

SIGNS

Regulations and Permitted Uses



WAHOO
BUILDING & ZONING

This pamphlet outlines the basic information regarding sign regulations. The Wahoo Comprehensive Plan, Wahoo Zoning Regulations, Subdivision Regulations, and Wahoo Municipal Code, as well as applicable forms, are available at City Hall and on the City’s website, www.wahoo.ne.us, under the “Planning and Zoning” section.

Regulations for building and structure sizes and heights, lot sizes and setbacks, signs, and permitted uses vary by zoning district. These regulations are designed to promote safe, orderly development of the community.

WAHOO ZONING ORDINANCE

Section 7.06 Sign Regulations.

7.06.01 *Purpose:* The purpose of these sign regulations are: to encourage the effective use of signs as a means of communication in the city; to maintain and enhance the aesthetic environment and the city’s ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign regulations. These sign regulations are adopted under the zoning authority of the city in furtherance of the more general purposes set forth in the zoning ordinance.

7.06.02 *Applicability:* A sign may be erected, placed, established, painted, created, or maintained within the city and the city’s extraterritorial zoning jurisdiction only in conformance with the standards, procedures, exemptions and other requirements of these sign regulations.

New sign construction or modification of existing signs requires review of plans by the Building Inspector and Zoning Administrator, and an approved building permit. Fees are determined under Resolution 2008-22. The number, type, placement, and size of signs allowed at a premise are determined by the zoning for the location.

Signs are not permitted in the public right-of-way except:

- Signs posted by or on behalf of governmental bodies for legal notices, public information, or regulating pedestrian or vehicular traffic;
- Public utility signs regarding its poles, lines, pipes, or facilities; and
- Awnings, projecting or suspended signs which have been approved through the conditional use permitting process.

Signs may not be erected in any Nebraska State Highway right-of-way without the written approval of the Nebraska Department of Roads (Section 7.08.01).

Political signs placed in city street right-of-way are considered temporary signs and must comply with regulations. Political signs on private property are exempt from regulations, provided no vision obstruction or traffic hazard is created. Signs are not permitted in any Nebraska State Highway right-of-way without written approval of the Nebraska Department of Roads (Section 7.08.01; Section 7.08.02; Section 7.08.05).

Definitions of sign types and terms are included under Article 2 of the City's Zoning Regulations.

The following chart lists the types of permanent signs and whether they are permitted, conditional, or not permitted in each zoning district.

- **Permitted** signs are limited as to the number of signs allowed at a location, their size, and placement by the district.

- **Conditional** signs must follow the process for conditional uses as outlined in Article 6 of the City's Zoning Regulations. This requires filing an application for the Conditional Use with supporting information, a fee of \$250, plus costs of publishing notice in the newspaper, a hearing before the Planning Commission, and a separate hearing before the City Council to determine acceptance or denial. The process for a Conditional Use application may take up to 8 weeks, due to notice requirements prior to meetings and scheduled meeting dates.

Determine the zoning district of the proposed sign location:

- FW – Floodway;
- TA – Transitional Ag;
- LLR – Large Lot Residential;
- R-1, R-2, or R-3 Residential;
- NRC – Neighborhood Residential Commercial;
- C-1, C-2, or C-3 Commercial;
- I-1 or I-2 Industrial;
- RMD Residential Mixed-Use Development; and
- Whether the location falls under the Gateway Corridor Overlay District (new Highway 77 bypass).

Size, height, number, and location limitations apply to permitted signs.

I. → Sign type, District Permitted

a. → Signs shall be permitted in the various districts according to the following schedule:

	Zoning District	FW	TA	LLR	R-1	R-2	R-3	NRC	C-1	C-2	C-3	I-1	I-2	LWC	RMD	HO	TC Area C	TC Area A & B
Sign Type																		
Building Marker		-	+	+	+	+	+	+	+	+	+	+	+	-	+	S	+	****
Identification		-	+	+	+	+	+	+	+	+	+	+	+	-	+	S	+	****
Subdivision Entrance		-	+	+	+	+	+	+	-	+	+	+	+	-	+	-	+	****
Construction		-	+	+	+	+	+	+	+	+	+	+	+	-	+	S	+	****
Informational		-	C	C	C	C	C	C	C	C	C	C	C	-	C	S	C	****
Community or Civic		-	C	C	C	C	C	C	C	C	C	C	C	-	C	-	C	****
Center Identification		-	-	-	-	-	-	-	C	C	C	C	C	-	C	-	C	****
Temporary		-	+	+	+	+	+	+	+	+	+	+	+	-	+	S	+	****
Incidental		-	+	+	+	+	+	+	+	+	+	+	+	-	+	S	+	****
Real Estate		-	+	+	+	+	+	+	+	+	+	+	+	-	+	+	+	****
Wall		-	+	C	C	C	C	+	+	+	+	+	+	-	C	S	+	****
Canopy		-	+	C	C	C	C	+	+	+	+	+	+	-	C	S	+	****
Window		-	+	C	C	C	C	+	+	+	+	+	+	-	C	S	+	****
Projecting		-	+	C	C	C	C	+	+	+	+	+	+	-	+	S	+	****
Name Plate		C	+	+	+	+	+	+	+	+	+	+	+	-	+	S	+	****
Ground Monument*		-	C	C	C	C	C	+	C*	+	+	+	+	-	C	-	+	****
Billboard		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	****
Pole*		-	C*	-	-	-	-	-	-	C*	C*	C*	C*	-	-	-	C***	-

b. → +: permitted → -: not permitted → C: Conditional Use → S: Special Review Required

c. →

* See Sec.07.08.07 Off-Premise Signs, for regulations governing off-premise pole and monument signs.

** Breakaway ground monument signs, meeting MUTCD standards for breakaway supports, in C-1 District on lot frontage adjacent to a major arterial route, subject to requirements of conditional use permit.

See Section 7.10 Home Occupations, for regulations on signs related to home occupations.

*** On-premise pole signs may be permitted through Conditional Use process in Transportation Corridor Overlay District, Area C, along Highway 77 Expressway as outlined in 7.08.08. Off-premise pole signs are prohibited in the Transportation Corridor Overlay District, Area C.

**** See Underlying Zoning District. New Pole signs are not allowed in Transportation Corridor Overlay Districts Area A and Area B.

For additional details on the number, size, height, and location limitations for signs listed in the chart, refer to the Zoning Regulations, Section 7.06.05, by the style of sign.

Off-Premises signs, which refer to a business, product, or service not provided at the premises where the sign is located, are prohibited, unless approved under a Conditional Use Permit in specific zoning districts. Specific size, spacing, setback, and placement limitations for permanent off-premises signs apply (Section 7.08.07).

Electronic Message Display signs, as an integral part of a permanent sign (monument, wall, or projecting), may be allowed under a Conditional Use Permit. The message must not be animated, have movement, or have the optical illusion of movement. Static messages must be fixed for at least five seconds; transition between screens may only fade, dissolve, scroll, or travel, and transition must not exceed two seconds (Section 7.06.05, Part 7).

Community Informational and Civic Signs, which dedicate a minimum of 25% of the square footage to community or civic activities, are allowed at major interchanges of a primary highway (Section 7.06.05, Part 8).

Temporary signs are intended to be in place for a limited period of time, not to exceed 30 days. Temporary signs placed within a City street right-of-way may not exceed 432 square inches (3 square feet), shall not be placed on trees or utility structures, including poles, cabinets, fire hydrants, or street lights. Temporary signs shall not be placed without permission of the abutting property owner. Temporary signs advertising or referencing a specific event shall be removed within ten days after the event (Section 7.08.02).

Portable or mobile signs shall not be placed in any street right-of-way. The face of a portable sign may not be larger than 4 feet by 8 feet, and must first obtain a permit from the Building Inspector and Zoning Administrator. Such permit is limited to a period of 30 days and may be renewed. These signs may advertise an off-premises business and/or organization (Section 7.08.02).

Prohibited signs include, but are not limited to, beacons, marquee signs, roof signs, suspended signs, animated signs, audible signs, and permanent off-premises signs (except when allowed under a Conditional Use Permit) (Section 7.08.06).

Real Estate signs must be on the property being advertised. “Open House” signs may be posted off-premise for not more than two days.

Exempt signs include the following, provided they do not create any vision obstructions or traffic hazards:

- Public notices or warnings;
- Construction signs of 6 square feet or less identifying a contractor, engineer, architect, or supplier participating in a construction project;
- Religious symbols;
- Holiday lights and decorations with no commercial message;
- Political signs located on private property exhibited in conjunction with a public election; and

- Traffic control signs on private property (stop, yield, and similar signs).

Nonconforming signs: Certain existing signs may not conform to the current Zoning Regulations. If a sign was in compliance with regulations at the time of construction, the sign is permitted to remain as a nonconforming structure/use until its removal. When any nonconforming use is damaged or destroyed to the extent of more than 50 percent of its value, any restoration must conform to current regulations. If the damage is less than 50 percent of its structural value, a building permit must be obtained to restore the structure. Nonconforming uses may not be enlarged, increased, or moved (Section 4.19).

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