

CHAPTER 10 SIGN REGULATIONS

10-10: SIGN REGULATIONS

10-10-1: PURPOSE.

Consistent with the standards set forth in section 10-1 of this Title, the intent of the standards set forth in this chapter are as follows:

- A. To facilitate the design of signs that attract and invite rather than demand the public's attention, and to curb the proliferation of signs.
- B. To facilitate the use of signs that enhance the visual environment of the City.
- C. To promote the enhancement of business and residential properties and neighborhoods by fostering the erection of signs complementary to the buildings and uses to which they relate and which are harmonious with their surroundings.
- D. To conform to current sign code standards and requirements established by the United States Constitution and the Supreme Court.
- E. To protect the public interest and safety.

10-10-2: APPLICABILITY.

The terms and conditions of this chapter shall apply to signs located within the corporate boundaries of the City of Twin Falls.

10-10-3: GENERAL PROVISIONS.

- A. General Requirements.
 1. Compliance with Zoning Ordinance, Building Code, National Electrical Code, and Other Ordinances: All sign structures shall comply with the City's zoning ordinance (this title), the building code, the national electrical code, and other City ordinances, as they currently exist or may be amended. The sign permit application must include a statement signed by the applicant that states compliance with these requirements.

If the standards as described herein are more restrictive, then the provisions herein shall apply.

2. Interpretation and Administration: The Administrator shall be responsible for interpreting and administering this chapter.
3. Contractor Required for Installation: No person shall install, erect, or maintain any sign that requires a building permit, for electrical or structure, unless such person is a registered contractor as required by the State of Idaho. Such persons shall provide a contractor registration number to the City prior to issuance of a sign permit.
4. Sight Triangle Protection: Signs shall not be placed within visibility triangles per City Code 9-9-16 (or as amended). Additionally, signs located within 8 feet of the curb or future curb line shall not have any elements located between 3.5 and 8 feet above the elevation of existing or future top of curb, as determined by the City Engineer.
5. Signs Projecting into Public Right-of-Way: No sign shall project beyond the property line, unless otherwise allowed herein. No sign foundations shall encroach into public right of way. No sign shall project closer than 2 feet to a vertical line projected from the face of a curb, or if no curb exists, the face of the future curb as determined by the City Engineer based on the master street plan. The owner of a sign projecting over a public way shall relocate the sign immediately upon written notification by the City, at the owner's expense.

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6. Accumulation of Water: All signs shall be constructed so as to prevent the accumulation of water within the sign.
 7. Multiple Signs on a Property or Building: The permitting of a sign on a property or building shall not preclude the permitting of other types of signs on a property or building, unless the signs are expressly prohibited herein, or the total amount of sign allowance as regulated by this chapter has been exceeded.
 8. Structural Support: Signs that project from the face of a building, and that require structural support, shall be designed such that the structural support is integral to the overall architecture of the sign and building.
 9. Addresses: Each building shall display an address number which is 4 inches in height with a minimum stroke width of 0.5 inch and plainly visible from the street. Address numbers shall be allowed in addition to the signs allowed herein. The address number displayed shall correspond to the address issued by the City. Address numbers shall contrast with their background and shall be in numerals or alphabet letters. These standards are intended to be minimum requirements. The fire chief, or his designee, may require a building to exceed these requirements if it is determined an address number meeting these minimum standards cannot be safely identified from the street.
 10. Nonconforming Uses: New signs on a nonconforming use may be allowed providing they meet the sign regulations of the zoning district where the non-conforming use is located.
 11. If any sign is determined to present an immediate danger to public health, safety, or welfare, the City may remove it immediately. Within ten days of the removal of the sign, the City shall make every effort to notify the owner of the sign and/or the owner of the property on which the sign was located, of the reasons for removal of the sign.
- B. Permits Required
1. Permit Required: No sign, other than those exceptions listed in section 10-10-5 of this chapter, shall be erected, placed, attached, altered, displayed, or secured to the ground, any building, or any structure, until a permit for such sign has been issued by the City.

An application for a sign permit may be obtained from the City. A permit will be issued if a proposed sign conforms to all City ordinances. Upon request by the City, a site plan shall be provided showing the location of all signs on the property and/or adjacent properties. Incorrect information shall be grounds for revocation of a permit.

 - a. Standard Sign Permit Review Time: The City shall act on an application for a sign permit within 15 business days of the City's receipt of the application. The City's action may include approval, approval with conditions, denial, or a request for additional information.
 2. Permit Expiration: If the work authorized by a permit issued under this chapter has not been commenced within 180 days after the date of issuance, the permit shall become null and void.

3. Fees: A sign permit fee, as established by resolution of the City council, shall be paid upon application of a sign permit.

C. Illumination Standards

1. Illuminated Signs: The light from an allowed illuminated sign shall be arranged, directed and of such intensity that it does not create a nuisance on adjacent property, create a hazard to motor vehicles, or disrupt official traffic control devices.
2. Lighting Elements: All lighting elements of exterior signs shall be a minimum of 9 feet above the ground unless adequately protected to prevent injury if broken.
3. Time Limitation: Illuminated signs within Residential, CMT and PRO Zoning Districts shall be turned off between the hours of 10:00 PM and 6:00 AM.

D. Placement and Clearance Standards:

1. Unless otherwise allowed herein, no person shall post, attach, or maintain any sign upon or within the following locations or scenarios:
 - a. Any City owned property, without the written permission of the City Manager, or their designee;
 - b. Any utility easement. Should a property owner be able to demonstrate there is no other viable location for a sign other than a utility easement, a sign may be located within the utility easement subject to written approval from the applicable easement beneficiaries and subject to the providing of a letter to the City releasing the City of any liability for repair or

replacement of a sign damaged by work occurring within the utility easement;

- c. Any tree, light pole, or any utility pole or structure;
 - d. Any fence, railing or wall, unless otherwise specified herein;
 - e. Any sidewalk within the right-of-way or a sidewalk easement, curb, gutter, or street, except for house numbers or fire lane designation;
 - f. Any fire escape, or to the supporting members of any fire escape, nor shall it be guyed to or supported by any part of the fire escape;
 - g. Within 2 feet of any utility line or any streetlight;
 - h. No sign shall be so erected as to block, partially block, or interfere in any way with a required entrance/exit from any building, nor with any window.; or
 - i. No sign shall block, interfere, or otherwise hinder pedestrian or vehicular traffic on a public sidewalk, a public thoroughfare, a fire lane easement, or a driveway required to access parking.
2. Maximum Projection
 - a. An attached sign that is oriented perpendicularly to the building façade may extend no more than 4 feet and shall not project closer than 2 feet to the face of the curb.
 - b. Signs that project from the façade of the building shall be a minimum of 9 feet above the grade of the sidewalk.

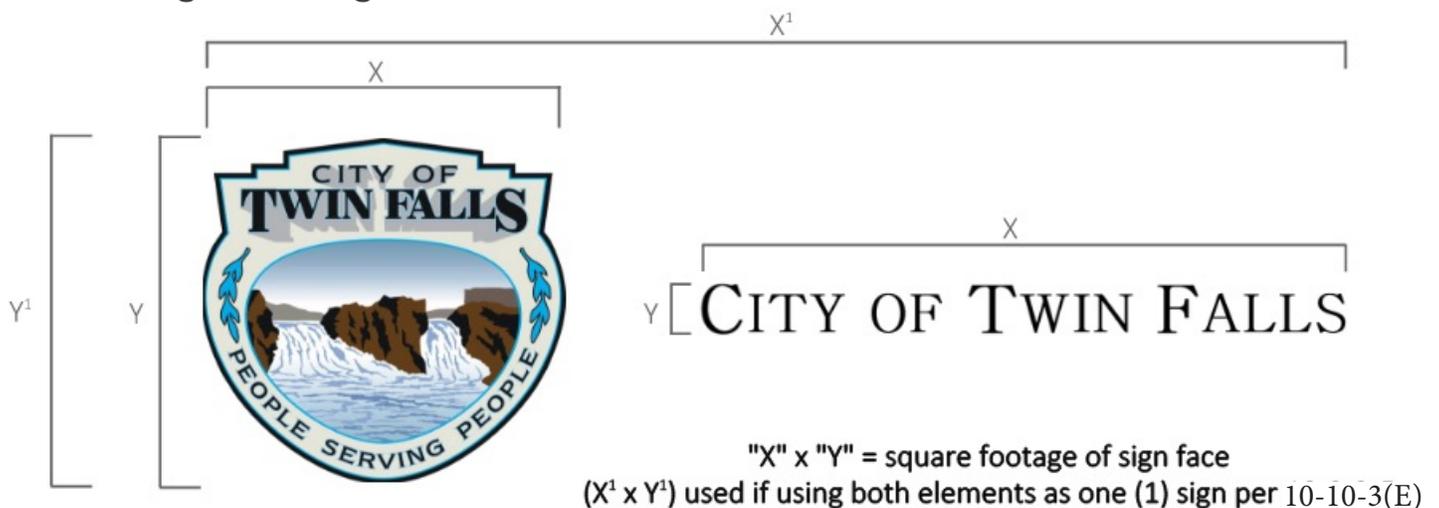
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E. Measurement Determinations

1. Sign Face Area

- a. The sign face area of a sign shall be measured as the area enclosed by straight lines drawn to the extremities of the letters, numbers, recognizable symbols, trademarks, or brands. (See Figure 10.1 Sign Measurements)
- b. Special Situations:
 - i. Where a sign is composed of letters, pictures, symbols, or logos attached directly to a facade, window, door or marquee, and the letters, pictures, symbols, or logos are not enclosed by a border or trimming, the sign face area shall be the area within the smallest square or rectangle, the sides of which touch the extreme points of any letters, pictures, symbols, or logos.
 - ii. Where two sign face areas are placed back-to-back on a single sign structure, and the faces are at no point more than 4 feet apart, the area of the sign shall be counted as the area of one of the faces.
 - iii. Where four sign face areas are arranged in a square, rectangle or diamond, the area of the sign shall be the area of the two largest faces. Where a sign is in the form of a three-dimensional object, the area shall be determined by drawing a square or rectangle, the sides of which touch the extreme point or edges of the projected image of the sign and multiplying that area by 2. The "projected image" is that image created by tracing the largest possible two-dimensional outline of the sign. See Figure 10.1 below.

Figure 10.1 Sign Measurement



2. Number of Signs
 - a. In general, the number of signs shall be the number of noncontiguous sign face areas. Multiple noncontiguous sign face areas may be counted as a single sign if all the sign faces are included in the geometric figure used for determining the sign face area as described in Section 10-10-3 (E) above.
 - b. Special Situations
 - i. Where two sign face areas are placed back-to-back and are a part of the same sign structure that is no wider/deeper than 3 feet, it shall be counted as one sign.
 - ii. If a sign has four sign face areas arranged in a square, rectangle, or diamond, it shall be counted as two signs.
3. Sign Height
 - a. The height of all signs shall be measured from the top of the curb, or future curb adjacent to the sign location, up to the highest point of the top edge of the sign.
 - b. The vertical support structures of signs shall be included in the measurement of the height of the sign.

coordination plan shall be submitted to the planning and zoning department.

- B. A sign coordination plan shall contain the following information:
 1. Elevations of the signs illustrating the materials of construction, colors, lighting, font of letters, and dimensions of the signs. If the sign is to be attached to a building, the elevation shall be a composite of the sign and the building.
 2. Elevations depicting the size of the signs in relation to the size of the buildings within the development.
 3. A plan drawn to preliminary plat or site plan specifications of the site illustrating the location of existing and proposed signs on the property and, if required by City staff, on adjacent properties.
 4. Other information to illustrate the consistency and uniformity of the signs.
 5. For multi-tenant signs, the sign coordination plan shall identify a multi-tenant zone. Only those properties and businesses included within the multi-tenant zone shall be included on the multi-tenant signs erected within the multi-tenant zone.
- C. For nonresidential and multi-dwelling developments, the sign coordination plan shall be submitted to the City for review with a site plan of the property. For single-dwelling and two-dwelling developments, the sign coordination plan shall be submitted to the City for review with a preliminary, or final plat, of the property.
- D. Sign Coordination Plans are considered an administrative decision and shall follow the process for administrative decisions outlined within this Title.

10-10-4: SIGN COORDINATION PLAN.

- A. A sign coordination plan is required prior to the permitting of some signs specified within this chapter to determine overall sign locations on a property, the relationship of the signs to surrounding existing, proposed, and future improvements, and to determine consistency and uniformity among buildings and signs within a multi-tenant zone or residential development. The sign

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10-10-5: EXEMPT SIGNS - NO PERMIT REQUIRED.

- A. The following signs are exempt from the permitting requirements of this chapter provided they still meet all other applicable Code requirements, and provided further they are not placed or constructed to create an immediate threat to the health, safety, or welfare of the general public:
1. Address numbering for properties or buildings provided they meet Fire and building codes.
 2. Signs required by any local, state, or federal law or regulation; when less than 3 square feet.
 3. Holiday lights and decorations.
 4. Signs authorized by statute, or ordinance, when erected on public property by governmental agencies that have jurisdiction.
 5. Legal notices or official instruments required by law.
 6. Signs incorporated into machinery, material, or equipment by a manufacturer.
 7. Signs carried by a person not exceeding six square feet.
 8. Temporary signs as permitted by this Chapter.
 9. Any form that displays the Standards or Colors for a country, state, county, city, other political subdivision, military or religious entity.
 10. Signs Inside Buildings: Signs inside buildings that are not visible from the public right-of-way.
 11. Traffic Control Signs: Traffic control signs conforming to the "Manual of Uniform Traffic Control Devices" that are installed or approved by the City, or other governmental entities with jurisdiction of the right-of-way.

10-10-6: PROHIBITED SIGNS

- A. The following signs are expressly prohibited:
1. Off-Premises Signs, unless otherwise permitted by this chapter.
 2. Obscene Signs: An obscene sign is a sign that contains offensive language, is hate based, is discriminatory or on which the dominant theme of material taken as a whole appeals to a prurient interest in sex, or is patently offensive because it affronts community standards relating to the description or representation of sexual matters, and is utterly without redeeming social value.
 3. Merchandise Displays: No person shall suspend or place, items from any building, or pole, structure, sidewalk, parkway, driveway, parking area, or fuel pump island any goods, wares, merchandise or other advertising object or structure for the purpose of advertising such items, other than a sign as defined, regulated and prescribed by this chapter. This prohibition does not apply to the outside display or storage of merchandise as allowed in this title.
 4. Mobile Signs: A sign on a vehicle/ trailer with wheels, displaying on or off premises messages cannot be used for the sole purpose of advertising. It is the responsibility of the property owners to provide proof that the vehicle has a legitimate business purpose other than acting as a sign.
 5. Any sign constructed without a permit, unless otherwise exempted.

6. Any sign erected in, or over public right of way, or other public property, unless otherwise allowed within this chapter.
 - a. Exceptions are made for public purposes with permission of the City, or other public agency having jurisdiction of the right-of-way.
7. Any lighted sign erected or displayed within 150 feet of a residentially zoned property, unless the lighting is shielded from view of the residential property and indirect light does not exceed 0.5 lumen measured from any property line of the residential property, unless allowed within this chapter; and
8. Other Prohibited Sign Features:
 - a. Signs that move and/or are animated by means of flashing, traveling or blinking lights, or other means not providing constant illumination, unless specifically allowed within this chapter;
 - b. Appendages to primary signs that have flashing, blinking, or traveling lights;
 - c. Any sign that emits audible sound, odor, smoke or other visible matter/substance;
 - d. Any sign located on a property where the contents of that sign do not pertain to a person, activity, idea, business, or product being sold, promoted, or expressed on the premises where the sign is located, unless specifically allowed within this chapter;
9. Any sign advertising illegal activity, or advertising an establishment that sells a controlled substance or drug paraphernalia as defined in Idaho Code § 37-2701.
10. Any other sign not referenced within, or governed by this chapter, is considered prohibited, unless otherwise determined through the Administrative Determination process.

10-10-7: PERMANENT SIGNS.

- A. General Provisions.
 1. Free standing signs in residential zones shall be built in the monument style. Monument style signs shall be solid from ground to top of the sign.
- B. Permanent Sign Classifications and Types
 1. The following permanent sign classifications are adopted by the City of Twin Falls to regulate signage within the jurisdiction of the city limits.
 - a. Permanent Commercial - a sign classification that is constructed or used for 180 days or more, and utilizes any writing, graphic or pictorial presentation, number, illustration, or decoration, which promotes, advertises, or attracts attention to any type of commerce or non-ideological message.
 - b. Permanent Non-Commercial - a sign classification that is constructed or used for 180 days or more, and utilizes any writing, graphic or pictorial presentation, number, illustration, or decoration, which promotes an ideal, belief, or other thought.

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2. The following types of signs are allowed as designated in this section.
 - a. Attached, i.e., a “building sign” or a sign that is attached to a structure that is occupiable or useable.
 - b. Free Standing, i.e., a “ground sign” that is independent of another structure.

C. Permanent Sign Allowances.

TABLE: PERMANENT SIGN DIMENSION ALLOWANCE				
	Permanent Commercial		Permanent Non-Commercial	
	Free Standing	Attached	Free Standing	Attached
Residential Districts: RR, TN1, TN2, TN3				
Total SF	Permanent Commercial Signage is not allowed in any Residential District		60 SF	60 SF
Max Individual Sign SF			40 SF	40 SF
Max Height			8 FT	Footnote 1
Front Setback			10 FT	N/A
Natural Zones: AG, OS				
Total SF	60 SF	60 SF	60 SF	60 SF
Max Individual Sign SF	45 SF	45 SF	45 SF	45 SF
Max Height	8 FT	Footnote 1	8 FT	Footnote 1
Front Setback	10 FT	N/A	10 FT	N/A
Mixed Use Districts: MU, CMT, PRO				
Total SF	60 SF	60 SF	60 SF	60 SF
Max Individual Sign SF	60 SF	60 SF	60 SF	60 SF
Max Height	8 Ft	Footnote 1	8 FT	Footnote 1
Front Setback	10 FT	N/A	10 FT	N/A
Commercial Districts: COM, CC				
Total SF	Footnote 3	Footnote 4 & 5	Footnote 3	Footnote 4 & 5
Max Individual Sign SF	Footnote 2 & 3	Footnote 4 & 5	Footnote 2 & 3	Footnote 4 & 5
Max Height	35 FT	Footnote 1	35 FT	Footnote 1
Front Setback	10 FT	N/A	10 FT	N/A
<ol style="list-style-type: none"> 1. Attached Signs may protrude above the roofline, cornice line, parapet, or the highest point of a façade a distance equal to 10% of the height of the building façade they are installed. 2. See Additional Freestanding regulations in 10-10-10 3. 1 SF per linear-foot of street frontage, not to exceed 350 SF. 4. 10% of the building façade not to exceed 350 SF. 5. Multi-occupant Building: 10% of the lease space/unit building façade, not to exceed Total SF. 6. 1 SF per linear-foot of street frontage, not to exceed 500 SF. 7. 10% of the building façade not to exceed 500 SF. 				

TABLE: PERMANENT SIGN DIMENSION ALLOWANCE

	Permanent Commercial		Permanent Non-Commercial	
	Free Standing	Attached	Free Standing	Attached
Industrial Districts: IND 1 & 2, Airport				
Total SF	Footnote 6	Footnote 7	Footnote 6	Footnote 7
Max Individual Sign SF	Footnote 2&6	N/A	Footnote 2&6	N/A
Max Height	35 FT	Footnote 1	35 FT	Footnote 1
Front Setback	10 FT	N/A	10 FT	N/A
<ol style="list-style-type: none"> 1. Attached Signs may protrude above the roofline, cornice line, parapet, or the highest point of a façade a distance equal to 10% of the height of the building façade they are installed. 2. See Additional Freestanding regulations in 10-10-10 3. 1 SF per linear-foot of street frontage, not to exceed 350 SF. 4. 10% of the building façade not to exceed 350 SF. 5. Multi-occupant Building: 10% of the lease space/unit building façade, not to exceed Total SF. 6. 1 SF per linear-foot of street frontage, not to exceed 500 SF. 7. 10% of the building façade not to exceed 500 SF. 				

10-10-8: TEMPORARY SIGNS.

A. General Provisions

1. Temporary signs may not require a permit from the City, if they satisfy the restrictions imposed by this section and other relevant parts of this Code. If a permit is required, a fee, adopted by the City Council, shall be applied to the permit.
2. Illumination. Temporary signs shall not be internally or externally illuminated.
3. Location.
 - a. No temporary sign shall be placed within, extend into, or project over any public right-of-way.
 - i. Temporary signs may be displayed on a closed public right of way if in conjunction with an event which has been vetted and approved through the Special Event approval process.

- ii. Temporary signs may be displayed on the adjacent sidewalk of a “festival street” as designated by the City Council with the following requirements:
 - A. Maximum size of 9 square feet
 - B. Maximum height of 4 feet
- b. A property owner may grant another entity permission to place one off premise temporary sign on the property owners’ grounds. The total amount of signage shall not exceed the limits allowed in the zoning district of the property where the temporary sign is placed.
- c. No portion of a temporary sign shall be placed, extend into, or otherwise obstruct the sight triangle of intersections or driveways as defined in 9-9-16 of City Code, or as amended.

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4. Maintenance: Temporary signs shall be kept neat, clean and in good repair. Signs that are abandoned, neglected, or dilapidated as defined in 10-10-14 of this Title shall be immediately repaired or removed.
5. Placement:
 - a. Temporary signs shall not be attached to public property; examples include but are not limited to benches, street light poles, and trees.
 - b. Temporary signs shall not obstruct or obscure permanent signs on adjacent premises as viewed from the public way.
 - c. Temporary signs shall not be attached to a fence or other signs.
 - d. Temporary signs shall have a minimum of 1 foot spacing between each sign. As measured from the outermost extent of the material displaying the sign.
- B. Temporary Sign Definition. A banner, pennant, poster or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, metal, or other like materials, and that appears to be intended, or is determined by the administrator to be displayed for a limited period of time (rather than permanently attached to the ground or a structure).

Examples include but are not limited to the following depictions:



TABLE: TEMPORARY SIGN DIMENSION ALLOWANCE

	Free Standing	Attached
Residential Districts: RR, TN1, TN2, TN3		
Total SF	32 SF (see Footnote 2 & 3)	
Max Individual Sign SF	32 SF	32 SF
Max Height	10 FT	Footnote 1
Front Setback	N/A	N/A
Natural Zones: AG, OS		
Total SF	48 SF (see Footnote 2 & 3)	
Max Individual Sign SF	32 SF	32 SF
Max Height	10 FT	Footnote 1
Front Setback	N/A	N/A
Mixed Use Districts: MU, CMT		
Total SF	32 SF (see Footnote 2 & 3)	
Max Individual Sign SF	32 SF	32 SF
Max Height	10 FT	Footnote 1
Front Setback	N/A	N/A
Commercial Districts: Com, CC		
Total SF	1 SF per linear foot of Public Street Frontage, or Primary entrance building façade, up to 100 SF (see Footnote 2 & 3)	
Max Individual Sign SF	100 SF	100 SF
Max Height	15 FT	Footnote 1
Front Setback	N/A	N/A
Industrial Districts: IND 1 & 2, Airport		
Total SF	1 SF per linear Foot of Public Street Frontage, or Primary entrance building façade, up to 150 SF. (see Footnote 2 & 3)	
Max Individual Sign SF	100 SF	100 SF
Max Height	15 FT	Footnote 1
Front Setback	N/A	N/A

1. In no case shall a sign protrude above the roofline, cornice line, parapet, or the highest point of the building wall/façade upon which the sign is installed, whichever is lower.
2. Any 2 adjoining properties may combine the total allowable square footage, and maximum individual sign size, thereby doubling the total for each category. Placement of these signs shall be on the property line of the adjoining properties.
3. Platted undeveloped lots may have a total of 80 square feet, no single sign to exceed 32 square feet.

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10-10-9: DIGITAL AND ELECTRONIC SIGNS.

- A. Definition: A "Digital sign" is a sign containing a display that can be changed by electrical, electronic and/or a computerized process that provides general public service information such as but not limited to time, date, temperature, weather, or messages of interest to the public. A digital sign may also provide commercial messages relating to the use of the property on which the sign is located.
- B. Digital Signs Permissible: Digital signs are permissible subject to the following conditions:
1. Time: A sign permit shall not be issued to erect or place a digital sign on a property until a site plan and/or final plat has been approved by the City for development of the property and after issuance of a building permit for a building on the property.
 2. Place:
 - a. Digital signs are only allowed in conjunction with another allowed attached or freestanding signs and will be included in the total square feet allowed for one sign and overall signage.
 - b. Digital signs are allowed only in conjunction with a nonresidential use.
 - c. Digital signs shall not project into the right of way.
 3. The Administrator, or designee, must make all of the following findings in permitting such a sign:
 - a. The location and placement of the sign will not endanger motorists or pedestrians and does not cause undue distraction to traffic on the adjacent street or impede views at street or railroad intersections.
 - b. The sign will not cover or blanket any prominent view of a structure or facade of historical or architectural significance.
 - c. The sign will not obstruct views of users of adjacent buildings to side yards, front yards or to open space.
 - d. The sign will not distract, intrude upon or negatively impact the visual quality of a public open space such as a public recreation facility, square, plaza, courtyard and the like.
 - e. The sign is compatible with building heights of the existing neighborhood and does not impose a foreign or inharmonious element to an existing skyline.
 - f. The sign's lighting will not cause hazardous or unsafe driving conditions for motorists and will not glare, reflect or spill onto adjacent business or residential areas.
 4. Manner:
 - a. The maximum area of a digital sign is 50 square feet of the total square footage of the sign in which it is located. If however, the property where the digital sign is to be located, has a single, contiguous street frontage equal to or greater than 400 linear feet, total square footage shall not exceed 80 square feet.
 - b. The lighting on digital signs shall not exceed the following light measurements, as made using a one degree photographic exposure meter (spot meter) and measured 100 feet from the sign at a position 5.5 feet above ground level perpendicular from the face of the sign

- i. Daylight: The average exposure value (EV) shall not exceed 14 EV during the sign's normal running cycle, and shall never peak higher than 15 EV.
- ii. Night: The average exposure value (EV) shall not exceed 12 EV during the sign's normal running cycle, and shall never peak higher than 13.5 EV.
- c. Flashing (the same copy flashing on and off repeatedly) is prohibited.
- d. Word messages shall not have a change frequency less than one second per frame.
- e. Animated graphics allowed so long as they are not used in conjunction with on/off flashing.
- f. Sequential message or message sequencing, meaning messages shown over a series of images or visuals, is prohibited.

10-10-10: ADDITIONAL PERMANENT FREESTANDING SIGN REGULATIONS

- A. Definition: A "freestanding sign" is a sign that is erected on its own vertical framework consisting of one or more uprights support elements.
- B. Time: A permit shall not be issued to erect or place a freestanding sign on a property until a site plan and/or final plat has been approved by the City for development of the property.
- C. Place:
 - 1. Each property is allowed at least one free standing sign.
 - 2. Distance between Freestanding Signs:
 - a. All freestanding signs shall be a minimum of 100 feet from any other freestanding sign on the same property.
 - b. Directional Signs (10-10-10-D.2 & 3) are excluded from this distance requirement.
 - 3. When a property does not have street frontage, the Administrator shall determine a street frontage equivalent based on the circumstances of the project including but not limited: to private access/driveways, orientation of the building, and primary building entrance location.
- D. Manner:
 - 1. Vertical Support Structure: Any freestanding sign exceeding 6 feet in height shall provide a minimum 24 inch wide vertical support structure. The minimum width may be calculated as a total of multiple support structures. However, no single support structure shall be fewer than 12 inches in width.

Unique or innovative sign designs not meeting the Vertical Support Structure, may be reviewed and approved by the Planning & Zoning Commission as a consideration item.
 - 2. Freestanding signs which direct traffic internally (internal directional signage), are allowed within the development and must meet all of the following criteria:
 - a. Signs shall not exceed 5 square feet.
 - b. Shall not exceed 10 feet in height.
 - c. Shall not be intended to be viewed from public right-of-way.

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- d. If no emblem, brand, or commercially identifiable design is on the sign it shall not count towards the total square footage of a property's allowed signage.
3. Freestanding signs that direct traffic from the public right-of-way must meet all of the following criteria:
 - a. Signs shall not exceed 3 square feet
 - b. Shall not exceed 3 feet in height, measured from the nearest top of curb in the right of way.
 - c. Shall be counted towards the total square footage of a property's allowed signage.
 - d. Shall not be counted towards number of freestanding signs on the property.
 - e. Shall be a minimum of 7 feet from face of curb or 2 feet from back of side walk, whichever is greater, but in no case can any portion be located in the right-of-way.
- E. Freestanding Signs In Multi-Tenant Developments (multi-tenant signage). Multi-Tenant Signs are intended to have a limited scope and areas where permanent off-site signage is permitted. The following standards applicants seeking to utilize this multi-tenant sign provision:
 1. Time: A sign permit shall not be issued to erect or place a multi-tenant sign on a property or development until a sign coordination plan, as defined in section 10-10-4 of this chapter, has been approved.
 2. Place:
 - a. Multi-tenant signs are allowed only in nonresidential zoning districts within multi-tenant development consisting of multiple businesses/tenants with the same subdivision name or multiple properties which were depicted on the same preliminary plat or site plan;
 - b. All other freestanding signage requirements apply
 3. Manner:
 - a. Prior to City consideration of a multi-tenant zone, all property owners located within a proposed multi-tenant zone must submit notarized letters to the City authorizing the creation of the multi-tenant zone. Properties shall only be included in one multi-tenant zone.
 - b. All other freestanding signage requirements apply

10-10-11: ADDITIONAL PERMANENT ATTACHED SIGN REGULATIONS

- A. Properties within the Central City Zoning district may be allowed to construct Attached Signs over the right of way with the approval of the authority having jurisdiction.
 - a. City of Twin Falls right of way approvals will follow the encroachment agreement process.

10-10-12: REMOVAL/IMPOUNDMENT OF PROHIBITED SIGNS

- A. All signs listed in section 10-10-6 of this chapter, and any other prohibited or noncompliant signs, shall be considered a public nuisance and are prohibited by this chapter.
- B. If a sign is placed within the public right of way or on City owned property in violation of this chapter, the sign may be immediately removed and impounded by order of the Administrator.
- C. Upon identification of any prohibited sign, the City shall provide written notification of the violation to the owner of the property where the prohibited sign is located and the permittee of the sign.
 - 1. The notification shall clearly identify the prohibited sign, and list any actions required to remedy the offense within a specific time period prescribed by the City.
 - 2. The notification shall further state if the prohibited sign is not removed within a specific time frame (not to exceed 30 days) a citation may be issued and the City may resort to any civil remedy available up to and including impoundment.
- D. Signs authorized by a sign permit with an expiration date shall be removed promptly upon the date of expiration. Signs remaining after the date of expiration shall be deemed prohibited. The sign permit listing the expiration date shall be considered adequate notice of violation.
- E. It shall be unlawful for any person, firm or corporation receiving such written notice or having an expired permit to fail to comply with the direction of the notice. In the event failure to comply with such notice provided under subsection (C) of this section, the City is hereby authorized to cause the removal and impoundment of such sign. Any expenses incident thereto shall be the responsibility of the owner, agent or person

having beneficial use of the land, building or structure upon which such sign was located.

10-10-13: INSPECTION

- A. The City of Twin Falls reserves the right to perform inspections of all signs regulated by this chapter. The purpose of the inspection is to ascertain whether the same is unsafe or insecure, is dilapidated or deteriorated, and to ensure that the sign has been constructed in accordance with the standards contained herein, any other applicable ordinances, and the applicable permits. The method and time of such inspections shall be determined by the appropriate City Official.
- B. If the City determines that any sign is unsafe or insecure, or is dilapidated or deteriorated, written notice shall be given to repair, remove or replace (in accordance with this chapter) said sign to the person or persons responsible for such sign. If the permit holder, owner of the sign, or owner of the property on which the sign is located, fails to repair, remove or replace the sign within thirty (30) days after such notice, or fails to file an appeal of administrator's determination, the City is hereby authorized to cause the removal of such sign.
- C. Nothing contained herein shall prohibit the immediate removal, without notice, of any sign or portion of a sign that is determined by the City to be an immediate threat or danger to the public health, safety, or welfare. Any expense incident to the removal of a sign pursuant to this subsection shall be paid by the permit holder, owner of the sign, or owner of the site on which the sign is located. The removal of the sign or portion of the sign shall be limited to the extent necessary to eliminate the threat to the public health, safety and welfare.
- D. The City is authorized to file a lien against any property, which is not otherwise exempt, to recover expenses incurred by the City for the removal of a sign, or portion of a sign, from the property.

CHAPTER 10 SIGN REGULATIONS

10-10-14: ABANDONED, NEGLECTED, OR DILAPIDATED SIGNS (PERMANENT OR TEMPORARY)

- A. Abandoned signs are defined as follows:
1. Permanent Signs: a sign that, for at least 180 days, does not identify or advertise a bona fide business, lessor, service, owner, product, or activity; or pertains to a time, event, or purpose which no longer applies.
 2. Temporary Signs: a sign that, for at least 30 days, does not identify or advertise a bona fide business, lessor, service, owner, product, or activity; or pertains to a time, event, or purpose which no longer applies.
- B. A neglected or dilapidated sign is a sign that contains missing panels, burned out lights, missing letters, rust, loose parts, is faded from its natural color, faded, frayed, neglected, ripped, torn, worn, partial or wholly ruined or any similar state of disrepair
- C. Abandoned, neglected or dilapidated signs shall be considered a public nuisance and are prohibited by this chapter.

Upon written notification to the permit holder by the City, such abandoned signs shall be removed from the premises, and neglected or dilapidated signs shall be repaired or removed from the premises by the property owner, agent, or person having beneficial use of the land, building, or structure upon which such sign is located.

The notification shall state the offending sign shall be repaired or removed within 14 days after written notification. The notification shall further state if the sign is not removed or repaired, a citation may be issued and the City may resort to any civil remedy available to remove or repair the

sign.

- D. It shall be unlawful for any person, firm or corporation receiving such written notice to fail to comply with the direction of the notice. In the event failure to comply with such notice provided under subsection (C) of this section, the City Official is hereby authorized to cause the removal and impoundment of such sign. Any expenses incident thereto shall be the responsibility of the owner, agent or person having beneficial use of the land, building or structure upon which such sign was located.

10-10-15: NONCONFORMING SIGNS

- A. Definition: A "nonconforming sign" is a sign and its supporting structure that does not conform to all or part of the provisions of this chapter, and:
1. Was in existence and lawfully erected prior to the effective date of this chapter;
 2. Was in existence and lawfully located and used in accordance with the provisions of the prior ordinance applicable thereto, or which was considered legally nonconforming thereunder, and has since been in continuous or regular use; or
 3. Was in existence, located, and used on the premises at the time it was annexed into the City limits or included in the City's area of impact and has since been in regular and continuous use.
- B. Repair or Replacement: Any nonconforming sign and its supporting structure, which is destroyed, damaged, dilapidated or deteriorated, may be replaced or repaired providing:
1. The new sign does not have a nonconforming feature that the original sign did not have,

2. The replacement sign does not exceed the size of the original sign,
 3. A nonconforming sign is not expanded or changed, and
 4. A sign permit for the replacement or repair is issued within six months of the date of the damage. The Commission may grant an additional six months for a sign replacement to be installed. Under no circumstance shall a permit be issued for a replacement after one year has elapsed from the date of the damage.
- C. No Increase in Dimension: No sign or supporting structure that is lawfully reproduced, repaired, or renovated as a nonconforming sign shall be increased in area or height.
- D. Change of Interior Panel Allowed: Changing an interior panel of a nonconforming sign is allowed in all cases.
- E. Relocation: Notwithstanding any other provision of this chapter, any sign that is a legally existing nonconforming sign hereunder may be relocated on the same property or tract of land, if the sign is required to be removed from its present location because the property upon which the sign is located is acquired by any governmental agency or other entity that has or could have acquired the property through the exercise of its power of eminent domain. Such relocated sign shall be placed, insofar as possible, as to comply with all the provisions of this chapter.

10-10-16: VARIANCES TO SIGN REGULATIONS

Requests for variances to sign regulations shall be made in writing by the applicant and heard by the Planning and Zoning Commission at a public hearing. A variance application may be obtained from the City. Applications for a variance will be administered per the variance process contained in section 10-2 of this title. The planning and zoning commission's decision on a variance application will be based on the approval criteria in section 10-2 of this title.