

- F. The proposed use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be located or designed so as to be detrimental to public health, safety, and welfare. Site layout shall be such that operations will not be objectionable to nearby dwellings by reason of noise, fumes, glare or flashing lights.
- G. The proposed use shall be compatible with the natural environment.

4.28.5 Recording of Village Council Action. The Village Council shall have sixty (60) days to act on the application following the recommendation from the Planning Commission. Each action taken with reference to a special use proposal shall be duly recorded in the minutes of the Village Council. The minutes shall record the findings of fact relative to each special use proposal, the grounds for action taken, and any conditions imposed in conjunction with approval. All records of proceedings shall be kept on file and made available to the public.

4.28.6 Effective Duration of Special Use Approval. Special use approvals shall run with the land but may be issued for specified periods based upon the impacts of the proposed use to surrounding property.

4.28.7 Amendments to Special Uses. When an application is received to expand or change the use, traffic pattern, or other elements of a special use, the application shall be subject to the same procedures followed for an original special approval of land use. The denial of an application to amend an existing special use permit shall not nullify or cause to prohibit the applicant from continuing to operate in compliance/conformance within the specifications of the original (existing) special use permit approval.

4.28.8 Revocation of Special Use Approval. Approval of a special use permit and site plan may be revoked by the Village Council if construction is not in conformance with the approved plans.

4.29 **SIGNS**

The Village of Lawton has determined that the regulation of the location, size, placement, and certain physical qualities of signs is necessary to enable the public to locate goods, services, and facilities without difficulty and confusion to promote traffic safety, safeguard public health and welfare, and facilitate police protection.

In addition, it is the intent of these regulations to assure continued attractiveness of the total community environment through the adoption of discretionary controls designed to preserve scenic, aesthetic and economic values of the Village.

These regulations are designed to permit maximum legibility and effectiveness of signs and to prevent their over-concentration, improper placement, and excessive height, bulk, and area. In general, it is intended that signs of a general commercial or industrial nature be prohibited in districts where commercial or industrial activities are prohibited and signs in residential districts be limited to those that directly relate to activities on the premises.

4.29.1 Definitions

The following words and phrases shall have the meaning set forth in this section when they are used in this section and throughout the Zoning Ordinance:

- Accessory sign:** A sign that pertains to the principal use on the premises upon which the sign is located.
- Appendage sign:** A sign that is intended to draw attention to one or more services, items for sale, etc. and is attached to an accessory sign, sign support, or any part of a sign structure. These signs are prohibited in the Village.
- Banner sign:** A sign with or without a frame that is on paper, cloth, or other combustible material of any kind.
- Billboard:** A sign that contains a message or advertises an establishment, product, service, space or activity not available on the lot which contains the sign. Billboards utilizing LED technology are prohibited.
- Building Frontage:** The length of the side of the building facing a street on which a business is located.
- Bulletin Board:** A sign that contains temporary or replaceable letters or characters used to announce dates of functions or activities.
- Canopy or Awning:** A suspended covering, often moveable, placed above a door, window or other entranceway.
- Construction sign:** A sign advertising a project under development, erected for the period of construction, identifying its developers, contractors, engineers, brokers, and architects.
- Directional sign:** A sign intended to expedite the flow of vehicular or pedestrian traffic.

Electronic message sign:	A sign that uses lights to display messages, such as current time, temperature and date.
Flag:	A banner of distinctive design used as a symbol of a nation, state, or other governmental unit, or a non-profit organization.
Flashing sign	A sign that is intermittently illuminated or reflects light periodically from either an artificial source or from the sun.
Freestanding sign	A sign supported by one or more upright poles, pylons or braces placed in or upon the ground and not attached to any building or other structure.
Grade:	The average elevation of an area within a radius of the sign base equal to two times the height of the sign.
Handicapped sign	A sign limited to indicating that off-street parking is reserved for the physically handicapped or a sign that is limited to indicating facilities for the physically disabled.
Illuminated sign:	A sign that has characters, letters, figures, or designs which are lighted either internally or with external shielded lights.
Institutional sign:	A sign containing a surface are upon which is displayed the name of a religious institution, school, library, community center, or similar institution and the announcement of its service or activities.
Interior sign:	A sign that is visible from any public street, sidewalk, alley, park, or public property and located within a building.
Marquee sign:	A sign attached to or hung from a marquee, canopy or other covered structure projecting from and supported by the building.
Maximum height:	A measurement from the grade or sidewalk to the highest edge of the sign surface or its projecting structure.
Minimum height:	A measurement from the grade or sidewalk to the lowest edge of the sign or its projecting structure.
Moving sign:	A sign that has motion, either continuously or at intervals or that give the impression of movement through intermittent flashing, twinkling, or various degrees of intensity.
Non-accessory sign:	A sign that does not pertain to the principal use of the premises on which the sign is located.

- Occupational sign:** A sign denoting only the name of the profession on an occupant in a commercial building or public institution.
- Off-premises directional sign:** A sign intended to provide directions to a business located within the Village consisting of the business name and directional arrow.
- Portable sign:** A sign, sign board, or banner that is not permanently anchored or secured to either a building, structure, or ground; or any other sign attached to a trailer or other vehicle not necessary to the vehicle or its use, but with the express intent of advertising,
- Premises:** A lot or group of lots with one or more buildings that function as a single use, is under the same ownership or control and is not divided by a public street.
- Projecting sign:** A sign so constructed and erected so as to be attached to one end of a building, metal pole, or other structure and projecting there from.
- Roof sign:** A sign that is erected, constructed and maintained on above the roof of a building or portion thereof.
- Sandwich Board sign:** An A-frame portable sign typically placed on a sidewalk in front of a business containing changeable messages.
- Sign:** Any visual or graphic device designed through the use of words, numbers, characters, or symbols to inform or attract attention and which is designed to be visible from outside of any building or structure in which, upon which, or attached to a support system.
- Sign area:** The entire area within a circle, triangle, rectangle or other geometric shape enclosing the extreme limits of writing, representation, emblem or any figure of similar character, together with any frame or other material, graphic or color forming an integral part of the display or message, or used to differentiate the sign from the background against which it is placed; excluding the necessary supports or uprights on which the sign is located.
- Sign erector:** Any person engaged in the business of erecting, constructing, altering, or removing signs on a contractual basis.
- Subdivision sign:** A sign or entranceway structure listing the names and addresses only of the establishment(s) occupying a

- development, subdivision, or condominium.
- Temporary sign:** A sign intended to be displayed for a limited time period including decorative displays for holidays, special events, political signs, real estate signs, or public events.
- Wall sign:** A sign attached to, painted on, inscribed, or otherwise set upon the exterior surface of any building.

4.29.2 Computation of Sign Area.

For the purposes of this Ordinance, the total area of a sign shall be expressed in square feet and shall be computed as follows:

- A. Single sign face: The total area of a single face sign shall be computed as the number of square feet within any single or combination of geometric shapes, such as square, triangle, rectangle, or circle encompassing the extreme limits of a letter(s), word(s), message(s), emblem(s), or similar figure(s), including open spaces together with any frame or other material forming an integral part of a display used to differentiate such sign from the background against which it is placed.
- B. Double face sign: For a double face sign having two (2) faces of equal size arranged and or positioned back-to-back, parallel to each other with no more than a two (2) foot space between the faces, the area of the sign shall be computed as one half (1/2) the total area of the two (2) faces. When the faces are of unequal area, the area shall be computed as the total area of the largest face.
- C. Three dimensional signs: For signs that are designed as a three dimensional geometric form such as a sphere, cone, cylinder, or cube, the area shall be computed as one half (1/2) the total surface of the geometric form.

4.29.3 Permits

- A. Sign erector permit: It is unlawful for any person to construct, erect, re-erect, move, alter, enlarge, or illuminate any sign in excess of thirty-two (32) square feet unless a permit is first obtained from the Village of Lawton. Any sign that requires the use of electricity requires a permit regardless of

size.

- B. Permit application: Applications for sign permits shall be completed on a form supplied by the Village for this purpose and shall contain the following information:
- i. Name, address, and phone number of the applicant.
 - ii. Location of the building, structure, or lot in which the sign is to be placed or attached.
 - iii. Position of the sign on the building, structure, or lot which the sign is to be attached.
 - iv. Position of the sign in relation to nearby buildings, structures, property lines, and rights-of-way, existing or proposed.
 - v. Zoning district in which the sign is to be placed
 - vi. Two (2) copies of sign plans and specifications for the method of construction and attachment to the building or ground. The sign plans shall include all pertinent data including the highest point, low point clearance, face outline, and total face area with the method of calculation.
 - vii. Name and address of sign erector

4.29.4 General Sign Provisions

- A. Public Rights-of Way: No sign (or any pole or support cable of any nature) except those established and maintained by the village, state, or federal government, shall be located in or overhang a dedicated public right-of-way or easement, unless otherwise provided in this Ordinance.
- B. Sign Heights: The highest point of any sign shall exceed twenty (20) feet above the ground or grade level in the OS, B-1, B-2, CBD, I-1 and I-2 zoning districts, and eight (8) feet in the AG, R-1, R-2, R-3, RT and RM-1 zoning districts. All signs which project over the public right-of-way, private road, or walkway, such as street signs, directional signs, or a sign or canopy shall have an under clearance from the lowest point of the sign to the ground or grade level of not less than eight (8) feet.

- C. **Traffic Interference:** No advertising device shall be erected or maintained which simulates or imitates in size, color, lettering, or design any traffic sign or signal or other word, phrase, symbol, or character in such a manner as to interfere with, mislead, confuse, or create a visual impediment or safety hazard to pedestrian or vehicular traffic.

- D. **Clear Corner Vision:** No sign above the height of thirty-six (36) inches shall be located within, project into, or overhand the triangular area formed at the intersection of any two (2) street right of way lines (existing or proposed) by a straight line drawn between said right of way lines at a distance along each line of twenty-five (25) feet from their point of intersection, unless visual clearance can be assured on the plans.

- E. **Proximity to Electrical Conductors:** No sign shall be erected so that any part, including cables and guy wires will be within ten (10) feet of any electrical conductor, electric light pole, street lamp, traffic light, or other public utility or standard.

- F. **Fire Escapes:** No signs of any kind shall be attached to or placed upon a building in such a manner as to obstruct any fire escape.

- G. **Liability Insurance:** If the vertical distance of a sign above the street is greater than the horizontal distance from the sign to the street right-of-way line and is so located as to be able to fall or be pushed onto or impact public property in any way, the owner of such sign shall maintain public liability insurance in the amount of one hundred thousand dollars (\$100,000) for injury to one person and three hundred thousand dollars (\$300,000) to more than one person and property damage insurance of twenty-five thousand dollars (\$25,000) for damage to property. In lieu of an insurance policy, an owner may present satisfactory proof to the Village Attorney that said owner is financially capable of self-insurance in the above amounts.

4.29.5 Signs Exempt from Permit Requirements

No sign permit is required for the following sign. Such exemptions shall not be understood to relieve the owner for the sign's proper location, erection and maintenance.

- A. Government Signs: Signs erected on behalf of or pursuant to the authorization of a government body, including legal notices, informational signs, directional signs, or regulatory signs.
- B. Flags: Pennants, or insignia of any governmental or not-for-profit organization when not displayed in connection with a commercial promotion or as a means of advertising.
- C. Address Signs: Signs not exceeding two (2) square feet in area and bearing only property numbers, post office numbers, names of occupants of premises, or other identification of premises not having commercial connotations.
- D. Street Signs: Signs erected by private developers or county, state, village, or federal governments for street names, traffic control, direction, or information.
- E. Private Traffic Signs: Signs directing and guiding traffic and parking on private property that do not exceed six (6) square feet each and bear no advertising.
- F. Handicapped Signs: Signs not exceeding four (4) square feet each and bear no advertising.
- G. Architectural Features/Artwork: Integral decorative or architectural features of buildings or works of art, so long as such features or works do not contain letters, trademarks, moving parts or lights.
- H. Small Accessory Signs: Any sign erected on a premises which is no more than two (2) square feet in area, such as no trespassing signs, garage sale signs, and signs warning of animals. The total of all small accessory signs on one premises shall not exceed eight (8) square feet, except in residential districts in which a total area of small accessory signs on one premises shall not exceed six (6) square feet.

- I. Other Signs: Signs less than thirty-two (32) square feet, unless otherwise provided in this ordinance.

4.29.6 Signs Prohibited throughout the Village

The following signs are prohibited throughout the Village:

- A. Unsafe Signs: Any sign which structurally or electrically unsafe.
- B. Utility Poles and Landscaping: Any sign erected on a utility pole, directional sign post, or landscaping including trees. Prohibited signs shall not include street signs erected by the village, county, state, or federal government.
- C. Billboards: Any billboard erected after the date of adoption for this ordinance.

4.29.7 Signs Regulated by Zoning District

- A. Signs Permitted in the CBD District
 - 1. The total wall sign area for an occupied parcel of property in the CBD District shall not exceed one (1) square foot per two (2) feet of building frontage with the total sign area not to exceed forty-five (45) square feet of wall sign advertising for each frontage.
 - 2. Any building may have one (1) canopy or awning sign (not the total area of the canopy or awning) with the lettering not exceeding twelve (12) inches in height. The sign shall be printed on or within the perimeter of the face or valance of the canopy or awning. The lowest portion of the canopy or awning shall not be less than eight (8) feet above the sidewalk or grade.
 - 3. One (1) projecting sign is permitted per building frontage with a maximum area of twenty-five (25) square feet. A projecting sign shall not exceed the height of the building and cannot be lower than eight (8)

feet from its lowest point to the sidewalk or grade.

4. One (1) freestanding sign may be allowed per premises. Such signs shall not exceed twenty (20) feet in height and sixty-four (64) feet in area or one (1) square foot per two (2) lineal feet of lot frontage, whichever is less. Freestanding signs may be located in the required front yard, provided that no portion of the sign shall be closer than ten (10) feet to any existing or planned right-of-way. No portion of any sign shall be located within a required side yard or within twenty (20) feet of a side lot line. If a parcel is served by a service road, no portion of a freestanding sign shall be closer than five (5) feet to the edge of the road.
5. In addition to the signs listed in 1-4, wall signs may be erected on the rear or parking lot side of a building not exceeding one-half (1/2) square foot for each lineal foot of the rear length of the principal building(s), provided that the total sign area shall not exceed thirty-two (32) square feet.
6. Time, message, and temperature signs shall be permitted provided that the message shall be displayed not more than every five (5) seconds. The area of such signs shall not be included as part of the area of a freestanding sign.
7. Sandwich board signs may be permitted, subject to the following conditions:
 - a. A maximum of one (1) sandwich board sign per individual retail use or service business (including restaurants) is permitted.
 - b. Signs shall be permitted sign face of five (5) square feet per sign face.
 - c. Signs shall be permitted a maximum sign face width of 2.75 feet measured between the sign legs.
 - d. Signs shall be permitted a maximum sign height of 4.5 feet measured from the ground to the top of the sign.
 - e. Sign bases shall be weighted with a maximum of ten (10) pound ballast to insure stability in windy conditions.
 - f. Signs shall be placed a minimum of ten (10) feet from the base of another sandwich board sign for an adjoining business.

- g. Signs must be portable and cannot be permanently affixed to any structure or sidewalk, and must be removed from the public right-of-way at the end of each business day.
 - h. Signs shall be placed on sidewalks with a minimum of ten (10) feet in width.
 - i. Signs shall be placed a maximum distance of two (2) feet from the front wall of the advertised business.
 - j. Signs shall be placed so as not to obstruct doorways, crosswalks, and other physical features of the location that affect accessibility and safety.
 - k. Signs shall be placed a minimum of forty-eight (48) inches from all obstructions within the sidewalk right-of-way including newspaper boxes, bicycle racks, trash receptacles and any other item impeding pedestrian or wheelchair movement.
8. Permanent banner signs may be permitted, subject to a special use permit and in accordance with the following conditions:
- a. All proposed banner signs shall be subject to review by the Planning Commission to insure compatibility within the building(s) to which the banner(s) will be attached.
 - b. Banner signs shall exceed not one (1) per every twelve (12) feet of building frontage.
 - c. Banner signs shall not project more than thirty (30) inches from the face or wall of the building.
 - d. There shall be a minimum of ten (10) feet clearance between the bottom of the banner and the sidewalk.
 - e. The maximum size of the banner shall not exceed seventy-two (72) inches by twenty-four (24) inches.
 - f. The Planning Commission may attach any reasonable conditions to the issuance of the special use permit as it considers necessary for the general appearance of the Central Business District.
 - g. Issuance of a special use permit for banner signs does not preclude the use of temporary banners for special events, such as grand openings.

B. Signs Permitted in the OS-1, B-1, and B-2 Districts.

1. The total wall area of an occupied parcel in the OS-1, B-1, and B-2 Districts shall not exceed one (1) square foot per two (2) feet of building frontage with the total sign area for any parcel not to exceed forty-five (45) square feet.
2. One freestanding sign may allowed per premises. Such a sign shall not exceed twenty (20) feet in height and sixty-four (64) square feet in area or one (1) square foot per two (2) lineal feet of lot frontage whichever is less. Freestanding signs may be located in the required front yard, provided that no portion of any such sign shall be closer than ten (10) feet to an existing or planned right-of-way. No portion of any such sign shall be located within the required rear yard or within twenty (20) feet of a side lot line. If a parcel is served by a service road, no portion of a freestanding sign shall be closer than five (5) feet to the edge of the road.
3. In addition to the signs allowed in paragraphs 1 and 2, wall signs may be erected on the rear or parking lot side of a premises not exceeding one half square foot for each lineal foot of the rear length of the principal building(s), provided that the total sign area shall not exceed thirty-two (32) square feet.
4. For each premises, an additional area of interior signs shall not exceed twenty-five percent (25%) of the total area of any window shall be permitted, provided that no one sign shall exceed twenty (20) feet.
5. Gasoline service stations shall be permitted signs on each pump island indicating the prices, types of gasoline, and the type of service. The aggregate area of such signs shall not exceed ten (10) square feet per pump island. In no case shall the total area of all such signs exceed one hundred twenty (120) square feet.
6. Time, temperature, and electronic message signs shall be permitted provided that the message shall not be more than one every five (5) seconds. The area of such sign shall be included as part of the area of the freestanding sign.

C. Signs Permitted in the I-1 and I-2 Districts:

1. One (1) wall sign may be erected per building face up to sixty (60) square feet or ten percent (10%) of the façade area of the building whichever is less.
2. One (1) freestanding sign may be erected provided that said sign does not exceed sixty-four (64) square feet per side. Such sign shall have a height of no more than twenty (20) feet above the established grade and be erected no closer than ten (10) feet from any existing or proposed right-of-way and no closer than twenty (20) feet from any side lot line.
3. In addition to signs permitted in paragraph 1, one wall sign shall be permitted for each tenant having an individual means of entranceway into the side or rear of a building. Such sign shall not exceed six (6) square feet and shall not be erected not less than four (4) feet or more than twelve (12) feet above the established grade.
4. Interior sign which are visible from any public right-of-way, alley, or adjacent property are prohibited.
5. Directional signs up to six (6) square feet, designating entrances, exits, parking and unloading areas, shipping docks, and similar internal traffic control signs shall be permitted and located no closer than five (5) feet or any property line.

D. Signs Permitted in the AG District

In the AG District, in addition to an identification sign not exceeding two (2) square feet, two (2) signs, each which shall not exceed twenty (20) square feet, may be permitted that advertise the sale of agricultural produce or products raised on the premises.

E. Signs for Non-Residential Uses in Residential Districts.

Non-residential uses (schools, churches) permitted in residential districts may be permitted one (1) ground sign or one (1) base mounted ground sign or one (1) double inside post ground sign not to exceed sixty-four (64) square feet. The sign shall be set back a minimum of ten (10) feet from any property line or proposed right-of-way. Signs may incorporate changeable

messages. Temporary banners promoting special events may also be permitted in accordance with Section 4.29.8 of this Ordinance.

F. Subdivision and Development Signs

In all residential districts, one (1) subdivision or development entrance sign per vehicular entrance may be permitted on private property in compliance with the corner clearance provisions of this Ordinance and shall not exceed thirty-six (36) square feet in area, with a height of six (6) feet above grade. All subdivision and development signs shall be located no closer than ten (10) feet to any property line or proposed right-of-way. The Planning Commission shall review and approve or deny the placement and size of the sign as part of the site plan review process.

4.29.8 Special Event Signs

Civic, nonprofit, and religious organizations may erect temporary signs announcing special events after completing a sign permit application for a special event. The application shall contain the following information.

- A. Name of the organization sponsoring the event.
- B. Name and date of the event
- C. Duration of the event
- D. The number of temporary that will be erected
- E. The date the signs will be erected
- F. The date the signs will be removed
- G. The name of the person completing the application.

Signs shall not exceed twelve (12) square feet and shall not be permitted in any public right-of-way. Special event signs may be erected up to five (5) days before the event and must be removed within twenty-four (24) hours after the event. Each organization may be permitted a total of four (4) special events within a calendar year.

The Village Clerk shall have the authority to approve temporary event sign permit applications.

4.29.9 Non-Conforming Signs.

- A. It is the intent of this Section to encourage eventual elimination of signs that do not conform the provisions of this section, to work toward the removal of non-conforming signs and to avoid any reasonable invasion of private property rights.

- B. Any sign lawfully existing at the time of the adoption of the provisions contained herein shall be considered a legal non-conforming sign and may be permitted to remain as long as the sign is properly maintained and determined not to be detrimental to the health, safety and welfare of the Village.

- C. Continuance: A non-conforming sign shall not
 - 1. Be expanded or changed to another non-conforming sign.
 - 2. Be relocated.
 - 3. Be structurally altered so as to prolong the life of the sign or so as to change shape, size, type, placement or design of the structural parts or add illumination.
 - 4. Be repaired or re-erected after being damaged of the repair or re-erection of the sign, within any twelve (12) month period, would cost more than fifty percent (50%) of the cost of an identical new sign. If deemed necessary by the Village, the cost of an identical new sign shall be determined as the average of not less than three (3) cost estimates obtained from three (3) contractors.
 - 5. Be altered unless the alteration or reconstruction is in compliance with the provisions of this section. For the purposes of this section only the term “altered” or ‘reconstructed” shall not be normal maintenance; changing the surface of the sign space to a lesser or equal area; landscaping below the base; or changing electrical wiring or devices backgrounds, letters, figures, or characters.

- D. The Village shall make every reasonable effort to identify all non-conforming signs within the Village. Persons responsible for each sign (as well as the owner of the property on which the sign is located) shall be contacted and informed (1) which is the non-conforming sign, (2) the nature of the non-conformity, (3) what must be done to correct it and by what date, and (4) the consequences of failure to make the necessary corrections.