

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 27.69.035 of the Lincoln Municipal Code to
2 require that no off-premises signs shall be located within 660 feet of Interstate 80 and Interstate 180;
3 and repealing Section 27.69.035 of the Lincoln Municipal Code as hitherto existing.

4 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

5 Section 1. That Section 27.69.035 of the Lincoln Municipal Code be amended to read
6 as follows:

7 **27.69.035 Off-Premises Signs.**

8 (a) Administrative Permits. Off-premises signs are permitted in the B-1, B-3, B-4, H-1, H-
9 2, H-3, H-4, and I-1 zoning districts by administrative permit issued by the Director of Building and
10 Safety. The administrative permits shall automatically expire ten years from their date of issuance.
11 The permittee may make application for renewal of the administrative permit.

12 (1) Applications for administrative permits and renewals thereof shall include:

13 (i) The legal description of the land upon which an off-premises sign is to be
14 located.

15 (ii) A copy of a signed lease or other verification that the applicant has
16 permission of the owner of the land upon which the off-premises sign shall be located to locate the
17 off-premises sign thereon.

18 (iii) The area of the proposed off-premises sign.

19 (iv) The description and location of a nonconforming off-premises sign or signs
20 encompassing equal or greater total face area (rather than area of sign) to be removed or previously
21 removed and registered with the Department of Building and Safety following the effective date of
22 this ordinance and not replaced; except that this provision shall not be applicable for applications
23 for renewal of an administrative permit. For the purpose of this section, a nonconforming off-
24 premises sign shall mean any off-premises sign which was lawfully installed on the effective date
25 of this ordinance and for which an administrative permit has not been issued.

26 (2) The administrative permit and any renewals thereof shall be issued under the
27 following conditions:

1 (i) The off-premises sign shall be subject to the provisions of this section,
2 notwithstanding any other applicable regulation of the zoning district in which the off-premises sign
3 is located.

4 (ii) The nonconforming off-premises sign or signs identified in the application
5 for removal shall be removed prior to application for the permit or within 30 days of the date of the
6 issuance of the permit.

7 (iii) The off-premises sign shall be removed within 30 days following the
8 expiration of the permit.

9 (b) Siting Limitations.

10 (1) The minimum distance between an off-premises sign and an existing off-premises
11 sign or nonconforming off-premises sign shall be 600 feet measured in all directions regardless of
12 the zoning jurisdiction in which the existing off-premises sign or nonconforming off-premises sign
13 is located.

14 (2) The minimum distance between an off-premises sign and a public elementary or
15 public high school, private school having a curriculum equivalent to a public elementary or public
16 high school, college or university, park, or cemetery shall be 600 feet measured in all directions
17 regardless of the zoning jurisdiction in which the public elementary or high school, private school
18 having a curriculum equivalent to a public elementary or public high school, university, park, or
19 cemetery is located.

20 (3) No off-premises sign shall be permitted in the areas designated as District A,
21 District B, or District C of the Capitol View Corridor Overlay District.

22 (4) No off-premises sign shall be permitted within the B-4 zoning district area
23 bounded by 10th Street, 14th Street, N Street, and P Street.

24 (5) Within one-fourth mile on either side of the corporate limits of the City, the
25 minimum distance between an off-premises sign and any of the below listed entrance corridors to
26 the City shall be 800 feet measured in all directions.

27 (i) Interstate 80 and 180;

28 (ii) West Bypass and “K” and “L” Extension;

29 (iii) U.S. 77 north of Morton Street;

30 (iv) Nebraska Highway 2;

31 (v) U.S. 6;

32 (vi) Cornhusker Highway;

33 (vii) North 27th Street;

34 (viii) “O” Street.

35 (6) Off-premises signs shall be located a minimum of 150 feet or one-half of the depth
36 of the zoning district in which the off-premises sign shall be located, whichever is greater, measured
37 in all directions from all residential zoning districts.

1 (7) No off-premises signs shall be located within 600 feet measured in all directions
2 from a sensitivity zone. For the purpose of this section, a sensitivity zone shall mean an historic
3 district, historic landmark, and Capitol environs.

4 **(8) No off-premises signs shall be located within 660 feet of Interstate 80 and 180.**

5 (c) Lighting. Illumination of off-premises signs shall not be allowed from midnight to 5:00
6 a.m. If off-premises signs are illuminated, the lighting shall be provided by downlighting methods,
7 until such time as sign illumination standards are adopted by resolution of the City Council and
8 thereafter it shall in accordance with design standards. The lighting shall be controlled by an
9 automatic timing device.

10 (d) Abandoned Signs. In addition to all other applicable regulations, off-premises sign
11 structures and existing nonconforming off-premises sign structures which contain no sign copy on
12 all faces for a continuous period of six months shall be considered an abandoned sign and shall be
13 removed. This removal shall take place within ten days of the date of the abandonment.

14 (e) Removal of Existing Nonconforming Off-Premises Signs. For each new off-premises
15 sign of a given total face area (rather than area of sign) to be erected within the zoning jurisdiction
16 of the City in conformance with this section, an existing nonconforming off-premises sign or signs
17 encompassing equal or greater total face area shall be removed.

18 (f) Notwithstanding (e) above, upon request of the applicant, the City Council may, after
19 report and recommendation of the Planning Commission, grant the applicant a bonus of one
20 additional off-premises sign of equal square footage to the nonconforming off-premises sign to be
21 removed upon a finding that the nonconforming off-premises sign to be removed is located in an
22 area of special aesthetic value to the community and that removal of the nonconforming off-premises
23 sign in question is a special desire of the community.

24 Section 2. That Section 27.69.035 of the Lincoln Municipal Code as hitherto existing
25 be and the same is hereby repealed.

26 Section 3. That this ordinance shall take effect and be in force from and after its
27 passage and publication according to law.

Introduced by:

04-220
COZ 04069

Approved as to Form & Legality:

City Attorney

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| Approved this ____ day of _____, 2005: |
| <hr/> Mayor |