

ORDINANCE NO. 616

AN ORDINANCE AMENDING SECTION 921. USE UNIT 21, BUSINESS SIGNS AND OUTDOOR ADVERTISING OF ORDINANCE NO. 458, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the City Council for the City of Glenpool, Oklahoma:

SECTION 1: That SECTION 921. USE UNIT 21, BUSINESS SIGNS AND OUTDOOR ADVERTISING OF ORDINANCE 458 be amended to read as follows to-wit:

SECTION 921. USE UNIT 21, BUSINESS SIGNS AND OUTDOOR ADVERTISING

921.1 Description

Business signs and outdoor advertising

921.2 Included Uses

Business signs and outdoors advertising

921.3 Definitions.

Accessory Use or Structure: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

Dwell Time: The duration or interval of time during which each individual advertisement or message is displayed on any sign which is capable of sequentially displaying more than one advertisement or message on its display surface.

Foot Candle: A unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot and originally defined with reference to a standardized candle burning at one foot from a given surface.

LED: Light-emitting diode; a semiconductor that gives out light when an electric current is applied to it.

NIT/Candelas per square meter: A unit of illuminative brightness equal to one candela per square meter, measured perpendicular to the rays of the source.

Sign: Any fabricated display structure including its support, consisting of any letter, figure, character, mark poster pointer, marquee advertising, design, picture, stripe, trademark, reading matter, or illuminating device, constructed, attached, erected, fastened or manufactured in any manner whatsoever so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public

performance, article, machine or merchandise and displayed in any manner for recognized advertising purposes.

Sign, Bulletin Board: A changeable message board used to announce onsite activities.

Sign, Business: A sign, which directs attention to a business commodity, service, or entertainment conducted on the premises.

Sign, Canopy: A sign wholly supported by a canopy projecting from a building or an extended roof or pitched roof and which does not extend above the mean height level of the roof of the building.

Sign, Construction: A temporary sign erected during the period of construction advertising the construction of improvements on the property.

Sign, Digital/Lighted: A sign which displays an advertisement or message which is generated electronically and commonly utilizes computerized or electronic digital technology, including but not limited to digital display boards, electronic variable message signs, electronic billboards, and light emitting diodes (LED) signs.

Sign, Digital Outdoor Advertising: An outdoor advertising sign, which is also a digital sign.

Sign, Ground: A sign, which is attached to or is a part of a self-supporting structure, other than a building or portion of a building.

Sign, Identification: A sign, which states only the name of a residential development, mobile home park, multi-family development or non-residential development.

Sign, Outdoor Advertising: A sign which directs attention to a business, commodity, service, or entertainment, sold or offered elsewhere than the premises and only incidentally on the premises, if at all.

Sign, Portable: A sign, which is not permanently affixed to the ground or a building.

Sign, Projecting: A sign affixed to a building and which extends horizontally more than twelve (12) feet from the sign supporting portion of the building.

Sign, Real Estate: A temporary sign advertising the sale, rental, or lease of the premises.

Sign, Roof: A sign which is affixed to a roof, extended roof, pitched roof or canopy and which extends above the mean height of the roof.

Sign, Wall: A sign affixed to a building wall which does not project horizontally more than 12" from the wall nor extend above the height of the wall.

Intersection, Signalized- The area where motor vehicle traffic is regulated by an official traffic control signal or light, which is also embraced within the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadways of two (2) streets which join one another at, or approximately at, right angles,

or the area within which vehicles travel upon different streets joining at any other angle which may conflict, whether or not one such street or roadway crosses the other.

Sign, Off-premise- A sign which advertises or directs attention to products or activities that are not provided on the parcel upon which the sign is located.

Sign, Pole- A freestanding sign, which is supported by a column(s) or other structural member(s) that is permanently attached to the ground or a ground-mounted structure and provides a minimum of eight (8) feet of visible, vertical clearance between the sign and finished grade.

Sign, Projecting- Any sign affixed to a building or wall in such a manner that its leading edge extends more than twelve (12) inches beyond the surface of such building or wall and is perpendicular to such building or wall.

Sign, Roof- Any sign erected and constructed on and over the roof of a building, supported by the roof structure, and extending vertically above any portion of the roof. Roof signs shall not include signs located on a mansard roof if the sign is mounted vertically and integrated with the roof. For the purpose of this section, architecturally integrated mansard signs and other architecturally integrated signs located below the principal roofline shall be classified as wall signs.

Sign, Snipe: A temporary sign that is made of any material, attached to a utility pole, tree, fence post, stake, stick, mailbox or any similar object, whether in the right-of-way or not.

Sign, Temporary- Any sign that is not intended to be used or installed permanently to the ground or to a building or building surface, including signs that are designed to be mobile and moved from one location to another. Portable signs are considered temporary signs.

Sign, Window- Any sign painted, attached, glued, or otherwise affixed to a window for the purpose of being visible from the exterior of the building.

Static Message: An advertisement or message which, when displayed, contains no motion, flashing, changeable copy, running lights, variations in brightness, or animation

Storyboarding: The consecutive display of advertisements or messages on a sign used to provide a continuing or evolving message, theme or story.

Transition Time: The duration or interval of time between which each individual advertisement or message is displayed on any sign which is capable of sequentially displaying more than one advertisement or message on its display surface.

921.4 Sign Permit Requirements

- A. Any new sign not included in section 921.6.F or new sign face on an existing sign requires a sign permit from the City of Glenpool. The permitted use of a sign by a business, on its own premises, shall not be altered to any other use without first applying for and receiving a permit for such sign use. Applications for sign permits must include:
 - a. Proof of ownership or written permission of the owner of the lot or tract upon which the proposed sign will be constructed.

- b. A site plan drawn to scale of the property showing dimensions illustrating the distance of the proposed sign location from property lines, structures, easements, and driveways. If the sign is to be located on the face of a building, the proposed sign should be drawn to scale on the building.
- c. The proposed dimensions (display area and height) of the sign.
- d. If the sign is freestanding, either on-premises or off-premises, the site plan must show all existing signs within twelve hundred (1200) feet.
- e. The plans are to be submitted in paper form as well as in PDF (Portable Document Format).

921.5 General Location Requirements

- A. Street Setbacks - No sign or portion thereof shall be permitted within any public street or alley right-of-way or within ten (10) feet of the right-of-way of any street or area designated in the Glenpool Master Street Plan as a future street under any circumstances except authorized traffic signals, hazard signs, or similar devices. (See Glenpool Comprehensive Plan for copy of the Master Street Plan).
- B. No sign shall be attached to any utility pole, light standard, street tree or any other public facility located within the public right-of-way unless otherwise approved by the Glenpool City Council by the issuance of a Special Use Permit.
- C. Intersection Setback - No sign shall be located less than thirty-five (35) feet from the intersection of the pavement of two (2) streets or from the intersection of street pavement and a railroad track. The point of intersection shall be measured from the edge of the paving of each street or railroad right-of-way and may be further restricted by 921.5 E or in other sections of this code.
- D. Traffic Signal Clearance - No sign shall be located in such a manner as to obstruct, obscure, or in any manner interfere with any traffic signal light or public warning sign.
- E. Obstruction of View - Signs when located in such a manner so as to prevent any motorist, bicyclists, or pedestrians from obtaining a clear view of approaching vehicles for a distance of five hundred (500) feet along a public right-of-way are prohibited.
- F. No business or outdoor advertising sign, including wall signs shall be located within one hundred fifty (150) feet of an R district, if visible from such district. The one hundred fifty (150) feet shall be measured in a straight line from the nearest point on a sign structure to the nearest point on the property of the Residential District.
- G. No business or outdoor advertising sign, including wall signs, using LED or other digital lighted sign shall be located within five hundred (500) feet of a Residential District
- H. No business or outdoor advertising sign shall be located within one hundred fifty (150) feet of a public park. The one hundred fifty (150) feet shall be measured in a straight line from the nearest point on a sign structure to the nearest point on the property of the park.
- I. All signs shall be of a constant light; No flashing or intermittent type of lighted signs are allowed, provided, however, that electronic and/or LED lighted signs may be permitted by the Board of Adjustment, subject to the procedural and substantive requirements of

this Title for a Special Exception. The Board of Adjustment shall additionally consider the following in its determination:

- a. Brightness / light intensity, with the following to be considered reasonable:
 1. Not exceeding an illumination of seventy (70) foot candles measured at a two (2) foot distance.
 2. An illuminative brightness not exceeding three hundred (300) candelas per square meter (NITs) at any time between one-half ($\frac{1}{2}$) hour after sunset until one-half ($\frac{1}{2}$) hour before sunrise or six thousand five hundred (6,500) NITs between one-half ($\frac{1}{2}$) hour before sunrise until one-half ($\frac{1}{2}$) hour after sunset.
 3. Notwithstanding the above, such signs should not display an illuminative brightness of such intensity or brilliance that it impairs the vision or endangers the safety and welfare of any pedestrian, cyclist, or person operating a motor vehicle.
 - b. Flashing or intermittent lighting, and a combination of colors such as red and blue such as could be confused with emergency vehicles or traffic control signals or cause a traffic safety hazard shall be prohibited.
 - c. Movement of light and images, or the speed of animation, should be kept to a reasonable minimum level.
 - d. Such signs are required to be equipped with:
 1. A default mechanism that will freeze the sign in one position or static message if a malfunction occurs; and
 2. A mechanism able to automatically adjust the display's illuminative brightness according to ambient light conditions.
 - e. Such signs are restricted from being located:
 1. Within fifty (50) feet of the driving surface of a signalized intersection.
 2. Within twenty (20) feet of the driving surface of a street.
 3. Within two hundred (200) feet of an R (Residential) district, other than street, highway or freeway right-of-way.
 4. Within 2,400 feet of another outdoor advertising sign facing the same direction
- J. Any on-premises ground sign shall maintain a minimum separation of fifty (50) feet from any other ground sign on the same frontage.
- K. Off-premises advertising ground signs shall not be permitted except along the US-75 frontage, the State Highway 117 frontage, and the State Highway 67 frontage.
- L. Any off-premises ground sign shall maintain a minimum separation of one thousand, two hundred (1200) feet from any other off-premises ground sign.
- M. Any off-premises ground sign shall maintain a separation of five hundred (500) feet from any on-premises ground sign on the same frontage, providing that the on-premises ground sign was located first; however, if the off-premises sign is present prior to the request for an on-premises sign, the separation between the existing off-premises sign and the proposed on-premises sign must be a minimum of fifty (50) feet.

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921.6 General Use Conditions

- A. For the purpose of display surface area calculation of a ground-mounted sign, where a lot abuts more than one public street, that street frontage which is the largest shall be used.
- B. Only one side of a double-faced sign shall be included in the computation of display surface area.
- C. Roof signs are prohibited in any zone district.
- D. Balloons or other inflatable devices used for the purpose of advertising or directing attention to the location from which the device is attached are prohibited in any zone district.
- E. Vehicles or trailers, whether motorized or not, parked upon public or private property within the City for the obvious purpose of advertising shall be prohibited in any zone district; provided that a commercial vehicle may be identified only by business name, type of business, business address, business telephone number, and contractor's state/county/city license number, when required, except for use during special event as allowed by special permit.
- F. The following signs shall not be included in the regulated computation of display surface area:
 - 1. Nameplates, attached to the face of the wall and not exceeding two (2) square feet in surface area;
 - 2. Temporary real estate and construction signs;
 - 3. Signs which are not visible from a public street;
 - 4. Signs painted on glass surfaces of windows or doors and pertaining to the business conducted therein when the display surface area of the sign does not cover more than twenty-five percent (25%) of the window or door;
 - 5. Tablets built into the wall of a building or other structure and used for inscriptions or as memorial tablets or for similar purposes;
 - 6. Signs of warning, directive, or instructional nature erected by a public agency, franchised transportation or utility company or governmental agency;
 - 7. Legal notices and street numbers;
 - 8. Election campaign signs, if erected not more than forty-five (45) days prior to an election and removed within seven (7) days following the election;
 - 9. Signs located within buildings, unless the sign is mounted in the window or standing inside the building within one (1) foot of a window, having a display surface area of covering more than twenty-five percent (25%)*;

10. Signs not exceeding three (3) square feet of display surface area of a warning directive or instructional nature, including entrance, exit, and restrooms; and
11. Signs attached as labels of a commodity for sale.

G. Wind Load Requirements:

1. Every ground sign must be constructed and braced to withstand a horizontal wind pressure of not less than (20) pounds for every square foot of surface exposed, and shall be supported and anchored in a manner approved by the Chief Building Official.
2. The Building Code recognized by the City shall be the engineering reference for computing supports and stress numbers of any sign structure.

921.7 AG District Use Conditions

A. Signs as Principal Use are subject to the following conditions:

1. Off-premises and outdoor advertising on a lot abutting designated state and federal highways must conform to all state and federal regulations;
2. The maximum display surface area for ground signs and outdoor advertising on a lot abutting U.S. Highway 75, State Highway 117, State Highway 67, or frontage-roads thereof, shall be limited to an aggregate of one and one half (1.5) square feet of display area per each lineal foot of street frontage, provided that no single sign shall exceed three hundred (300) square feet;
3. The maximum display surface area of ground signs and outdoor advertising on a lot not abutting U.S. Highway 75, State Highway 117, State Highway 67, or a frontage-road thereof, shall be limited to one (1) square foot of display area per lineal foot of street frontage, provided that no single sign shall exceed one hundred and sixty (160) square feet; and,
4. A ground sign shall not exceed thirty (30) feet in height, measured from the mean curb level of the lot upon which it is erected, unless in addition to the minimum setback prescribed in subsection 921.5.A, the sign is setback one (1) foot for each one (1) foot of height exceeding thirty (30) feet provided the sign shall not exceed fifty (50) feet in height regardless of the setback. Further provided that on a lot abutting U.S. Highway 75, or a frontage road thereof, a sign may not exceed fifty (50) feet in height regardless of setback from the right-of-way. On a lot abutting State Highway 117 or State Highway 67 or a frontage road thereof, a sign may not exceed thirty (30) feet in height regardless of setback.

B. Signs as Accessory Use are subject to the following conditions:

1. One bulletin board type sign may be erected on each street frontage of an educational, religious, institutional, or similar use, which requires announcements of its activities. The bulletin board shall not exceed twelve (12) square feet in area, nor eight (8) feet in height, and illumination, if any, shall be by constant light;

2. One identification sign may be erected on each arterial street frontage of a permitted non-residential use. The sign shall not exceed thirty-two (32) square feet in surface area, nor eight (8) feet in height, and illumination, if any, shall be by constant light;
3. One identification sign may be erected on each non-arterial street frontage of a permitted non-residential use. The sign shall not exceed sixteen (16) square feet in surface area, nor eight (8) feet in height, and illumination, if any, shall be by constant light;
4. A real estate sign advertising the sale, rental, or lease of the premises may be erected on each arterial street frontage of the premises. The sign shall not exceed thirty-two (32) square feet in surface area, nor eight (8) feet in height, and illumination, if any, shall be by constant light; and
5. A real estate sign advertising the sale, rental, or lease of the premises may be erected on each non-arterial street frontage of the premises. The sign shall not exceed sixteen (16) square feet in surface area, nor eight (8) feet in height, and illumination, if any, shall be by constant light.

921.8 Residential Districts Use conditions

- A. Signs as Principal Uses are not allowed in residential districts.
- B. Signs as Accessory Uses are subject to the following conditions:
 1. One bulletin board may be erected on each street frontage of an educational, religious, institutional, or similar use, which requires announcements of its activities. The bulletin board shall not exceed twelve (12) square foot in area nor eight (8) feet in height, and illumination, if any, shall be by constant light;
 2. One identification sign may be erected on each arterial street frontage of a permitted use exception. The sign shall not exceed thirty-two (32) square feet in surface area, nor eight (8) feet in height and illumination, if any, shall be by constant light;
 3. One identification sign may be erected on each non-arterial street frontage of a permitted use exception. The sign shall not exceed not exceed sixteen (16) square feet in surface area, nor eight (8) feet in height, and illumination, if any, shall be by constant light;
 4. During the period of development construction, a temporary sign advertising the construction and sale of improvements on the premises may be erected on each perimeter street frontage of the development. The sign shall not exceed one-half (1/2) square foot per each linear foot of arterial street frontage; such temporary construction sign shall not exceed thirty-two (32) square feet in surface area, nor eight (8) feet in height, and illumination, if any, shall be constant light. All such signs must be removed prior to building permits being issued on more than seventy-five percent (75%) of the lots in the subdivision;

5. A temporary real estate sign advertising the sale, rent or lease of the premises may be erected on each street frontage of a lot. The sign shall not exceed eight (8) square feet in surface area, or five (5) feet in height, and illumination, if any, shall be by constant light in an RM and RD district. In an RS or RE district the sign shall not exceed four (4) square feet in surface area, or more than four (4) feet in height and shall not be illuminated in any way.

921.9 Office District Use Conditions

- A. Signs as Principal Uses are not allowed in Office Districts.
- B. Signs as Accessory Uses are subject to the following conditions:
 1. In the OL and OM Districts, one business sign not exceeding thirty-two (32) square feet of surface area may be erected on each street frontage of a lot. Ground signs shall not exceed the height of the building in which the principal use is located or fifteen (15) feet, whichever is lower. No accessory use sign shall be located within one hundred and fifty (150) feet of an R (Residential) district. Illumination, if any, shall be by constant light.
 2. Wall signs shall not exceed an aggregate display surface area of one (1) square foot per lineal foot of the building wall to which the sign or signs are affixed. The size of a wall sign located on a multi-tenant building will be determined by the lineal foot of street frontage of any individual business.
 3. During the period of construction, a temporary sign advertising the construction of improvements on the premises may be erected on each arterial street frontage of the development. The sign shall not exceed one-half (1/2) square foot per each linear foot of arterial street frontage; such temporary construction sign shall never exceed thirty-two (32) square feet of surface area nor more than fifteen (15) feet in height, and illumination, if any, shall be by constant light. All such signs must be removed upon completion of construction or revocation of the building permit, except if the temporary sign is for a subdivision under construction, then the sign must be removed prior to building permits being issued on more than seventy-five percent (75%) of the lots in the subdivision;
 4. A temporary real estate sign advertising the sale, rent or lease of the premises may be erected on each street frontage of a lot. The sign shall not exceed thirty-two (32) square feet in surface area, nor more than fifteen (15) feet in height, and illumination, if any, shall be by constant light.

921.10 Commercial and Industrial District Use Conditions

- A. Height Requirements
 1. A ground sign shall not exceed thirty feet in height, measured from the mean curb level of the lot or tract upon which it is erected, unless in addition to the minimum setback prescribed in subsection 921.5.C, the sign is setback one (1) foot for each foot of sign height exceeding thirty feet provided that on a lot or tract abutting U.S.

Highway 75 or a frontage road thereof, a sign may be fifty (50) feet in height regardless of the setback from the from the right-of-way; however, no sign shall exceed fifty (50) feet in height regardless of setback.

B. Display surface Area requirements:

1. The maximum display surface area of ground signs in a commercial or industrial lot abutting U.S. Highway 75, State Highway 117, State Highway 67, or a frontage road thereof, shall be limited to an aggregate of one and one half (1.5) square feet of display area per each lineal foot of street frontage provided that no single sign shall exceed three hundred (300) square feet of display area; and,
2. The maximum display surface area of ground signs in a commercial or industrial district, not abutting U. S. Highway 75, or a frontage road thereof, shall be limited to an aggregate of one (1) square foot of display area per each lineal foot of street frontage, provided that no single sign exceed one hundred eighty (180) square feet.
3. Wall signs shall not exceed an aggregate display surface area of one and one-half (1.5) square feet per lineal foot of the building wall to which the sign or signs are affixed. The size of a wall sign located on a multi-tenant building will be determined by the lineal foot of street frontage of any individual store or business.
4. Window signs are limited to an area of twenty-five percent (25%) of a window area or door with a maximum twenty-five (25) square feet.

C. Temporary or Promotional Signs

1. A temporary sign may not exceed sixteen (16) square feet of surface area, nor eight (8) feet in height.
2. No more than one temporary sign per street frontage may be displayed at any one time on any single property and such signs shall be located upon the property of the business, product service or activity it is advertising
3. Permits for promotional business signs such as banners, advertising flags, or tinsel shall be limited to two (2) per month and no more than ten (10) per year for each business location. Each permit shall authorize the use of the sign for a period of ten (10) days at a cost of \$50.00.

921.11 Use Conditions-Political Campaign Signs

Political election campaign signs may be erected no more than forty-five (45) days prior to an election. No such sign shall be permitted to remain more than seven (7) days following said election. Said signs may be erected on City of Glenpool street rights-of-way or private property. The display surface area of any political campaign sign shall not exceed sixteen (16) square feet in surface area. Political campaign sign located in the public right-of-way, may not exceed six (6) square feet of surface area regardless of zoning district; only one side of a double faced sign shall be computed in the computation of display area.

921.12 Fines For Violation

Any signs installed in violation of this code shall be subject to the penalties outlined in SECTION 1220 PENALTIES FOR VIOLATION of Ordinance No. 458 the Zoning Ordinance if the City of Glenpool. In addition, snipe signs and other similar signs placed in violation of SECTION 921.A & B shall be subject to a two (2) dollar fee for the cost of removal and administration.

SECTION 2: Be it ordained that the fees shall be set from time to time by resolution.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4: If any section, subsection, paragraph, subparagraph, sentence, clause or phrase of this amendment shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portion of this Ordinance, which shall remain in full force and effect and to this end, the provisions of this Ordinance are hereby declared to be severable.

PASSED AND APPROVED by the City Council of the City of Glenpool this 4th day of May 2009.

Mayor J. Shayne Buchanan

Attest:

Susan White, City Clerk

WHEREAS, it being immediately necessary for the preservation of the peace, health, and safety of the City of Glenpool and the inhabitants thereof that the provisions of this Ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof the Ordinance shall take effect and be in full force from and after its passage as provided by law.

PASSED and the Emergency Clause ruled upon separately and approved this 4th day of May 2009.

Mayor J. Shayne Buchanan

Attest:

Susan White, City Clerk