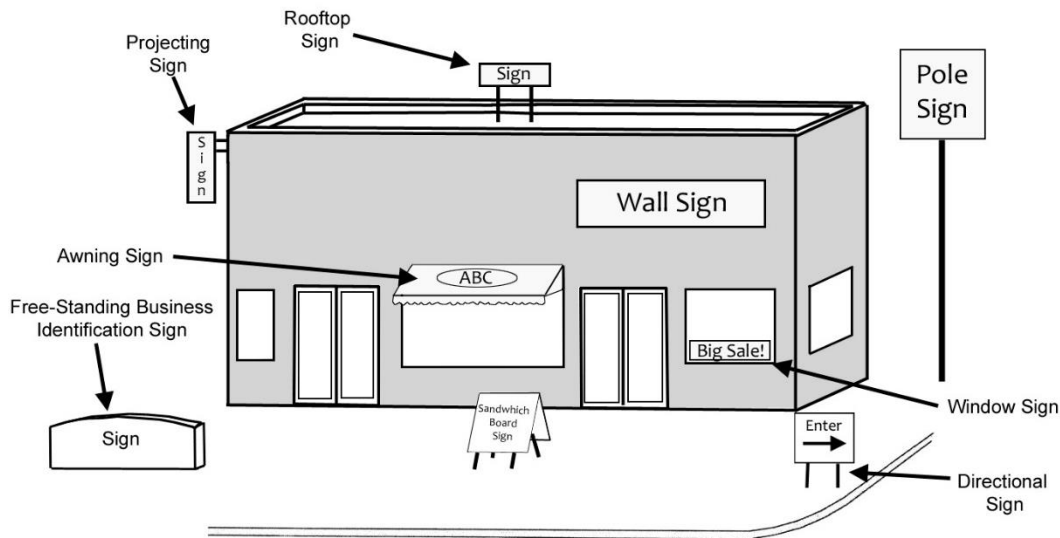
*Message, Noncommercial* – Any sign, wording or logo that does not represent a commercial message or commercial speech. Such signs may express messages that include, but are not limited to, free speech opinions, ideological messages, religious messages, political messages, etc. See also "message", commercial."

~~*Now hiring banner* – A banner announcing the initial hiring period for a newly established business, not yet open or having been open for 30 days or less.~~



Pennant – Any light-weight fabric, or other material suspended from a rope, wire, or string, designed to move in the wind for the purpose of gaining attention.

Sign – Any device, structure, fixture, or placard that uses any graphics, symbols, written copy, and/or illumination to advertise, direct, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.



Sign illumination – Any artificial light source incorporated internally or externally for the purpose of illuminating a sign.

Sign Package – A comprehensive, complementary and unified plan for signage throughout a single development or contiguous lots under common ownership.

Sign permit – A license to proceed with erecting, constructing, posting, altering, enlarging, maintaining, or relocating a sign.

Sign structure – Any structure which supports, has supported, or is capable of supporting a sign including decorative cover.

Sign, abandoned – A sign which no longer is utilized to identify, direct, or otherwise advertise a bonafide business, lessor, service, owner, product, or activity and/or which no legal owner can be found. A sign that is in disrepair or has not been maintained by the owner in such a fashion that is unsafe, unsound, or can no longer be read from a reasonable distance as a result of failure to have been maintained.

Sign, accessory – A sign relating to an accessory use on a lot or development that provides on-site directional information to pedestrians or motorists. Also see sign, incidental.

Sign, advertising – A sign intended to attract general public interest concerning a commercial enterprise, product, service, industry, or other activity not conducted, sold or offered on the same premises upon which the sign is erected. Also see billboard and sign, off-premise.

Sign, animated – Any sign which includes action or motion. This term does not refer to flashing or changing, all of which are separately defined.

Sign, awning / canopy – A sign painted on, printed on, or otherwise affixed to the surface of an awning, canopy or similar structural protective cover over a door entrance, window or outdoor service area.

Sign, background area – The entire area of a sign on which copy could be placed, but does not include a permanent building surface.

Sign, board – Any freestanding sign made from plywood, particle board, masonite or any other type of sawed lumber material.

Sign, changeable copy – A sign or portion thereof whose characters, letters, illustrations or other informational content can be changed, altered, or rearranged by manual or automatic means.

Sign, changeable copy (automatic) – A sign whose characters, letters, illustrations, or other informational content can be changed, altered, or rearranged by electronic or mechanical means. A time and temperature and date sign, electronic message center or reader board, and stock market sign are considered automatic changeable copy signs.

Sign, changeable copy (manual) – A sign whose characters, letters, illustrations, or other informational content can be changed, altered, or rearranged by manual means.

Sign, construction – A temporary sign used during construction of new buildings or reconstruction of, or additions to existing buildings, ~~which identifies the project and denotes the owner, architect, engineer, contractor, material supplier and/or financing institutions~~ for the project on which the sign is located.

~~Sign, directional (off-premises) – An off-premises sign giving directions, either written or symbolic, or other instructions, but no advertising copy. Also see sign, subdivision direction (residential).~~

~~Sign, directional (on-premises) – An on-premises sign identifying entrances, exits, aisles, ramps and other similar traffic-related information or instructions.~~

Sign, directory – A permanent business sign intended for customer convenience, direction and safety which identifies a building, office park, or industrial park by name/address and includes tenant names/locations.

Sign, display house promotion – A temporary sign intended to inform the general public about a particular display house in a developing subdivision.

Sign, face of – The entire area of a sign on which copy could be placed irrespective of structural supports. The area of a sign which is visible from one direction as projected on a plane.

*Sign, flashing* – Any sign which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted light source. Automatic changing signs such as public service, time and temperature, and date signs, stock market or electronically controlled message centers are classified as flashing signs. Also see also sign, animated

*Sign, flat or wall* – A sign attached directly to the wall of a building which is in the same plane as the face of the wall with the maximum space between the sign and the face of the wall to be six (6) inches.

*Sign, freestanding* – Single or double faced sign placed upon or supported by the ground independent of any building or structure; including pole or pylon signs and monument signs.

~~*Sign, future use of site* – A sign announcing the future development of a site permitted by the regulations of a particular zoning district in which the site is located or by an approved special procedure.~~

*Sign, height of* – The vertical distance measured from the existing finished grade adjacent to the sign or the elevation of the adjacent street, whichever is higher, to the highest point of the sign.

~~*Sign, identification* – A sign whose copy is limited to the names, logo, occupation, and/or address of a building occupant, subdivision, or development project.~~

*Sign, illegal* – A sign which contravenes this UDC or a non-conforming sign for which a permit required under a previous ordinance was not obtained.

*Sign, incidental* – A sign, generally informational, that has a purpose solely accessory to the use of the lot on which the sign is located. No sign with a commercial message legible or apparent from off the lot on which the sign is located shall be considered incidental.

~~*Sign, information* – A sign which identifies a residence, a non-commercial activity, or conveys cautionary information. Also see sign, public information.~~

*Sign, living or human* – A living or human sign is a sign held by or attached to a human for the purposes of advertising or otherwise drawing attention to an individual, business, commodity, service or product. This can also include a person dressed in costume for the purposes of advertising or drawing attention to an individual, business, commodity, service or product.

*Sign, mailbox* – A business identification sign expressly for the Commercial Service Procedure not to exceed 18 inches by 24 inches in sign face area.

*Sign, menu board* – A sign which lists the assortment of offerings that may be ordered at a restaurant via the drive-thru lane.

*Sign, monument type* – A freestanding sign attached to a proportionate base, integrated planter or structural frame, the width of which shall be a minimum of one-half (1/2) the width of the widest part of the sign face.

Sign, non-conforming – A sign which existed lawfully whether by variance or otherwise, on the date this Unified Development Code or any amendment thereto became effective, and which fails to conform to one or more of the applicable regulations of this Unified Development Code or such amendment thereto.

Sign, non-conforming (illegal) – A sign which fails to conform to one or more of the applicable sign regulations or amendments thereto and was erected unlawfully on the date this Unified Development Code or any amendment became effective.

Sign, non-conforming (legal) – A sign which existed lawfully on the date that this Unified Development Code or any amendment thereto became effective and which fails to conform to one or more of the applicable sign regulations or amendments thereto.

Sign, off-premise – A sign advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which said sign is located. Also see billboard and sign, advertising.

Sign, pole or pylon – A freestanding sign supported by uprights, braces, columns, poles, or other vertical members which are not attached to a building and where the bottom edge of the sign face is located three (3) feet or more above the average grade at the base of the sign.

~~Sign, political – Any sign which is designed to influence the action of the voters for the passage or defeat of a measure appearing on the ballot at any national, state, or local election or which is designed to influence the voters for the election or defeat of a candidate for nomination or election to any national, state or local level.~~

Sign, portable – Any sign not permanently attached to the ground, building, or other permanent structure, or a sign designed to be transported by means of wheels and signs attached to or painted on vehicles parked and visible from the public right-of-way unless said vehicle is used in the normal day-to-day operations of a business.

Sign, project identification – A permanent, freestanding sign located at the main entrance to a commercial or industrial development which is in excess of 20 acres in size. Also see sign, directory.

Sign, projecting – Any sign, other than a flat or wall sign, affixed to a building or wall in such a manner that its back edge extends more than six (6) inches beyond the surface of such building or wall.

~~Sign, public information – A sign used for public events, promotion of civic causes or activities or charitable or not-for-profit purposes.~~

~~Sign, real estate – A temporary on-premises sign pertaining to the rental, lease, or sale of real property.~~

Sign, roof – A sign erected on, over or above the roof line of a building.

Sign, roof (integral) – Any sign erected or constructed as an integral or essentially integral part of a normal roof structure, such that no part of the sign extends vertically above the highest

portion of the roof and such that no part of the sign is separated from the roof by a space of more than six (6) inches.

*Sign, sandwich board* – Two (2) sign board faces, usually hinged, placed on the ground which is used primarily for advertising purposes.

*Sign, street banner* – A temporary sign composed of light-weight fabric or similar material attached to a pole or street light by means of a rigid frame at one or more edges.

~~*Sign, subdivision direction (residential)* – A temporary sign intended to direct the general public to a residential subdivision under development.~~

~~*Sign, subdivision identification* – A permanent freestanding or wall sign identifying a legal subdivision or development.~~

~~*Sign, subdivision promotion* – A temporary sign intended to inform the general public about a residential subdivision under development.~~

*Sign, temporary* – A sign which is intended or contracted for a time of limited duration not exceeding twelve (12) months.

~~*Sign, temporary, development related* – Construction signs, future use of site signs, and subdivision promotion signs.~~

*Sign, wall* – Any sign attached parallel to, and with its back within six (6) inches of, a wall, painted on the wall surface of, or erected and confined within the outside limits of any building or structure, which is supported by such wall or building, and which displays only one (1) sign surface.

*Sign, window* – A sign placed on the surface of a window or other transparent surface and is visible from the exterior of the window or surface.