Draft 2

Chapter 9.30 Denali Borough Sign Code
9.30.010 Definitions in this chapter, addition to terms defined in the Denali Borough Code, the following words and phrases shall have the meaning set forth in this section.

"Abandoned" means a sign that refers to a business or activity that is no longer being done or pursued.

"Animated Signs" means a sign that uses flashing lights, movement or change of lighting to depict action or create a special effect or scene, or that includes characters, letters, or illustrations whose message changes at least one time per day; provided that a changing electronic or mechanical indication of time or temperature does not cause a sign to be an animated sign, or may not be neon or change colors or exceed 3sf in size.

"Banner" means a light weight sign that contains a message which is attached or imprinted on a flexible surface that deforms under light pressure and that is typically constructed of non-durable materials, including but not limited to cardboard, cloth and plastic. Banner material attached to a rigid frame on all sides or a flag shall not be considered a banner.

"Beacon" means a sign that emits one or more beams of light, capable of being directed in one or more directions or rotated or moved.

"Building Marker" means a wall sign cut or etched into masonry, bronze, or other similar material that includes only the building name, date of construction, or historical data on the historical site

"Building Sign" means a sign that is attached to /or supported by a building, but that is not a freestanding sign.

"Changeable Copy Signs" means a sign that includes characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign, and on which message changes less often than one time per day. Provided that a changing electronic or mechanical indication of time or temperature does not cause a sign to be a changeable ~~a changeable~~ copy sign. A changeable copy sign must be pole or wall mounted and not be flashing.

"Commercial Message" means letters, graphic material or a combination thereof that, directly or indirectly names, advertises, or calls attention to a business, brand, product, service or other commercial activity.

“Electoral Sign” means any sign used for the purpose of advertising or promoting a political party, or the election or defeat of a candidate, initiative, referendum or proposition at an election.

“Flag” means the flag of the United States, the State, the City and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction.

“Freestanding Sign” means a sign supported, in whole or in part, by structures or supports that are placed on, or anchored in the ground and that are independent of any building or other structure.

“Ground Signs” means a freestanding sign that is placed directly on the ground having or appearing to have a foundation or solid base beneath 50% or more of the longest horizontal dimension of the sign.

“Illuminated Signs” internal and external; Illumination if used shall not be animated. Light rays shall shine only upon the sign or upon the lot on which the sign is located, and no direct light or significant glare shall be cast onto any adjacent lot, street, road, or ROW. No light rays shall shine into the air in a manor to attract attention to the lot or business, such as spotlights or beacons.

“Incidental signs” means an informational or directional sign that is incidental and subordinate to a principal use of a lot on which it is located, such as but not limited to, no parking, entrance, loading only.

“Marquee Signs” means a sign attached in any manner to, or made a part of, a permanent roof-like structure projecting beyond a building, generally designed and constructed to provide protection from the weather.

“Neon Signs” will not be flashing and may not exceed 32sf

“Official Traffic Control Sign” means a sign or devise consistent with AK Statutes Title 28, place or erected by authority of the State or Municipal agency or official having jurisdiction, for the purpose of traffic regulating, warning and guiding.

“Off-premise Sign” means a sign containing a message drawing attention to goods, services, businesses or other activity not offered or conducted on the lot the sign is located.

“Pennant” means a lightweight plastic, fabric, or other material, whether or not containing a message of any kind suspended from a rope, wire, or string, usually in a series, designed to move in the wind.

“Permanent Sign” means a sign that is not a temporary sign.

“Principal Building” means a building in which the principal use of the lot is conducted. Lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other accessory structures shall not be considered principal buildings.

“Projecting Sign” means a sign attached to the wall of a building that projects more than 6” beyond the wall of the building.

“Protruding Sign” means a sign attached to the wall of a building that protrudes less than 6” beyond the wall of the building.

“Public Sign” means an off-premise sign other than an official traffic control sign, that provides direction or information, or identifies public facilities such as but not limited to parks, libraries, a distinct area of the borough, and entrances to areas or facilities.

“Roof Sign” means a sign erected and constructed as an integral part of the roof of a building, such that no part extends vertically more than 2’ above the highest portion of that roof.

“Residential Sign” means a sign located in a residential area that contains no commercial message except for goods or services legally offered on the premises where the sign is located such as; fresh eggs, house for sale, or “the Dale’s live here”.

“Setback” means the distance between a sign and the closest property line.

“Sign” means a device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or communicate information of any kind to the public.

“Suspended Sign” means a sign that is suspended from the underside of a horizontal surface and is supported by that surface.

“Temporary Sign” means a sign that is not affixed permanently to a building or to a permanent support or foundation, including without limitation menu or sandwich board signs.

“Wall Sign” means attached parallel to, but within 6”, of a wall, painted on the surface, or erected and confined within the limits of an outside wall of a building or structure, which is supported by such building or structure, and which displays only one sign surface.

“Window sign” means a sign that is placed in/or on a window or on the panes of glass and is visible from the exterior of the building.

"Square Feet of Frontage" is defined as total square footage of wall surface, under the roof, that faces the major access or ROW of the business, on corner lots the square footage is calculated from the wall with the largest square footage.

9.30.020 Purpose

The purposes of this sign code are: to maintain and enhance the aesthetic environment and Borough's ability to attract sources of economic development and growth consistent with the maintenance of a rural lifestyle; to minimize the possible adverse effect of signs on nearby public and private property; to improve pedestrian and traffic safety; and to enable a fair and consistent enforcement of this sign code borough wide. This sign code is adopted under the ~~zoning~~ planning authority of the Denali Borough.

9.30.030 Applicability-Effect

A sign may be erected, placed, established, painted, created, or maintained in the Borough only in conformance with the standards, procedures, exemptions, and other requirements of this chapter.

9.30.040 Design

A. Height- 24' maximum above prevailing land surface not including a berm, mound or other feature not considered prevailing, or not to exceed 2' above the highest point of the roofline of the building the sign is attached to, or as otherwise stated in this code.

B. Size-The Maximum combined total area of all signs, in square feet, except incidental, building marker and flags shall not exceed the following:

1. Commercial Message signs; The square feet of wall space facing the main road adjacent to the business allows the following maximum square footage of signage for that business.

Square Footage of wall space	Maximum square feet of signage
750sf and over	150sf
650-749sf	130sf
550-649sf	110sf
450-549sf	90sf
350-449sf	70sf
200-349sf	50sf
0-199sf	30sf

On lots with multiple principal buildings or with multiple independent businesses or occupancies in one or more buildings, the total allowed signage area may be increased by 20%. This additional sign area can only be used to promote or identify the building or complex of buildings.

2. Non Commercial Message signs; The maximum size of non-business signs may not exceed 16sf per sign or 30sf in total area per lot, and individual signs may not be closer than 20' apart.

C. Attached

1. Projection- not over 4' and not over a property line.

2. Protruding Signs

a. Under 6"- safety sharp edges, etc.

b. Over 6"- over 8' above a walking surface

D. Freestanding- Only one freestanding sign is allowed per lot, except one additional freestanding Public Sign may additionally be allowed. The sign area on a freestanding sign, excluding a Public sign, shall be included in the calculation of maximum allowed sign area per lot and shall not exceed the following: One business or occupancy in one building, 36sf; Two independent businesses or occupancies or principal buildings in any combination, 54sf;Three independent businesses or occupancies or principle buildings in any combination, 63sf; four or more independent businesses or occupancies or principal buildings in any combination, 72sf.

E. Sign area shall include any ~~tenant-specific motifs or architectural devises~~ advertising method including, but not limited to, roof ~~forms~~ signs, canopies, awnings.

F. The entire area of backlit translucent material, including backlit translucent light boxes, canopies and awnings shall be computed as part of the total sign area.

G. Computation of multi-faced signs shall be computed by adding together the total square footage as seen from any one location. Signs with two identical sides that cannot be seen from any one point that are part of the same structure will be computed from one of the faces. (double-sided)?

9.30.050 Construction

A. Setback- not within 5' of a property line except attached to a wall of a building that is closer than 5' to a property line.

B. Safety, no sign shall be placed in a manner as to interfere with the visibility of vehicles at access points to public ROW's, or visibility clearance areas.

~~C. On Public Lands~~

~~1. On State and Federal Lands~~

~~a. Signs in the DOT ROW's are prohibited except with DOT approval. All sections of this code apply to signage in DOT ROW's.~~

~~b. All signage within Denali National Park and Preserve shall be governed by the National Park Service. This code does not apply to Denali National Park and Preserve property.~~

~~c. Signs on State of Alaska Lands are prohibited except with approval from the State of Alaska. All sections of this code apply to signage on State Lands.~~

~~2. Signs on Borough owned lands require permission from the Borough, a fee and permit may be required. All sections of this code apply to signage on borough lands.~~

~~D. Signs on Private Lands are allowed with the permission of the land- owner. All sections of this code apply to signage on private lands.~~

C. On Public Lands

1. On State and Federal Lands

a. All sections of this code apply to signage in DOT ROWs. Signs in the DOT ROWs are prohibited except with DOT approval.

b. All sections of this code apply to signage on State Lands. Signs on State of Alaska Lands are prohibited except with approval from the State of Alaska.

c. No sections of this code apply to signage on Denali National Park and Preserve property. All signs within Denali National Park and Preserve are governed by the National Park Service.

2. On Borough Lands

All sections of this code apply to signage on Borough Lands. Signs on Borough-owned lands require permission from the Borough. A fee and permit may be required.

D. On Private Lands

All sections of this code apply to signage on private land. Signs on private land are allowed with the permission of the land owner.

E. Except for flags, temporary signs and window signs conforming to all respects to this code, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall frame or structure.

9.30.060 Maintenance

Signs shall be maintained in a manner that protects the public's safety, both to a person or property, and shall be in good repair. Any sign not in substantial, sturdy condition will be subject to abatement as a public nuisance.

9.30.070 Permanent

Ground signs shall not exceed 6' in height from its base to its highest point.

9.30.080 Temporary

Temporary signs shall not exceed 16sf in size. Ground signs shall not exceed 6' in height from its base to its highest point.

9.30.090 Incidental

These signs are signs like No Parking, Entrance, Loading Zone and Telephone but not limited to these.

9.30.100 Traffic Control Signs

Alaska Statute Title 28 controls traffic control signs.

9.30.110 Off-Premise Signs

Off-premise signs shall have a maximum height of 10'. No more than one off-premise sign shall be allowed per lot. Illumination if used shall not be animated. The owner of the lot on which an off-premise sign is located as well as the business owner or the non-commercial entity named or depicted on an off-premise sign shall be jointly and severally responsible for compliance with the sign code.

9.30.120 Public Signs

A. Flags ~~Flags~~ of the United States, Alaska, a Municipality of Alaska, or any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction, ~~these~~ must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Multiple flags displayed in one cohesive display are considered one Public sign.

B. Public signs may be used as building markers for historical, public use buildings.

C. Public signs are allowed on all public and privately owned lands, and shall not exceed 24sf, or if freestanding be over 10' tall, and may be placed in DOT ROW's with DOT approval.

9.30.130 Electoral ~~Electoral~~

Signs are allowed, in any number and shall be in addition to any other signs, in Denali Borough only within ~~60~~ 100 days prior to the election and ~~7~~ 14 days after the election in which the sign applies. Electoral signs placed at other times must comply to all sections of this code. Maximum sign size is 16s.f., individual panels may not be closer than 10' apart. All sections of this code apply to electoral signs. Signs not removed within ~~8~~ 15 days after the applicable election may be removed by the administrator appointing a person to do so at the appropriate candidate's, party's or other special interest group's expense. The Mayor or designee shall send notice to the appropriate candidate, party, or special interest group that their electoral signs may be removed at their expense prior to removal.

9.30.140 Exempt Signs

Works of art that do not contain a commercial message. Traffic control signs on private property as long as they meet DOT standards. Holiday lighting between November 15th and January 15th. Any sign bearing only a public notice or warning required by a valid and applicable Federal, state, or local law regulation or ordinance. Any emergency warning sign erected by a governmental agency, a Public Utility Company, or a contractor doing authorized or permitted work for a governmental agency or public utility company.

9.30.150 Prohibited Signs

Inflatable signs and tethered balloons are prohibited. Signs placed on or painted on a motor vehicle or trailer parked where the primary purpose of the vehicle is to advertise a product, service or business, or other activity is prohibited.

9.30.160 Abandoned Signs

These signs must be removed by the ~~owner~~ responsible party. If the ~~owner~~ responsible party fails to remove these signs after notification, a person may be designated by the administrator to remove these signs at the ~~owner's~~ responsible parties expense.

9.30.170 Prior Existing Signs

~~These~~ If existing signs are legally non-conforming ~~and~~ they may be left in place ~~until either the message is changed or~~ for one year from ~~enacting~~ adoption of this code (add date of adoption) has passed whichever is first. Whenever either of the above conditions exist the sign becomes illegal and must be removed immediately.