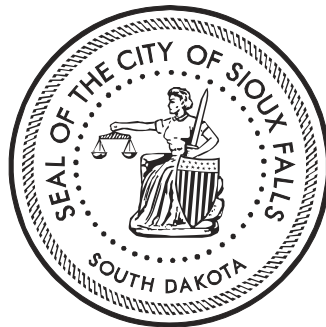

SIGN CODE

for the
City of Sioux Falls
2009



Sioux Falls, South Dakota

CITY OF SIOUX FALLS SIGN CODE

SIGN AND OUTDOOR ADVERTISING

CITY OF SIOUX FALLS

Sections	Page No.	Section Title
		General
3-1	4	Posting on Public Property
37-1	4	Signs Upon, Over Public Ways
37-2	4	Maintenance
15.57.170	4	Intersection Safety Zone
15.51.171	5	Driveway Safety Zone
		Licenses
37-14	5	License Required
37-15	5	Licenses Applicable
23-24	5	License Issued by Building Services Administrator
37-16	6	Insurance
37-17	6	Nontransferable
37-18	6	Bond Required
37-19	6–7	Portable Sign Requirements
		Permits and Inspections
37-29	7	Permits Required
37-31	7	Penalty When Work Begun Without Permit
37-32	7	Application for Permit
37-34	7–8	Permit Fees
		On-Premise Sign Zoning Regulations
15.57.010	8–9	Purpose and Intent
15.57.020	9	Sign Standards
15.57.030	9–14	Permitted Signs and Sign Area
15.57.040	14–16	Regulations and Limitations of Permitted Signs
15.57.050	16	Special Situations (Reserved)
15.57.060	16–20	Exemptions
15.57.070	20	Illumination
15.57.080	20–21	Prohibited Signs
15.57.090	21	Nonconforming Signage
15.57.100	22	Sign Maintenance
15.57.110	22	Abandoned Signs
		Off-Premise Sign Zoning Regulations
15.58.010	22	Purpose and Intent
15.58.020	22–23	General Regulations
15.58.030	24	Conditional Uses
		Zoning Definitions
15.03.020	25–27	Definitions

CITY OF SIOUX FALLS SIGN CODE

APPENDIXES

Appendix 1—Code Application/Interpretive Bulletin

Z-57-3	28	On-Premise Sign Regulations
Z-58-1	29	Off-Premise Signs
Z-57-4	30	Permitted Sign Area
Z-57-5	31	Roof Signs
Z-57-6	32	Portable Signs
Z-57-8	33	Banners and Pennants
Z-57-8/58-2	34	On-Premise/Off-Premise Sign Regulations
Z-57-9	35	Signs Located on Corner Lots
Z-57-10	36	Determination of What Constitutes a Viaduct
Z-57-13	37	Painted Wall Signs
Z-03-4	38	Drive-In Menu Boards
Z-57-14	39	Signage Allowed During Road Construction

Appendix 2—Figures

Figure 1	40	Intersection Safety Zone
Figure 2	40	Driveway Safety Zone

SIGN AND OUTDOOR ADVERTISING

Posting on Public Property

No person shall nail, paste, paint, or otherwise affix in any manner any lithograph, sign, advertisement, picture, or design whatever upon any bridge, viaduct, sidewalk, parking, parkway, boulevard, crosswalk, curb, or street or upon the railing or approaches of any bridge, viaduct, or sidewalk or upon any telephone, telegraph, electric light, or fire alarm pole or post. (Section 3-1)

Signs Upon, Over Public Ways

Except as otherwise authorized in Section 15.57.040 of Appendix B of this code, as amended, no sign or supporting structure shall be located upon or over any portion of the dedicated right-of-way of any public street, alley, or thoroughfare. (Section 37-1)

Maintenance

- (a) All signs, together with all of their supports, braces, guys, and anchors, shall be kept in repair and in a proper state of preservation. The display surface of all signs shall be kept neatly painted or posted.
- (b) The Director of Planning and Building Services may order the removal of, or cause to be removed, any sign that is not maintained in accordance with the provisions of this section. (Section 37-2)

Intersection Safety Zone

No monument style sign or other sign with its face less than 12 feet above grade or any fence, wall, shrub, evergreen, or coniferous tree or other obstruction to vision exceeding three (3) feet in height above the established street grade shall be erected, planted, or maintained within the area of a corner lot that is included between the lines of the intersection streets and a straight line connecting them at points thirty (30) feet distant from the intersection of the right-of-way lines. (Section 15.51.170) (See Figure 1 on page 41)

Exception: In the C-3 zoning district, where the Traffic Engineer deems that the potential for a traffic hazard is minimal, the requirement for the intersection safety zone may be waived.

CITY OF SIOUX FALLS SIGN CODE

Driveway Safety Zone

No monument style sign or other sign with its face less than ten (10) feet above grade or any fence, wall, shrub, evergreen, or coniferous tree or other obstruction to vision exceeding three (3) feet in height above the established street grade shall be erected, planted, or maintained within the area from the curb line to ten (10) feet behind the curb line. (Section 15.51.171) (See Figure 2 on page 41)

Exception: In the C-3 zoning district, where the Traffic Engineer deems that the potential for a traffic hazard is minimal, the requirement for the driveway safety zone may be waived.

LICENSES

License Required

No person shall engage in the activity or business of sign or outdoor advertising by erecting, maintaining, leasing, or providing to others ground signs, roof signs, wall signs, projecting signs, marquee signs, or portable signs in the city without first having procured a license from the City Council to conduct such activities or business.

Exception: This requirement shall not apply to those people engaged in the business of retail sign painting provided their activities are limited to their own business location. (Section 37-14)

Please Note: Persons wishing to manufacture or maintain electric signs must obtain a **Sign Wiring Contractors License**.

Licenses Applicable

The provisions of Chapter 23, insofar as the provisions may be applicable and not in conflict, shall apply to and govern the issuance of any license under the provisions of this article. (Section 37-15)

License Issued by Building Services Administrator

The following licenses shall be issued by Building Services Administrator:

- (7) Advertising Sign. Includes engaging in the commercial billboard or advertising board business by erecting or maintaining ground, roof, wall, or other signs.

Annual fee \$200.00

(Section 23-24)

Insurance

Along with the application for a license required by this article, the applicant shall file with the City Finance Department a certificate of standard form contractor's public liability insurance, covering bodily injuries, including death, with limits of not less than one hundred thousand dollars (\$100,000.00) for each person and three hundred thousand dollars (\$300,000.00) for each accident and covering property damage with a limit of fifty thousand dollars (\$50,000.00) for each accident. (Section 37-16)

Nontransferable

No license issued under the provisions of this article shall be transferable. (Section 37-17)

Bond Required

As a condition of his license, every person who engages in the activity or business of sign or outdoor advertising in the city shall maintain and deliver to the assistant director of building services a continuous bond in the penal sum of \$10,000.00 in a form approved by the city with the licensee as principal on the bond and the city as the obligee for its benefit and that of consumers dealing with the contractor. The bond shall be conditioned upon compliance with the provisions of this chapter and Appendix B Zoning Ordinance Chapter 15. Claims upon such bond may be filed by any person damaged by reason of the principal's failure to perform his obligation under the bond. The bond shall be in addition to all other license bonds. The bond shall be written by a corporate surety authorized to transact business in the state of South Dakota. Suspension or revocation of the license of the principal shall not by itself affect the liability of either the principal or the surety on the bond except that the liability of the surety shall not extend to acts or omissions of the principal occurring after the effective date of his license suspension or revocation. (Section 37-18)

Portable Sign Requirements

It shall be the duty of persons engaged in the activity or business of renting or providing portable signs to others to record the date of the transaction, the name of the sign user, and the proposed location of the portable sign, and to maintain these records for a period of two (2) years. Furthermore, it shall be their duty to require applicants placing portable signs within the city limits to produce a valid permit prior to transfer of the sign. All portable

CITY OF SIOUX FALLS SIGN CODE

signs must prominently display the name of its owner, whether business or individual. (Section 37-19)

PERMITS AND INSPECTIONS

Permits Required

Except as otherwise provided in this article, it shall be unlawful for any person to erect, alter, relocate, or maintain within the city any sign without first obtaining an erection permit from the Department of Planning and Building Services and making payment of the required fee. (Section 37-29)

Penalty When Work Begun Without Permit

When work for which a permit is required by this article is started or proceeded with prior to obtaining the permit, the fees specified therefor shall be doubled, but payment of such double fee shall not relieve any person from fully complying with the requirements of the City ordinances in the execution of the work, nor from any other penalties prescribed for the violation of City ordinances. (Section 37-31)

Application for Permit

An application for permit required by this article shall be submitted to the Department of Planning and Building Services in such form as they may prescribe and shall include such information as may be required for a complete understanding of the proposed work and such other information to show full compliance with this chapter and all other laws and ordinances of the City. (Section 37-32)

Permit Fees

(a) Before any permit shall be issued under the provisions of this article, the applicant shall pay a fee as follows:

- (1) Any sign up to and including 50 square feet.....\$30.00
- (2) Any sign exceeding 50 square feet.....\$30.00
 Plus, for every square foot of sign area over 50 square feet\$.12
- (3) Any sign or billboard exceeding 100 square feet.....\$36.00
 Plus, for every square foot of sign area over 100 square feet\$.03
- (4) Any sign or billboard exceeding 200 square feet.....\$39.00
 Plus, for every square foot of sign area over 200 square feet\$.02

CITY OF SIOUX FALLS SIGN CODE

- (5) Portable sign permit fee.....\$20.00
- (6) The Director may authorize refunding of any fee paid under this section which was erroneously paid or collected. The Director may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this chapter. The Director shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

(Section 37-34)

ON-PREMISE SIGN ZONING REGULATIONS

Purpose and Intent

Signs use private land and the sight lines created by public right-of-way to inform and persuade the general public by a message. The purpose of this ordinance (chapter) is to prevent the uncontrolled use of signs.

These regulations provide standards for the erection and maintenance of on-premise signs. The principal feature of this section is the restriction on the total sign area permissible per site. All signs shall be erected and maintained in accordance with the following standards. The general objectives of these standards are to promote health, safety and welfare, and to achieve the following:

- A. **Safety:** To promote the safety of persons and property by providing that signs:
1. Do not create a hazard due to collapse, fire, collision, decay, or abandonment;
 2. Do not create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles, or other vehicles, or to see and interpret any official traffic sign, signal, or device.
- B. **Communications Efficiency:** To promote the efficient transfer of information by providing that:
1. Businesses and services may identify themselves;
 2. Customers and other persons may locate a business or service;

CITY OF SIOUX FALLS SIGN CODE

3. No person or group is arbitrarily denied the use of the sight line from public rights-of-way for communication purposes.

C. Landscape Quality and Preservation: To protect the public welfare and to enhance the appearance and economic value of the landscape by providing that signs:

1. Do not create a nuisance to persons using the public rights-of-way;
2. Do not constitute a nuisance to occupancy of adjacent and contiguous property by their brightness, size, height, or movement.

(Section 15.57.010)

Sign Standards

The sign standards shall apply to every zoning district for the city of Sioux Falls and its extraterritorial jurisdiction. Only signs described herein shall be permitted. (Section 15.57.020)

Permitted Signs and Sign Area

In the following districts, the sign area and height set forth shall apply to all signs on the premises except as provided in Section 15.57.060. Such signs shall also comply with the requirements of Section 15.57.040.

A. AG Agricultural and RC Parks/Recreation Districts:

1. Permitted signs are wall, roof, projecting, and freestanding.
 - a. A total sign area of 1 square foot for each 2 lineal feet of building frontage.
 - b. Freestanding signs shall not exceed 32 square feet and 8 feet in height.

B. RR Rural Residential, RS Residential, RD Residential, RA Residential Districts, and MH Residential Districts:

1. Permitted signs are as follows:
 - a. Each dwelling unit: A one-square foot professional occupation wall sign.

Exception: Bed and breakfast establishment signage shall be regulated by the provisions of Subsection 15.59.140(c).

- b. Twelve dwelling units or more: A sign area of 32 square feet for wall or freestanding sign not to exceed 6 feet in height.

CITY OF SIOUX FALLS SIGN CODE

Complexes with two (2) or more frontages may be allowed two (2) signs; however, no more than one (1) sign can face any one frontage.

- c. School Identification/Information Signs, subject to:
 - 1. One sign per institution with a maximum sign area of one hundred (100) square feet and a maximum height above grade of nine (9) feet.
 - 2. Hours of sign illumination shall be 7 a.m. to 10 p.m.
 - 3. Conformance with Sections 15.03.020 and 15.57.070 (c) (1).
 - 4. Use of this Subsection prohibits other freestanding signs permitted under Subsection (b) above.

C. O General Office District:

- 1. Permitted signs are wall, roof, projecting, and freestanding signs.
 - a. A building sign area of one (1) square foot for each three (3) lineal feet of street frontage or one (1) square foot for each lineal foot of building frontage shall be allowed. When a building has multiple frontages, an additional sign area of one (1) square foot for each four (4) lineal feet of street frontage or one (1) square foot for each two (2) lineal feet of building frontage shall be allowed for other street frontages. Allowable sign area is not transferable from one frontage to another.
 - b. Freestanding signs shall not exceed thirty-two (32) square feet and six (6) feet in height for lots with street frontage of 100 feet or less and 48 square feet and six feet in height for lots with street frontage exceeding 101 feet.
 - c. Portable signs.

D. S Institutional District:

- 1. Permitted signs are wall, roof, projecting, and freestanding.
 - a. A building sign area of one (1) square foot for each five (5) lineal feet of street frontage shall be allowed. When a parcel has multiple frontage, an additional sign area of one (1) square foot for each ten (10) lineal feet of street frontage shall be allowed

CITY OF SIOUX FALLS SIGN CODE

for other street frontages. No more than one (1) square foot of sign area for each five (5) lineal feet of street frontage shall face any one frontage.

- b. Freestanding signs shall not exceed thirty-two (32) square feet and six (6) feet in height for lots with street frontage of 100 feet or less and 48 square feet and six feet in height for lots with street frontage exceeding 101 feet.
- c. School Identification/Information Signs, subject to:
 1. One sign per institution with a maximum sign area of one hundred (100) square feet and a maximum height above grade of nine (9) feet.
 2. Hours of sign illumination shall be 7 a.m. to 10 p.m.
 3. Conformance with Sections 15.03.020 and 15.57.070 (c) (1).
 4. Use of this Subsection prohibits other freestanding signs permitted under Subsection (b) above.
- d. Portable signs.

E. C-1 Neighborhood Commercial District:

1. Permitted signs are wall, roof, projecting, and freestanding.
 - a. A total sign area of 1 square foot for each 2 lineal feet of street frontage shall be allowed. When a parcel has multiple frontage, an additional sign area of 1 square foot for each additional 4 lineal feet of street frontage shall be allowed for other street frontages. No more than 1 square foot of sign area for each 2 lineal feet of street frontage shall face any one frontage.
 - b. Freestanding signs shall not exceed 32 square feet and 6 feet in height.
 - c. Portable signs.

F. C-2 General Commercial District:

1. Permitted signs are wall, roof, projecting, and freestanding.
 - a. Wall, roof, and projecting: A building sign area of 2 square feet for each 1 lineal foot of building frontage or 1 square foot for

CITY OF SIOUX FALLS SIGN CODE

each 1 lineal foot of street frontage shall be allowed. Allowable sign area is not transferable from one frontage to another.

- b. Freestanding signs. With a maximum permitted sign area and height as set forth below:

Street Frontage	1-50'	51-100'	101-150'	151-200'	201-250'	251-300'	300+'
Sign area	32	64	96	128	160	192	200
Sign height	20	25	25	25	30	30	30

* See Section 15.57.040(D)1 for additional signage.

- c. Portable signs.

G. C-3 Central Business District:

1. Permitted signs are wall, roof, projecting, and freestanding.
 - a. Wall, roof, and projecting: A total sign area of 3 square feet for each 1 lineal foot of street frontage shall be allowed. When a parcel has multiple frontage, an additional sign area of 1 square foot for each additional 1 lineal foot of street frontage shall be allowed for other street frontages. No more than 3 square feet of sign area for each 1 lineal foot of street frontage shall face any one frontage.
 - b. Freestanding signs. With a maximum permitted sign area and height as set forth below:

Street Frontage	1-100'	101-150'	151-200'	201-300'	300+'
Sign area	32	48	64	80	100
Sign height	18	18	18	18	18

- c. Portable signs.

H. C-4 Planned Commercial District:

1. Permitted signs are wall, roof, projecting, and freestanding.
 - a. Wall, roof, and projecting: A building sign area of 2 square feet for each 1 lineal foot of building frontage or 1 square foot for each 1 lineal foot of street frontages shall be allowed. Allowable sign area is not transferable from one frontage to another.
 - b. Freestanding signs. With a maximum permitted sign area and height as set forth below:

CITY OF SIOUX FALLS SIGN CODE

Street Frontage	1-50'	51-100'	101-150'	151-200'	201-250'	251-300'	300+'
Sign area	32	56	80	104	128	152	176
Sign height	18	19	20	21	22	23	24

* See Section 15.57.040(D)1 for additional signage.

c. Portable signs.

I. I-1 Light Industrial District:

1. Permitted signs are wall, roof, projecting, and freestanding.
 - a. Wall, roof, and projecting: A building sign area of one (1) square foot for each three (3) lineal feet of street frontage shall be allowed. When a parcel has multiple frontage, an additional sign area of one (1) square foot for each additional four (4) lineal feet of street frontage shall be allowed for other street frontages. No more than one (1) square foot of sign area for each three (3) lineal feet of street frontage shall face any one frontage.
 - b. Freestanding signs. With a maximum permitted sign area and height as set forth below:

Street Frontage	1-100'	101-150'	151-200'	201-300'	300+'
Sign area	32	48	64	80	100
Sign height	18	18	18	18	18

Exception: Properties abutting an interstate highway or with street frontage on an arterial street shall be allowed the same signage as the C-2 General Commercial District set out at Section 15.57.030(F) (1)a and b.

c. Portable signs.

J. I-2 General Industrial District:

1. Permitted signs are wall, roof, projecting, and freestanding.
 - a. Wall, roof, and projecting: A building sign area of one (1) square foot for each three (3) lineal feet of street frontage shall be allowed. When a parcel has multiple frontage, an additional sign area of one (1) square foot for each additional four (4) lineal feet of street frontage shall be allowed for other street frontages. No more than one (1) square foot of sign area for each three (3) lineal feet of street frontage shall face any one frontage.

CITY OF SIOUX FALLS SIGN CODE

- b. Freestanding signs. With a maximum permitted sign area and height as set forth below:

Street Frontage	1-100'	101-150'	151-200'	201-300'	300+'
Sign area	32	48	64	80	100
Sign height	20	21	22	23	24

Exception: Properties abutting an interstate highway or with street frontage on an arterial street shall be allowed the same signage as the C-2 General Commercial District set out at Section 15.57.030(F) (1)a and b.

- c. Portable signs.

(Section 15.57.030)

Regulations and Limitations of Permitted Signs

The regulations and limitations of permitted signs shall be as follows:

A. **Wall Signs.** See definition of wall sign, Section 15.03.020.

B. **Projecting Signs.**

1. Projecting signs may project over public property in the C-3 Zoning District or in other “C” or “I” Districts where the building was constructed at the property line. However, no signs shall project over state highway rights-of-way, unless written permission is given by the appropriate state agency.
2. Projecting signs may project no more than 5 feet from the building face.
3. Projecting signs shall have a minimum clearance of 10 feet above grade level above any yard or sidewalk and 16 feet above any road, alley, or drive.

Exception: Projecting signs on the pedestrian mall between 9th and 11th Streets will be allowed a minimum clearance of 8 feet above grade level.

4. Projecting signs may project no more than 5 feet above the top of a parapet or roof.

C. **Roof Signs.** Roof signs shall rise no higher than 5 feet above the top of a parapet or roof.

CITY OF SIOUX FALLS SIGN CODE

D. **Freestanding Signs.**

1. Freestanding signs shall be limited to one per street frontage except that businesses on frontages of 264 feet, or more, may erect two freestanding signs. However, the total sign area of both signs may not exceed that allowed for the street frontage. In addition to the allowable signs in the C-2 and C-4, Commercial Districts, one (1) additional freestanding sign will be allowed for each additional 300 linear feet of street frontage.
2. Businesses which are permitted to and elect to erect more than one freestanding sign shall space the signs no less than 50 feet apart.
3. When a business has two (2) eighty-eight (88) foot frontages and elects to erect only one freestanding sign, the sign area may be increased by 20 percent.
4. Freestanding signs shall be located only in a front or side yard.
5. Freestanding signs shall not be located within the intersection safety zone, Section 15.51.170 herein.
6. Freestanding signs shall not rotate.

- E. **Portable signs.** Except as otherwise provided in this section, portable signs may only be displayed in the S, C, I, and O Districts for sixty (60) permit days per calendar year at any one business location. A separate permit shall be required for each sign.

Permits may be issued for terms of either fifteen (15) or thirty (30) days and permit holders will be charged with the full term of which the permit is issued. Subsequent permits shall not be issued until thirty (30) days have elapsed following the expiration of fifteen (15) day permits and sixty (60) days following a thirty (30) day permit. Permits for two (2) or more portable signs may be issued at a particular business location if the permits are of equal duration and run concurrently.

Portable signs shall be secured against overturning and shall be in compliance with Sections 15.51.170—Intersection Safety Zone, 15.57.070— Illumination, 37-2—Signs Upon, Over Public Ways, and 15.51.171— Driveway Safety Zone.

1. **Inflatable Signs.** High-flying, helium, ground, and roof inflatable signs may be displayed under the following conditions:

CITY OF SIOUX FALLS SIGN CODE

- a. On lots with a street frontage of less than three hundred (300) feet, including corner lots, only one inflatable advertising sign shall be allowed on a property at any given time. Property with three hundred (300) feet or more of street frontage may display a maximum of two inflatable signs at any given time.
 - b. The maximum size of a ground-mounted inflatable will be fifteen (15) feet by thirty (30) feet. The maximum size of a roof-mounted inflatable will be twenty-five (25) feet wide by thirty (30) feet high. The maximum volume of a high-flying inflatable will be five hundred (500) cubic feet.
 - c. Will not interfere with utility lines, antennas, or towers.
 - d. Cabling, tie-downs, or tether lines will not be located on or across public property.
 - e. High-flying inflatables will not be located in any airport approach zone.
 - f. Inflatable sign permits may be issued for terms of three (3) days with a maximum of five (5) permits per calendar year at any one business location.
 - g. Inflatable advertising signs may also be displayed in city parks if authorized by the City Parks Department.
2. Noninflatable Signs. Shall not exceed thirty-two (32) square feet in area.

(Section 15.57.040)

Special Situations

(Reserved.)

***For Overlay District sign regulations, see attachment in back of book.

(Section 15.57.050)

Exemptions

The following signs may be allowed in addition to the signs permitted in 15.57.030. They are exempt insofar as requiring the issuance of a Zoning Permit, but must be in conformance with all other state laws and local ordinances.

CITY OF SIOUX FALLS SIGN CODE

- A. **Automobile Service Stations.** Except in the C-1 District, gasoline dispensing stations may have, in addition to all other signs, one 12 square foot sign on each street frontage. Such signs shall be firmly attached to a structure and shall contain gasoline pricing information only. Also, in addition to all other signs, each gas pump shall be allowed one (1) gas pump topper sign of three (3) square feet maximum and any other automotive fluid dispenser shall be allowed a maximum of three (3) square feet of signage attached to the dispenser.
- B. **Reserved.**
- C. **Integral Signs.** Names of buildings, date of erection, monumental citations, commemorable tablets, and the like, of permanent-type construction and made an integral part of the building structure shall be permitted.
- D. **Menu Signs.** Signs which give menu items and prices for drive-up windows shall be allowed up to 48 square feet per order station in a drive-up lane. Signs in excess of 48 square feet may be permitted; however, the excess area shall be counted against the total sign area allowed on the premises.
- E. **Neighborhood Identification and Campus Identification Signs.**
- Neighborhood Identification Sign—In any zone, a masonry wall, landscaping, and other similar material or feature may be combined to form a permanent display for neighborhood or tract identification. The legend of such sign or display shall consist only of the neighborhood or tract name and shall be approved by the Director of the Planning and Building Services Department.
- Campus Identification Sign—In any nonresidential zone, a masonry wall, landscaping, and other similar material or feature may be combined to form a permanent display for campus identification. The sign design shall be determined to be harmonious and sensitive to surrounding structures and environment, and be approved by the Director of Planning and Building Services Department.
- F. **Permanent Identification Signs.** Churches, schools, day-care centers, institutional, and public uses in residential districts may have a sign not exceeding 32 square feet in area per frontage and 6 feet in height.

CITY OF SIOUX FALLS SIGN CODE

G. Private Traffic Directional Signs. Signs directing traffic movement onto and out of a commercial, industrial, institutional, office, apartment, and manufactured home park uses may have one nine-square-foot sign, six feet in height at each vehicular entrance onto a public way (street or alley). These uses may have two interior traffic directional signs of six square feet and four feet in height. One additional interior traffic directional sign may be added for each 43,560 square feet of lot area up to a maximum of six interior traffic directional signs.

Seventy-five percent of the sign area of each sign shall be used for traffic information.

H. Public Signs. Signs of a noncommercial nature and in the public interest, erected by, or on the order of, a public officer in the performance of his duties shall be permitted.

I. Public Telephone Signs. Public telephone booths may have attached to them signs not exceeding a total area of 6 square feet, provided such signs do not materially obstruct the vision at any street intersection.

J. Single-Family Residential Name and Street Address Signs. Two name or address signs not exceeding one (1) square foot each shall be permitted.

K. Other.

1. **Construction Signs.** Shall not exceed one hundred (100) square feet and twenty (20) feet in height in any C, I, O, or S District. Shall not exceed one hundred (100) square feet and twenty (20) feet in height for churches, schools, day-care centers, institutional uses, public uses, and multiple dwellings of 12 units or more in any R District. Shall not exceed eight (8) square feet for any property with less than twelve (12) dwelling units in any R District. Shall be removed upon completion of the project.

2. **Pennants and Banners.** Pennants are allowed in C, I, O, and S Districts.

Banners shall be displayed under the following conditions:

(a) Banners are allowed in C, I, O, and S Districts and shall not exceed 100 square feet.

CITY OF SIOUX FALLS SIGN CODE

- (b) Banner types allowed include decorative and informational which advertise special events, grand openings, and are not to be used for business identification.
 - (c) Banners shall be placed only on freestanding signs or building walls.
 - (d) Banners shall be maintained in a legible condition and tied securely on all corners or edges, and shall be in compliance with Section 15.51.170—Intersection Safety Zone, 15.57.070—II-illumination, 37-1—Signs Upon, Over Public Ways, and 15.51.171—Driveway Safety Zone.
 - (e) Banners presently in use which do not comply with these ordinance provisions shall be removed within 60 days of the effective date of this ordinance.
3. Political Campaign Signs. Shall not exceed nine (9) square feet in any R or S District and twenty-four (24) square feet in any O, C, or I District. Such signs may be displayed sixty (60) days prior to, and seven (7) days after the election for which they are intended.
 4. Real property for sale, rental, or lease signs. Shall not exceed a total of thirty-two (32) square feet in any C, I, O, RA, or S District. Shall not exceed a total of eight (8) square feet for residential properties with less than twelve (12) dwelling units and shall be removed upon the rental/lease or sale closing of the dwelling unit or units.
Exception: One thirty-two (32) square foot sign per frontage may be allowed in an R District for a development of ten (10) lots or more and in cases of unsubdivided land of at least 1.5 acres.
 5. Churches or schools advertising church- or school related and/or orientated events may have a 24-square-foot, nonilluminated, portable sign and/or a 32-square-foot banner for a period not to exceed 21 days prior to an event and must be removed immediately after the event.
 6. Signs in City Parks. Signs advertising special events within a city park may be located on City Parks property, but shall be approved by the Director of Parks and Recreation. Allowable sign types include nonilluminated banners, nonilluminated portable signs,

CITY OF SIOUX FALLS SIGN CODE

inflatable signs, and traffic directional signs for a period not to exceed three days prior to an event and must be removed immediately after the event.

(Section 15.57.060)

Illumination

Regulations regarding the illumination signs shall be as follows:

- A. **Shading.** The light from any illuminated sign shall be so shielded, shaded, or directed so that the light intensity shall not adversely affect surrounding or facing premises or safe vision of operators of vehicles on public or private roads.
- B. **Electronic Message Signs.**
 - 1. Electronic message sign displays shall be limited to displays which are gradual movements, including, but not limited to, dissolve, fade, scrolling, or traveling. However, sudden movement is prohibited, including, but not limited to, blinking and flashing.
 - 2. All electronic message signs in a residential zoning district shall require a conditional use permit.
 - 3. Any permitted signs may be, or may include as an individual component of the total sign area, electronic message signs.

Electronic messages or graphic displays may be changed at periodic intervals by gradual entry and exit display modes provided that messages and animation shall be displayed at periodic intervals by various modes, such as fade, dissolve, scrolling, or traveling.

(Section 15.57.070)

Prohibited Signs

The following signs are prohibited and shall be removed within the time periods specified:

- A. **Miscellaneous Signs and Posters.** The tacking, pasting, or otherwise affixing of signs of a miscellaneous character, visible from a public way, located on walls of buildings, barns, sheds, trees, poles, posts, fences, or other structures is prohibited and such sign shall be removed upon notice.

CITY OF SIOUX FALLS SIGN CODE

- B. **Painted Wall Signs.** Painted wall signs shall be prohibited except that existing signs may remain provided said signs are maintained. Signs which are not maintained shall be removed or renovated within 60 days upon notice. Painted wall graphics and murals shall be permitted; however, such graphics and/or murals shall not contain any words or graphics advertising a business, product, or service.

Exception: Painted wall graphics and murals on any City-owned building or structure shall not be allowed.

- C. **Parking of Advertising Vehicles Prohibited.** No person shall park any vehicle or trailer on a public right-of-way, or public property, or on private property so as to be visible from a public right-of-way, which has attached thereto or located thereon, any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same premises or any other premise. This is not intended to prohibit any form of vehicular signage such as a sign attached to a bus or lettering on a motor vehicle.
- D. **Nuisance Signs.** Signs which imitate an official traffic sign or signal or which are of a size, location, movement, content, coloring, or manner of illumination which may be confused with or construed as a traffic control device or which hide from view any traffic, street sign, or signal shall be removed upon notice.

(Section 15.57.080)

Nonconforming Signage

Any sign existing on the date of adoption of this ordinance which does not conform with the provisions of this code is eligible for characterization as a “Legal Nonconforming Sign” and is permitted to remain except as specified below.

- A. The sign has been removed, relocated, or destroyed.
- B. The sign has been brought into compliance with this chapter.
- C. The sign is abandoned.

(Section 15.57.090)

Sign Maintenance

Signs shall be maintained in a safe and legible condition at all times, including the replacement of defective or damaged parts, painting, repainting, cleaning, and other services required for maintenance of said signs. Unsafe signs shall be removed or brought into compliance immediately upon written notice. (Section 15.57.100)

Abandoned Signs

Abandoned signs shall be removed or brought into compliance within 90 days of written notice from the Director of Planning and Building Services. (Section 15.57.110)

OFF-PREMISE SIGN ZONING REGULATIONS

Purpose and Intent

Like on-premise signs, off-premise signs use private land and the sight lines created by public right-of-way to inform and persuade the public. In an effort to protect the health, safety, and welfare of the general public, the purpose of this ordinance is to prevent the uncontrolled use of off-premise signs.

To fulfill this purpose, the objectives of these regulations are to preserve the overall landscape quality as well as scenically sensitive areas including parks, nature areas, and historical sites, protect the value of adjacent lands, and promote the safety of those using the public right-of-way. To these ends, this ordinance provides standards for maintenance, size, illumination, and separation. (Section 15.58.010)

General Regulations

Off-premise signs are allowed in the C-2, I-1, and I-2 Districts subject to the following regulations:

- A. Off-premise signs will be allowed a maximum size of 288 square feet except as permitted in Section 15.58.030.

Exception:

In addition to the allowable signage, temporary extensions are allowed; however, they shall not exceed five percent (5%) of the overall sign area.

CITY OF SIOUX FALLS SIGN CODE

- B. No more than one sign face per direction of facing; no more than two parallel sign faces on any one sign structure.
- C. Signs will be allowed a maximum height of 40 feet; and a minimum height of 12 feet.
- D. There will be a minimum setback for the sign face of:
 - C-2—10 feet
 - I-1—25 feet
 - I-2—10 feet

A minimum setback for the sign structure of:

 - C-2—22 feet
 - I-2—22 feet
 - I-1—22 feet
- E. No part of the off-premise sign face or structure will be allowed to exist in or overlap into the required side or rear yard setbacks.
- F. The sign shall not be within a 600-foot radius of any other off-premise sign intended to be read from the same right-of-way; the sign shall not be within a 600-foot radius of any other off-premise sign intended to be read from a different right-of-way; the sign shall be no closer than 600 feet from any existing off-premise sign on an interstate highway.
- G. Off-premise signs shall be maintained in a safe and legible condition at all times, including the replacement of defective or damaged parts, painting, repainting, cleaning, and other services required for maintenance of said signs. Unsafe signs shall be removed immediately or brought into compliance upon written notice.
- H. Abandoned signs shall be removed or brought into compliance within 90 days of written notice from the Director of Planning and Building Services.
- I. The light from any illuminated sign shall be so shielded, shaded, or directed so that the light intensity shall not adversely affect surrounding or facing premises or safe vision of operators of vehicles on public or private roads.
- J. Blinking or flashing lights are prohibited. Electronic message signs are permitted.

(Section 15.58.020)

CITY OF SIOUX FALLS SIGN CODE

Conditional Uses

A conditional use permit in conformance with Chapter 15.59 must be obtained for the following off-premise signs:

- A. Off-premise signs over 288 square feet to a maximum of 672 square feet and signs with more than one sign face per direction of facing in C-2, I-1, and I-2 districts.
- B. Off-premise signs within 600 feet of a park, school, church, viaduct, designated historic site, river greenway, or cemetery, or within any areas designated on the Image Conservation Areas and Gateway map.

(Section 15.58.030)

DEFINITIONS

Abandoned Sign—A sign which no longer correctly directs or exhorts any person, advertises a bona fide business, lessor, owner, products, or activity conducted or product available on the premises where such sign is displayed.

Automotive Fluid Dispenser Sign—Any advertising sign that is attached to an automotive fluid dispenser.

Awning—A roof-like cover that is temporary in nature and that projects from the wall of a building for the purpose of shielding a doorway or window from the elements.

Banner—A temporary sign composed of cloth, canvas, fabric or other lightweight material, secured or mounted so as to allow movement of the sign caused by movement of the atmosphere and intended to advertise special events or grand openings, and not intended to be used for business identification or as permanent advertising.

Billboard—A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.

Business Location—A particular identifiable locality, building, or portion thereof used for a commercial or industrial enterprise, task, mission, or calling.

Canopy—A roof-like structure for the purpose of shielding people or motor vehicles from the elements.

Freestanding Sign (Ground Sign)—A sign supported by one or more uprights, poles, or braces in or upon the ground and not attached to any building.

Gas Pump Topper Signs—A sign enclosed within a rigid frame which is attached to the top of a gas pump.

Lot, Corner—A lot or parcel of land abutting upon two or more streets at their intersection, or upon two parts of the same street forming an interior angle of less than 135 degrees.

Lot, Frontage—The length of the front lot line measured at the street right-of-way line.

Marquee—A permanent roof-like shelter extending from part or all of the building face and constructed of some durable material.

CITY OF SIOUX FALLS SIGN CODE

Mural—A pictorial representation not identifying goods or services offered by a business.

Painted Wall Sign—A sign painted directly on the surface on a building wall.

Pennants—Any geometric-shaped cloth, fabric or other light-weight material normally fastened to a stringer and limited to a maximum sign area one and one-half (1 1/2) square feet which is secured or tethered so as to allow movement of the sign caused by movement of the atmosphere.

Portable Sign—Any sign not permanently attached to the ground or building.

Projecting Sign—A sign other than a wall sign which is attached to and projects from a structure or building face.

Roof Sign—Any sign erected upon, against, or directly above a roof or on top of the parapet of a building.

School Identification/Information Signs—Freestanding signs for the purpose of identifying high schools and post-secondary schools which are exempt from taxation under SDCL 10-4 and with student populations greater than one hundred fifty (150) and which advertise only school events.

Sign—Any object, device, display, or structure, or part thereof, situated outdoors or visible from outdoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design symbols, fixtures, colors, illumination, or projected images. This definition does not include national or state flags or their emblem or insignia, interior window displays, athletic scoreboards, or the official announcements or signs of government.

Sign, Animated—Employing action, motion, or the illusion of motion.

Sign Area—The area of the largest single face of the sign within a perimeter which forms the outside shape including any frame which forms an integral part of the display, but excluding the necessary supports or uprights on which the sign may be placed. If the sign consists of more than one section or module, all areas will be totaled.

Sign, Blinking or Flashing—Sign where the light illumination alternates suddenly between fully illuminated and fully nonilluminated in a time frame less than four seconds.

CITY OF SIOUX FALLS SIGN CODE

Sign Face (Display Surface)—The entire area of sign on which copy could be placed. See (“Sign Area”)

Sign, Electronic Message—Signs containing a computer or digital software-generated message or other automated or remote method of changing copy.

Sign, Illuminated—Any sign characterized by the use of artificial light, either projecting through its surface or reflecting off its surface.

Sign (Off-Premise)—A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.

Sign, Fade or Dissolve—A sign where the transition between static message displays are achieved with varying light intensity, where the first message or image gradually reduces light intensity to the point of not being legible, and the subsequent message or image gradually increases intensity to the point of legibility.

Sign (On-Premise)—A sign which directs attention to a business or profession conducted, or to a commodity or service sold, offered, or manufactured, or to an entertainment offered on the premises where the sign is located.

Sign—Parasitic—A sign affixed to a sign structure which are in addition to signs specifically designed for said sign structure.

Sign, Scrolling or Traveling—A mode of message transition on an electronic message sign where the message appears to move vertically or horizontally across the display surface.

Sign Structure—Any structure which supports, has supported, or is capable of supporting a sign.

Sign, Wall—A sign attached to or erected against a wall of a building and projecting no more than twelve (12) inches with the face in a parallel plane to the plane of the building wall.

Temporary Sign—A banner, pennant, poster, or advertising display constructed of cloth, canvas, plastic, wallboard, or other like materials, and intended to be displayed for a limited period of time.

(Section 15.03.020)

APPENDIX 1
CODE APPLICATION/INTERPRETIVE
BULLETINS

Code Application/Interpretive Bulletin No. Z-57-3

On-Premise Sign Regulations—Subsection 15.57.050

Signs—Special Situation

Private Road or Places are not allowed freestanding signage when the same property also has frontage on a dedicated street.

Director of Planning and Building Services

cc Effective Date: 04-01-93

CITY OF SIOUX FALLS SIGN CODE

Code Application/Interpretive Bulletin No. Z-58-1

Off-Premise Signs

For all sign permits for off-premise signs, we will use the “Big Sioux River Greenway Plan” to determine whether the proposed sign is within 300 feet of the River Greenway.

Director of Planning and Building Services

cc

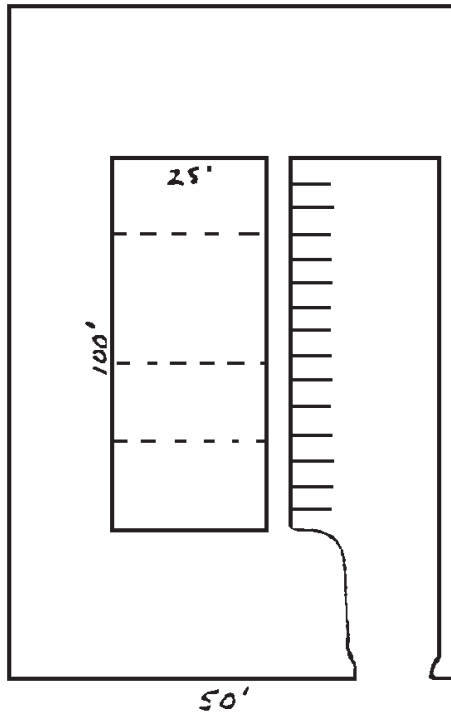
CITY OF SIOUX FALLS SIGN CODE

Code Application/Interpretive Bulletin No. Z-57-4

Permitted Sign Area—Subsection 15.57.030

Building Signs (Strip Malls)

In C-4 Commercial Zoning District, where multiple tenant strip malls have a building depth over 2 1/2 times the building frontage (width), and the lot has only one street frontage, the building signage will be based on the depth rather than the width, of the building.



Zoned C-4

1° X 50' Street Frontage = 50

or

2° X 100' of Building Depth = 200

(Revised 9-24-02 per Steve Metli)

Director of Planning and Building Services

Effective Date: 11-24-95

CITY OF SIOUX FALLS SIGN CODE

Code Application/Interpretive Bulletin No. Z-57-5

Roof Signs—Section 15.57.040(c)

The roof line is to include the top of penthouse when figuring roof signs.

Director of Planning and Building Services

c 08-15-96

CITY OF SIOUX FALLS SIGN CODE

Code Application/Interpretive Bulletin No. Z-57-6

Portable Signs

A business location is not allowed to use another business location's allotted time. A nonprofit or charitable organization will not be required to utilize a business location's time, however, a permit will be required.

Director of Planning and Building Services

Effective date: 01-14-97

Amended: 04-14-03

CITY OF SIOUX FALLS SIGN CODE

Code Application/Interpretive Bulletin No. Z-57-8

Banners and Pennants 15.57.050(k)(2)

Banners Locations: Banners are allowed to be placed only on a building wall or an existing free standing sign and must be tied securely on all corners or edges. For the purposes of this section, signs on a building wall are required to be placed flat against a building wall, and may not project from a building wall. Banners may not be tied between columns either under an awning or a canopy. Banners located on free standing signs must be supported solely by the freestanding sign structure. Use of other supports such as a tree, post, fence, etc., are not permitted.

Director of Planning and Building Services

c Effective date: 09-09-99

CITY OF SIOUX FALLS SIGN CODE

Code Application/Interpretive Bulletin No. Z-57-8/58-2

On-premise/Off-premise sign regulations

Rotating tri-panel signs - Rotating, tri-panel signs are determined to be allowed in Sioux Falls, either on-premise (wall, ground, roof, projecting or portable signs) or off-premise signs (billboards). Section 15.57.040(D)(8) says signs shall not rotate. It is determined that the panels can rotate, but the sign can may not rotate. As per Policy Directive Z-32-1, on-premise and off-premise signs can not be combined on one sign structure. Section 15.57.070 Electronic Message Signs shall not apply to rotating tri-panel signs since signs are not using a light bank for the message. Section 15.58.020 (J) will not apply to rotating tri-panel signs since the message is not “using illumination to depict something with motion.”

Director of Planning and Building Services

c Effective 10-14-99

CITY OF SIOUX FALLS SIGN CODE

Code Application/Interpretive Bulletin No. Z-57-9

Signs Located on Corner Lots 15.57.040(d)

The sign ordinance allows a minimum of one freestanding sign on each street frontage of a corner lot. A portion of a freestanding sign may cross over the assumed vertical plane that bisects the angle of the corner, however, the sign area will be counted towards the street frontage where the majority of the sign is located.

Director of Planning and Building Services

c Effective 04-01-02

CITY OF SIOUX FALLS SIGN CODE

Code Application/Interpretive Bulletin No. Z-57-10

Determination of What Constitutes a Viaduct

The off-premise signs section of the Zoning Ordinance requires a conditional use permit for off-premise signs located within 300 feet of a viaduct. It is the interpretation of this office that a viaduct is referring to the 10th and 11th Street viaducts downtown.

Director of Planning and Building Services

c Effective 06-06-02

CITY OF SIOUX FALLS SIGN CODE

Code Application/Interpretive Bulletin No. Z-57-13

Painted Wall Signs

Signage painted on the outside of a window will not be considered a painted wall sign.

Director of Planning and Building Services

Effective date: 04-14-03

CITY OF SIOUX FALLS SIGN CODE

Code Application/Interpretive Bulletin No. Z-03-4

Drive-In Menu Boards

A drive-up service window/device, which is defined in the code, does not include drive-in restaurants where the patrons remain seated in their vehicles parked to receive services.

Director of Planning and Building Services

Effective date: 03-08-06

CITY OF SIOUX FALLS SIGN CODE

Code Application/Interpretive Bulletin No. Z-57-14

Signage Allowed During Road Construction

Businesses whose freestanding sign is removed due to public improvement projects by a government agency may use the sign faces from the removed freestanding sign during the time in which the public improvements are being made. The sign faces must be removed upon the completion of the public improvement.

Sign faces used during this period are exempt from obtaining a portable sign permit, but must be secured against overturning and not be placed in violation of the intersection or driveway safety zone requirements of this ordinance.

Director of Planning and Building Services

APPENDIX 2

FIGURES

Intersection Safety Zone

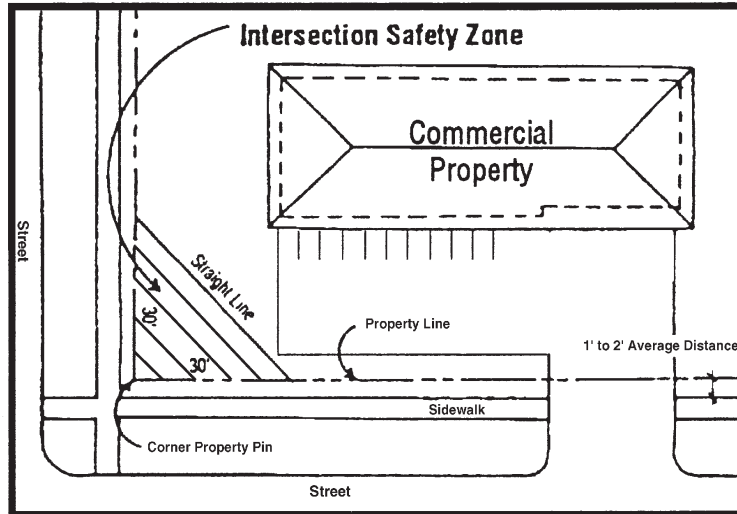


Figure 1

Driveway Safety Zone

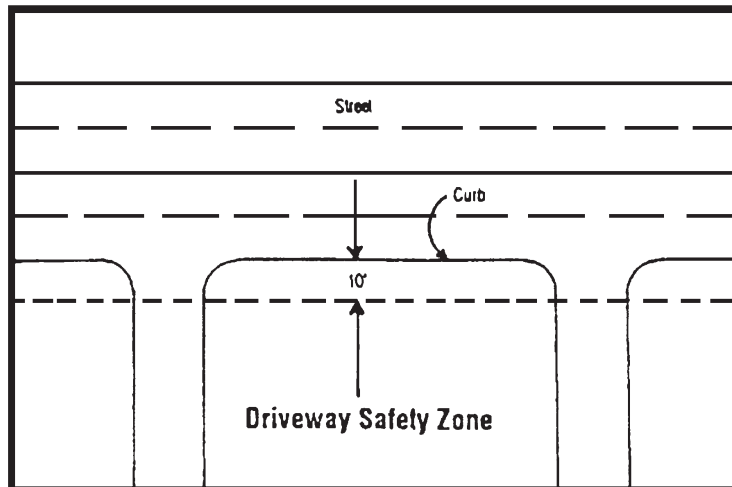


Figure 2