

34

Date November 5, 2007

An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by repealing paragraphs 7 and 8 of Section 134-1278 and paragraphs (c) and (d) of Section 134-1352 thereof, and enacting a new paragraphs 7 and 8 to Section 134-1278 and paragraphs (c) and (d) to Section 134-1352, to expand the corridors along which off-premises advertising signs are generally prohibited, and to restrict the right to replace or modify existing non-conforming signs",

which was considered, amended, and voted for the first time upon under Roll Call No. 07-1669 of August 20, 2007; again presented.

(Council Communication No. 07-670 )

MOVED by \_\_\_\_\_ that this ordinance be considered and given second vote for passage.

(Second of three required readings)

G:\SHARED\LEGAL\BROWN\WORK\Ch134\Billboards\2nd amend\Ord & RC's v3.doc

COUNCIL ACTION	YEAS	NAVS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_  
City Clerk

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by repealing paragraphs 7 and 8 of Section 134-1278 and paragraphs (c) and (d) of Section 134-1352 thereof, and enacting a new paragraphs 7 and 8 to Section 134-1278 and paragraphs (c) and (d) to Section 134-1352, to expand the corridors along which off-premises advertising signs are generally prohibited, and to restrict the right to replace or modify existing non-conforming signs.

BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as amended by Ordinance No. 14,668 passed July 9, 2007, be and is hereby amended by repealing paragraphs 7 and 8 of Section 134-1278 and paragraphs (c) and (d) of Section 134-1352 thereof, and enacting a new paragraphs and 8 to Section 134-1278 and paragraphs (c) and (d) to Section 134-1352, to expand the corridors along which off-premises advertising signs are generally prohibited, and to restrict the right to replace or modify existing non-conforming signs, as follows:

**Sec. 134-1278. Regulation of off-premises advertising signs.**

Off-premises advertising signs shall be permitted only in those zoning districts where such signs are specifically classified as permitted or conditionally permitted uses by applicable district regulations. In each zoning district where off-premises advertising signs are classified as a permitted or conditionally permitted use, such signs shall be subject to the following additional restrictions:

.....

- (7) Along the designated major commercial corridors listed in this subsection, in lieu of the separation requirements identified in paragraph (6), above, no such sign shall be located within 500 feet of any other such sign. The designated major commercial corridors are:
  - a. Second Avenue (east side) from University Avenue to Washington Avenue.
  - b. Euclid Avenue from East Fourteenth Street to Mac Vicar Freeway.
  - c. Mac Vicar Freeway (west side) from extension of Tiffin Avenue to north city

- limits.
- d. Southeast Diagonal from Southeast Fifteenth Street to Southeast Twenty-fourth Street, and from Southeast Thirtieth Street to east city limits.
- e. Southeast Fourteenth Street from Pleasantview Drive to Bloomfield Road.
- f. Army Post Road (south side) from Southwest Ninth Street to Southwest Second Street, and from Southeast Sixth Street to and including the 2100 block of Army Post Road.
- g. Sixty-third Street/ Iowa Highway 28 from Watrous Avenue to Relocated Army Post Road.
- h. Park Avenue from Southwest Forty-sixth Street to Southwest Sixty-third Street.
- ~~i. Merle Hay Road (west side) from Douglas Avenue to Aurora Avenue.~~
- ~~j. Merle Hay Road (east side) from Aurora Avenue to north city limits.~~
- ~~k. Martin Luther King Jr. Parkway (east side) from Hickman Road to Euclid Avenue.~~
- ~~l. Northeast Fourteenth Street From Douglas Avenue to north city Limits.~~

(8) No such sign shall be located within 500 feet or face any of the designated scenic and gateway corridors listed in this subsection. These scenic and gateway corridors have been so designated because they provide significant views from the public right-of-way to the Des Moines or Raccoon River, downtown, state capitol, or large areas of open space, or serve as major entryways into distinct residential, institutional or commercial districts. The designated scenic and gateway corridors are as follows:

- a. Army Post Road and Relocated Army Post Road from Fleur Drive to Iowa Highway 28.
- b. Bell Avenue
- c. Douglas Avenue from Martin Luther King, Jr. Parkway to west city limits.
- d. East 14th Street and Southeast 14<sup>th</sup> Street from East Park Avenue to East Euclid Avenue.
- e. East Army Post Road from Indianola Avenue to east city limits.
- f. East Euclid Avenue from MacVicar Freeway to Hubbell Avenue.
- g. East University Avenue.
- h. Easton Boulevard from Hubbell Avenue to east city limits.
- i. Euclid Avenue and East Euclid Avenue from Martin Luther King, Jr. Parkway to East 14th Street.
- j. Fleur Drive from Grand Avenue to south city limits.
- k. Grand Avenue from Twelfth Street to the west city limits.
- l. Hartford Avenue from Southeast 14th Street to Southeast 22nd Street.
- m. Hubbell Avenue.
- n. Indianola Avenue.
- o. Iowa Highway 5.

- p. MacVicar Freeway between 7th Street and East 6th Street, and except the west side thereof from the extension of Tiffin Avenue to the north city limits.
- q. Martin Luther King, Jr. Parkway from north city limits to East 14th Street. For that portion of E. Martin Luther King Jr. Parkway not yet constructed, the Zoning Enforcement Officer shall obtain, review and reasonably utilize the available data from the state department of transportation, the city engineering department and from any other reliable source in determining the location of the future right-of-way.
- r. Merle Hay Road from Franklin Avenue to north city limits
- s. Southeast 30th Street from East University Avenue to Maury Street.
- t. Southwest 1st Street from Raccoon River Bridge to Depot Street.
- u. Southwest Connector. For the portions of the Southwest Connector not yet constructed, the Zoning Enforcement Officer shall obtain, review and reasonably utilize the available data from the state department of transportation, the city engineering department and from any other reliable source in determining the location of the future right-of-way.
- v. Thomas Beck Road
- w. University Avenue
- x. U.S. Highway 65/69 from East Army Post Road to south city limits.
- a. Grand Avenue from Twelfth Street to the west city limits.
- b. Fleur Drive from Grand Avenue to 200 feet south of Army Post Road.
- c. Martin Luther King, Jr. Parkway from MacVicar Freeway to the east bank of the Des Moines River.
- d. MacVicar Freeway from Seventh Street to East Sixth Street.
- e. East Fourteenth Street from Hartford Avenue to Governor Square Drive.
- f. Southwest First Street from Raccoon River Bridge to Depot Street.
- gy. Embankments of the Raccoon River Bridges at SW 3rd Southwest Third Street, SW 7th Southwest Seventh Street, SW 9th Southwest Ninth Street and 63rd Sixty-third Street.
- hz. Embankments of the Des Moines River Bridges at SE 1st Southeast First Street, SE 6th Southeast Sixth Street, 2nd Second Avenue, 6th Sixth Avenue, Euclid Avenue and University Avenue.

.....

**Sec. 134-1352. Use of land, use of structures and structures in any R district.**

.....

- (c) Nonconforming structures other than signs. Where a structure other than a sign exists at the effective date of the ordinance adopting or amending this chapter that could not be built under the terms of this chapter because of restriction on area, lot



coverage, height, yards, or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following:

- (1) No such structure may be enlarged or altered in a way which increases its nonconformity.
- (2) If such structure is destroyed by any means to an extent of 60 percent or more of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with this chapter. This subsection does not apply to nonconforming structures within an R-HD residential historic district. Any single-family semidetached or two-family dwelling which was a conforming structure on December 31, 1996 may be structurally altered, and if destroyed may be reconstructed and used as before, provided such reconstruction is commenced within six months of such destruction and diligently pursued to completion.

(d) Nonconforming signs. Where a sign exists at the effective date of the ordinance adopting or amending this chapter that could not be built under the terms of this chapter because of size, height, setback, separation, or other characteristics of the sign or its location, such structure may be continued so long as it remains otherwise lawful, subject to the following:

- (1) No such sign may be enlarged or altered in a way which increases its nonconformity.
- (2) No such sign may be converted to use an electronic display. However, a legal non-conforming sign located at least 100 feet from any adjoining R-1 or R-2 Districts and from any adjoining single or two-family residential use, may be converted to an electronic display sign of equal or smaller area, if the applicant agrees to cause a second existing legal non-conforming sign of equal or larger size located along the same corridor to be removed prior to such conversion. The entire structure above ground, including all sign faces of the second sign shall be removed before a permit is issued for the conversion.
- (3) If such sign is destroyed by any means to an extent of 60 percent or more of its replacement cost at the time of destruction exclusive of the foundation and supporting elements below the bottom face of the sign, such sign shall not be reconstructed except in conformity with this chapter. If the sign be less than 60 percent destroyed above the bottom face of the sign, it may be reconstructed and used as before provided it is done within six months of such happening and is built of like or similar materials

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

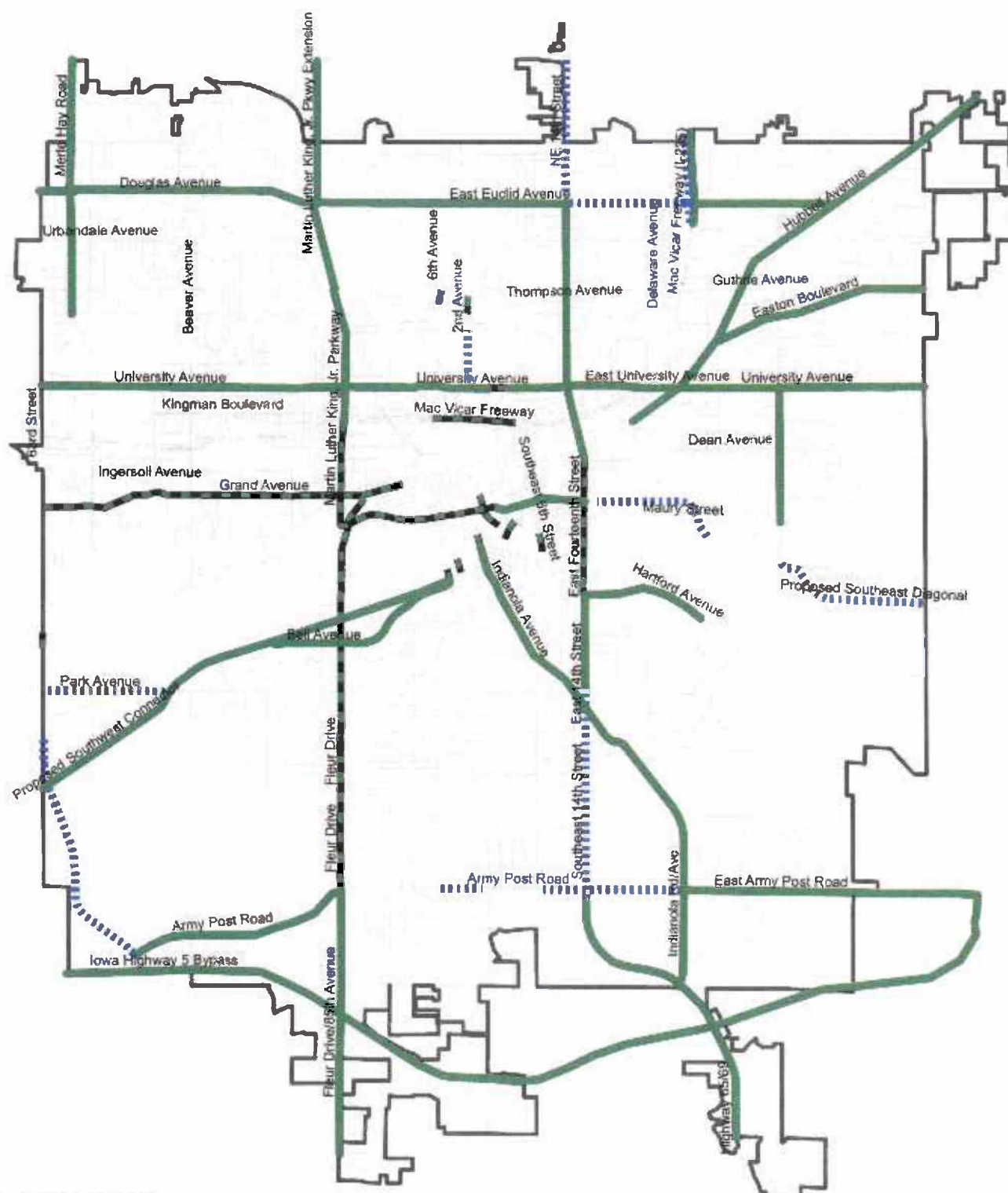


Roger K. Brown

Assistant City Attorney

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# DESIGNATED MAJOR COMMERCIAL CORRIDORS AND DESIGNATED SCENIC & GATEWAY CORRIDORS



- CORRIDOR TYPE**
- PROPOSED Designated Scenic and Gateway Corridor {Section 134-1278(8)}
  - Existing Designated Scenic and Gateway Corridor {Section 134-1278(8)}
  - Designated Major Commercial Corridor {Section 134-1276(7)}

October 16, 2007

**E-MAILED ON  
OCT 17 2007.**

The Honorable Mayor  
and  
Members of the City Council

**RE: Second Reading of Ordinance Regarding Electronic Signs**

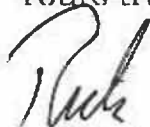
Dear Mayor and Council:

On August 20, 2007, by Roll Call No. 07-1670, City Council approved the first reading of proposed amendments to the zoning ordinance to place limitations on electronic signs and off-premises advertising signs. Council asked that the second reading of the ordinance be deferred until October 22, 2007, in order to give staff time to review extending the Merle Hay Corridor and to have discussions with Clear Channel Communications regarding the regulation of billboards.

It is my intention to place a recommendation regarding the second reading of the ordinance on the agenda for the Council's regularly scheduled meeting on November 5, 2007. Although action was anticipated for October 22<sup>nd</sup>, staff has not had adequate time to work with Clear Channel. Clear Channel recently went through a change in legal counsel and submitted a proposal to the City on October 3, 2007. With other priorities, staff did not have adequate time to review and respond to the proposal in order to meet the agenda deadlines for the October 22<sup>nd</sup> meeting. We are currently preparing a formal response to Clear Channel and will continue to work with their representatives to bring a recommendation back on November 5<sup>th</sup>.

Please let me know if you need any additional information.

Yours truly,



Richard A. Clark  
City Manager

RAC/lep

Cc: Bruce Bergman, City Attorney  
Roger Brown, Assistant City Attorney  
Larry Hulse, Community Development Director  
Michael Ludwig, Planning Administrator



OFFICE OF THE CITY MANAGER  
CITY HALL  
400 ROBERT D. RAY DRIVE  
DES MOINES, IOWA 50309-1891  
(515) 283-4141

ALL AMERICAN CITY  
1949, 1976, 1981  
2003



# MEMO

To: Mayor Frank Cownie

From: Clear Channel Outdoor Des Moines

Re: Proposal to City of Des Moines

Date: October 3, 2007

- CCO will relinquish the Fleur Drive/Gray's Lake sign at the time of approval of the amended Ordinance as stated below and the Fleur Drive/Gray's Lake sign will not be subject to replacement in another location.
- The following amendments (in italicized text) will be made to the proposed City Ordinance Section 134-1352.(d)(2).

A legal non-conforming sign located at least 100 feet from any adjoining R-1 or R-2 Districts and from any adjoining single or two-family residential use, may be converted to an electronic sign *of any size* if a second existing legal non-conforming *or conforming* sign of *any size* located *anywhere within the City* is removed prior to conversion, i.e., one sign face will be taken down for one electronic/digital sign face converted.

- Ten locations will be allowed for new signs in the Downtown and in the Airport By-Pass Corridor. Please see attached "Proposed Downtown Locations" and "Proposed Airport Area Locations".
- CCO will not file its "illegal taking" lawsuit with the City in consideration for CCO's constructing two additional signs on locations owned by the City at: 1) the intersection of Martin Luther King, Jr. Parkway and Cottage Grove Avenue; and 2) 213 East Third Street. CCO will work with the City to integrate the signs into the character of the neighborhoods.
- CCO and the City will engage in good faith efforts regarding the display of street furniture upon mutual approval.
- CCO will participate in environmentally sensitive advertising, i.e. new recycled products will be available for use in the third quarter of 2007.

Memorandum

October 3, 2007

- CCO will agree to the extension of the Merle Hay Corridor south of Douglas Avenue to Franklin Avenue.

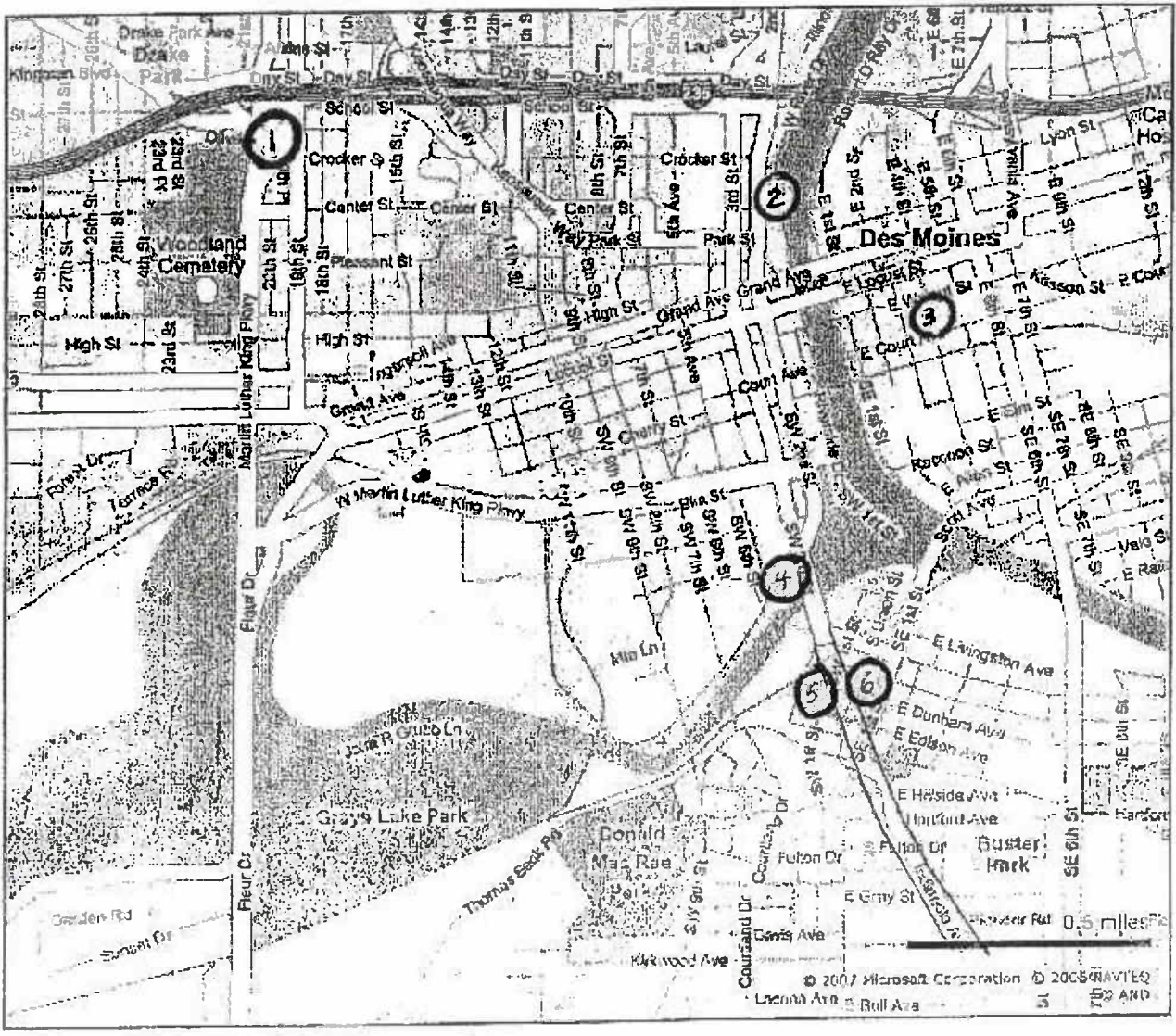
## Proposed Downtown Locations

Please refer to Downtown Map (attached pdf file) highlighting six proposed locations.

1. At the intersection of Martin Luther King Jr. PKWY and Cottage Grove Ave, south of Cottage Grove Ave and within the triangle where MLK begins to split. This would be a tri-sided 14 x 48 sign with the northwest face being digital. (parcel #030/03236-001-000, 2004 Cottage Grove Ave)
2. On the NE corner of where Center ST. intersects 2<sup>nd</sup> Ave, east of the Wells Fargo Arena. This would be a single-faced, slightly elevated 14 x 48 digital sign, facing south. (parcel #030/04242-005-000)
3. Clear Channel has an existing, single-faced, off-premise sign off E. Court Ave at 215 E. 3<sup>rd</sup> ST. (parcel #040/03819-000-000) The property is zoned C-3 Central Business District Commercial which does not allow off-premise signs, thus the existing sign is non-conforming. We propose the existing structure be allowed to be replaced with a new back-to-back 14' x 48' sign, with the east face being a digital.
4. At the NW corner of where SW 3<sup>rd</sup> ST (Ken Grandquist DR) crosses the Raccoon River. This would be a v-shaped, 14 x 48 double-sided and elevated sign. The south face of the sign would be digital. (parcel #020/00993-004-000)
5. At the NW corner of Dunham Ave and Indianola Ave. This would be a 14 x 48 double-sided, slightly elevated sign. The south face of the sign would be digital. (parcel #020/02600-003-000)
6. At the NE corner of Dunham Ave and Indianola Ave. This would be a 14 x 48 double-sided, slightly elevated sign. The south face of the sign would be digital. (parcel #020/02609-001-000)



# Live Search





## Proposed Airport Area Locations

Please refer to aerial photos (attached pdf file) labeled with eight proposed locations.

1. Along the western side of Fleur DR., south of McKinley Ave there is space at the bottom of the hill directly east of the buildings, (out of the clear zone). We propose to install a 14 x 48 slightly elevated, double sided off-premise sign. The south face would be digital. (parcel #120/07278-001-000)
2. Further south, along the western side of Fleur DR., south of McKinley Ave there is space at the bottom of the hill directly east of the small parking lot, (out of the clear zone). We propose to install a 14 x 48 slightly elevated, double sided off-premise sign. The south face would be digital. (parcel #120/07278-001-000)
3. South of the main parking ramp and lake, also along the west side of Fleur, and directly across from the Holiday Inn, (in the surface parking lot east of the buildings and out of the clear zone) there is space to install a 14 x 48 slightly elevated, double sided off-premise sign. The south face would be digital. (parcel #120/07280-000-000)
4. In the southern area of the surface parking lot indicated in #3 above, along the west side of Fleur, south of the main parking ramp and directly across from the Holiday Inn, (also east of the buildings and out of the clear zone) there is space to install a 14 x 48 slightly elevated, double sided off-premise sign. The south face would be digital. (parcel #120/07280-000-000)
5. At the NE corner of the intersection of Relocated Army Post RD. and SW 28<sup>th</sup> ST. This would be a 14 x 48 double-sided, slightly elevated sign. (parcel #120/00005-007-007)
6. At the NW corner of the intersection of Relocated Army Post RD. and SW 28<sup>th</sup> ST. This would be a 14 x 48 double-sided, slightly elevated sign. (parcel #120/07291-007-004)
7. NE of the EDS Building on the north side of Relocated Army Post RD. This would be a 14 x 48 double-sided, slightly elevated sign. (parcel #120/07291-001-002)
8. Directly north of the IPERS Building on the north side of Relocated Army Post RD. This would be a 14 x 48 double-sided, slightly elevated sign. (parcel #120/07291-214-000)

Notes: At proposed locations 5 – 8, specific digital sign potential will be determined by Clear Channel upon final approval of parcels by City.

★ Roll Call Number  
07-1670

Agenda Item Number  
66A

Date August 20, 2007

An Ordinance entitled, " AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by repealing paragraph 8 of Section 134-1278 and paragraphs (c) and (d) of Section 134-1352 thereof, and enacting a new paragraph 8 to Section 134-1278 and paragraphs (c) and (d) to Section 134-1352, to expand the corridors along which off-premises advertising signs are generally prohibited, and to restrict the right to replace or modify existing non-conforming signs",

presented.

MOVED by Vlassis that this ordinance be considered and given first vote for passage. Second consideration will be on October 22, 2007.

FORM APPROVED:

(First of three required readings)

Roger K. Brown  
Roger K. Brown  
Assistant City Attorney  
G:\SHARED\LEGAL\BROWN\WORK\Ch134\FORMDOC.WPD

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERKAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Diane Rauh City Clerk

MOTION CARRIED APPROVED

T. M. Franklin  
Mayor

Mayor

07-16-70  
66A  
34

ORDINANCE NO. \_\_\_\_\_

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BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

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**Sec. 134-1278. Regulation of off-premises advertising signs.**

Off-premises advertising signs shall be permitted only in those zoning districts where such signs are specifically classified as permitted or conditionally permitted uses by applicable district regulations. In each zoning district where off-premises advertising signs are classified as a permitted or conditionally permitted use, such signs shall be subject to the following additional restrictions:

- (8) No such sign shall be located within 500 feet or face any of the designated scenic corridors listed in this subsection. These scenic corridors have been so designated because they provide significant views from the public right-of-way to the Des Moines or Raccoon River, downtown, state capitol, or large areas of open space, or serve as major entryways into distinct residential, institutional or commercial districts. The designated scenic corridors are as follows:
  - a. Army Post Road and Relocated Army Post Road from Fleur Drive to Iowa Highway 28.
  - b. Bell Avenue
  - c. Douglas Avenue from Martin Luther King, Jr. Parkway to west city limits.

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- d. East 14th Street and Southeast 14<sup>th</sup> Street from East Park Avenue to East Euclid Avenue.
- e. East Army Post Road from Indianola Avenue to east city limits.
- f. East Euclid Avenue from MacVicar Freeway to Hubbell Avenue.
- g. East University Avenue.
- h. Easton Boulevard from Hubbell Avenue to east city limits.
- i. Euclid Avenue and East Euclid Avenue from Martin Luther King, Jr. Parkway to East 14th Street.
- j. Fleur Drive from Grand Avenue to south city limits.
- k. Grand Avenue from Twelfth Street to the west city limits.
- l. Harford Avenue from Southeast 14th Street to Southeast 22nd Street.
- m. Hubbell Avenue.
- n. Indianola Avenue.
- o. Iowa Highway 5.
- p. MacVicar Freeway between 7th Street and East 6th Street, and except the west side thereof from the extension of Tiffin Avenue to the north city limits.
- q. Martin Luther King, Jr. Parkway from north city limits to East 14th Street, but excluding the east side thereof from Hickman Road to Euclid Avenue. For that portion of E. Martin Luther King Jr. Parkway not yet constructed, the Zoning Enforcement Officer shall obtain, review and reasonably utilize the available data from the state department of transportation, the city engineering department and from any other reliable source in determining the location of the future right-of-way.
- r. Southeast 30th Street from East University Avenue to Maury Street.
- s. Southwest 1st Street from Raccoon River Bridge to Depot Street.
- t. Southwest Connector. For the portions of the Southwest Connector not yet constructed, the Zoning Enforcement Officer shall obtain, review and reasonably utilize the available data from the state department of transportation, the city engineering department and from any other reliable source in determining the location of the future right-of-way.
- u. Thomas Beck Road
- v. University Avenue
- w. U.S. Highway 65/69 from East Army Post Road to south city limits.
- a. Grand Avenue from Twelfth Street to the west city limits.
- b. Fleur Drive from Grand Avenue to 200 feet south of Army Post Road.
- c. Martin Luther King, Jr. Parkway from MacVicar Freeway to the east bank of the Des Moines River.
- d. MacVicar Freeway from Seventh Street to East Sixth Street.
- e. East Fourteenth Street from Harford Avenue to Governor Square Drive.
- f. Southwest First Street from Raccoon River Bridge to Depot Street.
- gx. Embankments of the Raccoon River Bridges at SW 3rd Southwest Third Street, SW 7th Southwest Seventh Street, SW 9th Southwest Ninth Street



07-1670  
660A  
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and 63rd ~~Sixty-third~~ Street.  
by. Embankments of the Des Moines River Bridges at SE 1st ~~South-east-First~~ Street, SE 6th ~~South-east-Sixth~~ Street, 2nd ~~Second~~ Avenue, 6th ~~Sixth~~ Avenue, Euclid Avenue and University Avenue.

**Sec. 134-1352. Use of land, use of structures and structures in any R district.**

(c) Nonconforming structures other than signs. Where a structure other than a sign exists at the effective date of the ordinance adopting or amending this chapter that could not be built under the terms of this chapter because of restriction on area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following:

- (1) No such structure may be enlarged or altered in a way which increases its nonconformity.
- (2) If such structure is destroyed by any means to an extent of 60 percent or more of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with this chapter. This subsection does not apply to nonconforming structures within an R-HD residential historic district. Any single-family semidetached or two-family dwelling which was a conforming structure on December 31, 1996 may be structurally altered, and if destroyed may be reconstructed and used as before, provided such reconstruction is commenced within six months of such destruction and diligently pursued to completion.

(d) Nonconforming signs. Where a sign exists at the effective date of the ordinance adopting or amending this chapter that could not be built under the terms of this chapter because of size, height, setback, separation, or other characteristics of the sign or its location, such structure may be continued so long as it remains otherwise lawful, subject to the following:

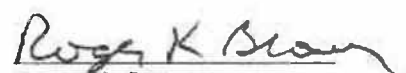
- (1) No such sign may be enlarged or altered in a way which increases its nonconformity.
- (2) No such sign may be converted to use an electronic display. However, a legal non-conforming sign located at least 100 feet from any adjoining R-1 or R-2 Districts and from any adjoining single or two-family residential use, may be converted to an electronic display sign of equal or smaller area, if the applicant agrees to cause a second existing legal non-conforming sign of equal or larger size located along the same corridor, to be removed prior to such conversion. The entire structure above ground, including all sign faces of the second sign shall be removed before a permit is issued for the conversion.

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66A

(3) If such sign is destroyed by any means to an extent of 60 percent or more of its replacement cost at the time of destruction exclusive of the foundation and supporting elements below the bottom face of the sign, such sign shall not be reconstructed except in conformity with this chapter. If the sign be less than 60 percent destroyed above the bottom face of the sign, it may be reconstructed and used as before provided it is done within six months of such happening and is built of like or similar materials.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

  
Roger K. Brown  
Assistant City Attorney