

ORDINANCE NO. 2024-233

AN ORDINANCE FOR CASE ORD24-02 BEING THE REQUEST OF THE CITY OF DAVENPORT, IOWA TO AMEND CHAPTER 17.08 ENTITLED "USES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY UPDATING THE BILLBOARD DEFINITION AND PRINCIPAL USE STANDARDS.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:

Section 1. That Subsection 17.08.030(E) entitled "Principal use standards" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

E. Billboard

1. General regulations for billboards:
  - a. Billboard structures are prohibited if visible from an interstate highway.
  - b. Billboard structures are prohibited on properties listed on the Davenport Register of Historic Places.
  - c. Billboards are prohibited within required landscaping areas, as outlined in Section 17.11.
  - d. The maximum height of a billboard is 45 feet.
  - e. Billboards shall be setback a minimum of 25 feet from lot lines.
  - f. Billboard distance separation shall be measured from the closest points of each billboard structure. This is measured in a straight line along either side of the right-of-way of the street.
2. The following additional standards apply to static billboards:
  - a. All static billboards must be separated by a minimum distance of 1,500 feet.
  - b. The maximum sign area of a static billboard is 672 square feet plus an extension area from the single continuous perimeter not to exceed 153 square feet.
  - c. Billboards with a sign area of up to 300 square feet must be a minimum of 100 feet from any residential district. Billboards with a sign area of over 300 square feet must be a minimum of 150 feet from any residential district. This is measured in a straight line along either side of the right-of-way of the street.
  - d. Up to four static billboard sign faces are allowed on one billboard structure. A "V" arrangement is permissible, however, no more than two static billboard sign faces can be visible from any one street direction.

e. Any billboard illumination shall be designed, located, shielded, and directed to prevent the casting of glare or direct light upon roadways and surrounding properties, and prevent the distraction of motor vehicle operators or pedestrians in the public right-of-way.

3. The following additional standards apply to electronic billboards:

a. Electronic billboards are prohibited in the C-2 Corridor Commercial District.

b. All electronic billboards must be separated by a minimum distance of 3,000 feet.

c. The maximum sign area of an electronic billboard is 400 square feet.

d. Electronic billboards shall be a minimum of 600 feet from any residential district. This is measured in a straight line along either side of the right-of-way of the street.

e. Up to two electronic billboard sign faces are allowed on one billboard structure. A "V" arrangement is permissible, however, no more than one electronic billboard sign face can be visible from any one street direction.

f. Electronic billboards cannot change more than once every eight seconds. Static images with no animation are required and the transition from one image to the next must occur in one second or less.

g. An electronic display must contain a default mechanism to show a "full black" image or turn the sign off in case of malfunction, or must be manually turned off within 12 hours of a reported malfunction.

h. The maximum brightness is limited to 5,000 nits when measured from the billboard's face at its maximum brightness, during daylight hours, and 200 nits when measured from the billboard's face at its maximum brightness between dusk and dawn, i.e., the time of day between sunset and sunrise. The billboard must have an ambient light meter and automatic or manual dimmer control that produces a distinct illumination change from a higher allowed illumination level to a lower allowed level for the time period between one-half hour before sunset and one-half hour after sunrise. All existing billboards shall meet the maximum brightness provision within twelve months of the adoption of the ordinance.

Section 2. That Section 17.08.050 entitled "Use definitions" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

**Billboard.** A permanent sign directing attention to a specific business, product, service, entertainment event, activity, or other commercial activity that is not sold, produced, manufactured, furnished, or conducted at the property upon which the sign is located. Static billboards display a fixed advertisement face, where the face is not changeable within seconds or minutes, but where a change of face have to be re-erected and affixed to the structure. Electronic billboards are digital displays that can be changed within seconds or minutes by a remote or automatic means.

**SEVERABILITY CLAUSE.** If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

First Consideration May 8, 2024

Second Consideration May 22, 2024

Approved June 12, 2024

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Mayor



  
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