

## ORDINANCE NO. 4556

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY AMENDING SECTION 29.201(28), REPEALING SECTION 29.409 AND ENACTING A NEW SECTION 29.1319 THEREOF, FOR THE PURPOSE OF ESTABLISHING REQUIREMENTS FOR OUTDOOR ADVERTISING DISPLAYS AND BILLBOARDS, REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by amending Section 29.201(28), repealing Section 29.409, and enacting a new Section 29.1319 as follows:

**“Sec. 29.201. DEFINITIONS.**

Except as otherwise defined in this Ordinance or unless the context may otherwise require, the following words are defined for the purpose of this Ordinance as follows:

...

(28) ~~Billboard means a fabricated surface or device located outdoors that is used or intended to be used in the business of displaying messages in exchange for a rental payment fee.~~

Billboards and Outdoor Advertising Displays mean a fabricated surface or device, including support structure, located outdoors that is used or intended to be used in the business of displaying messages for services, activities, goods, or other information that is not related to activities located on the site of the display.

...

**Sec. 29.412. BILLBOARDS. (REPEALED)**

~~(1) **Locations Limited.**~~

~~(a) Billboards are permitted in only the following Zones: Highway Oriented Commercial (HOC), General Industrial (IGI), Planned Industrial (IP), and Agricultural (A).~~

~~(b) Location of a Billboard within 600 feet of the boundary of a Zone in which Billboards are not permitted is prohibited.~~

~~(c) Billboards are prohibited within 250 feet of any part of any roadway interchange with either Interstate Highway 35 or U.S. Highway 30.~~

~~(d) No Billboard shall be located nearer than 600 feet to any other Billboard.~~

~~(2) **Message Area.** The area of either side of a Billboard that displays a message shall not exceed 200 square feet, and, a Billboard shall not have more than two sides for the display of messages. However, the area of a message display side may be as much as 300 square feet if the Billboard is located in a corridor lying 300 feet on either side of the right-of-way of U.S. Highway 30.~~

~~(3) **Monopole Required.** All Billboards shall be erected on a single steel monopole.~~

~~(4) **Landscaping.** Landscaping that enhances the site of the Billboard, and the area surrounding the Billboard, shall be established, and maintained at the base of each Billboard by the party in control of the Billboard, except for Billboards located in the Agricultural (A) Zone.~~

~~(5) **Height Limit.** A Billboard shall not exceed 50 feet from the base of the monopole to the top of the Billboard's highest part.~~

~~(6) **Setback Required.** A Billboard shall not be located nearer to any point in the boundary of the lot on which the Billboard is located than the number of feet in the vertical dimension of the Billboard determined as stated in subsection E above.~~

~~(7) **Lighting Restricted.** A Billboard shall not be illuminated between the hours of 10:00 p.m. and 6:00 a.m. by lights directed upwards. Illumination by lights directed downward is not subject to a time limit.~~

~~(8) **One Per Lot.** More than one Billboard on a single lot is prohibited.~~

~~(9) **Billboards** shall be subject to the provisions of Municipal Code Chapters 5 and 7 (Building Code and Electrical Regulations, respectively), and other applicable provisions of this Ordinance. When there is a conflict between a provision of said regulations and a provision of this Section, the more restrictive provision shall control.~~

~~(Ord. No. 4516, 01-09-24)~~

...

### **Sec. 29.1319. Billboards and Outdoor Advertising Displays.**

#### **(1) Locations Limited.**

(a) Billboards are permitted only within the following Zones: Highway-Oriented Commercial (HOC), General Industrial (GI), Planned Industrial (PI), and Agricultural (A). Billboards are considered a second principal use of a property and may be established consistent with this ordinance regardless of any other principal uses of the property. Billboards require approval of a Site Development Plan or Zoning Permit as establishing a use on the site.

(b) Location of a Billboard within 600 feet of the boundary of a Zone in which Billboards are not permitted is prohibited, excluding S-GA. Billboards on state designated Scenic Byways of the Lincoln Highway and Jefferson Highway are prohibited.

(c) Billboards are prohibited within 250 feet of any part of any roadway interchange with either Interstate Highway 35 or U.S. Highway 30 as defined by Iowa DOT.

(d) No Billboard shall be located nearer than 600 feet to any other Billboard.

(2) **Message Area.** The area of either side of a Billboard that displays a message shall not exceed 200 square feet, and, a Billboard shall not have more than two sides for the display of messages. However, the area of a message display side may be as much as 300 square feet if the Billboard is located in a corridor lying 300 feet on either side of the right-of-way of U.S. Highway 30. Digital Displays approved per subsection 10 below are not subject to this subsection.

(3) **Monopole Required.** All Billboards shall be erected on a single steel monopole.

(4) **Landscaping.** Landscaping that enhances the site of the Billboard, and the area surrounding the Billboard, shall be established, and maintained at the base of each Billboard by the party in control of the Billboard, except for Billboards located in the Agricultural (A) Zone. The construction of a Billboard does not require site, yard, or parking lot landscaping that would otherwise apply to development of a site. Construction of a Billboard does not reduce or remove any required landscaping requirements for a property related to the site, parking, or yard requirements for any other use of the site or improvements to the site.

(5) **Height Limit.** A Billboard shall not exceed 50 feet from the base of the monopole to the top of the Billboard's highest part.

(6) **Setback Required.** All parts of the Billboard shall meet the principal building setbacks of the underlying zone, except in no case shall the setback be less than 20 feet.

(7) **Lighting Restricted.** A Billboard shall not be illuminated between the hours of 10:00 p.m. and 6:00 a.m., except by external lights directed downward is not subject to a time limit. Digital Displays approved per Section 10 are not subject to this section.

(8) **One Per Lot.** More than one Billboard on a single lot is prohibited.

(9) **Other Requirements.** Billboards shall be subject to the provisions of Municipal Code Chapters 5 and 7 (Building Code and Electrical Regulations, respectively), and other applicable provisions of this Ordinance. When there is a conflict between a provision of said regulations and a provision of this Section, the more restrictive provision shall control.

(10) Digital Displays. Digital Displays, also known as electronic message centers, are Billboards with programable displays and internal illumination of the message area by LEDs. Digital Displays are only permitted along a U.S. Highway 30 for a property zoned HOC, GI or PI that abuts such a Highway and is subject to the other standards for Billboards. No existing Billboard may be converted to a Digital Display.

(a) Removal of nonconforming billboards required.

(i) At a minimum, removal of two billboard support structures and associated sign faces located at nonconforming locations of Section 1(a) or (b) is required for erection of a Digital Display support structure.

(ii) At a minimum, at least 400 square feet of message area must be removed for each Digital Display message area, this may require removal of more than two support structures and sign face area to achieve the minimum standards. No partial credits for removal of structures or sign area may be retained or applied to a future approval of a Digital Display. For example, if two support structures with two sign faces each have a combined total 1000 square feet of sign area are removed it will allow for construction of one Digital Display support structure and two new digital sign faces on that structure, but there is no carryover of the sign area removed in excess of the 800 square foot minimum area requirement.

(iii) Credit for removal of nonconforming billboards requires removal of the Billboard that was subject to a lease to an advertising company that applies for a digital display, must be removed within the prior six months of applying for a new Digital Display, and there has been no approval for moving or replacing said Billboard within 1000 feet of prior location. Alternatively, Digital Display approval maybe be conditioned upon removal of identified Billboards prior to issuance of permit for the erection of a new support structure. The Planning Director may grant up to one six-month extension for removal.

(b) Newly constructed Digital Display Billboards may be authorized by the Planning and Housing Director through approval of a Minor Site Development Plan subject to conformance with all standards of this Ordinance, excepting subsection 7 of this Section, and the following criteria:

(ii) The size of a display shall not exceed 672 square feet, and each Billboard shall have no more than two displays (one for each direction).

(iii) Separation of 1,000 feet from another Billboard of any type.

(iv) Digital Displays shall not be animated or create the appearance of animation for each advertising segment or "flip" of the message to another message. Message displays shall be for a minimum of eight seconds and conform to all Department of Transportation requirements for a Billboard.

(v) The Digital Display shall be an LED design operated with automatic lighting controls and photo sensors to limit illuminance and brightness to compatible levels. Excessive brightness and illuminance at any time of day is a violation of the Code. Brightness of light emitted shall not exceed a maximum of 160 NITS as measured at the sign face during evening and nighttime hours from dusk to dawn when sign is in an all-white condition. Prior to operation of the Digital Display, a report of calibration of the display to these standards shall be provided to the Planning Director.

(vi) Once approved, the Digital Display is not subject to the outdoor lighting code standards of Article IV. However, the Digital Display shall be maintained and operated in accordance with all requirements of this section. Any bonafide complaint to City staff of excessive brightness or illuminance in relation to area within 1320 linear feet of the display shall require a response by the operator within 30 days of notice to provide information related to the calibration and maintenance of the Billboard. Additionally, City staff may require a test of the sign face at an agreed upon time with the operator using an appropriately calibrated light meter (NIT Gun) to determine compliance with the 160 NIT standard.

(vii) Any application for a Digital Display shall include all information required for a Site Development Plan and supplemental information requested by the Planning Director.

(11) **Conformance.** No Billboard can be modified without conforming to this section, including conforming with the standards for size, structural support, lighting, and illumination of the message area. Any Billboard lawfully existing prior to May 1, 2000, that does not comply with the use or design standards is nonconforming and subject to limitations of Article III for use. However, no increase in intensity of the nonconforming use or design shall be permitted or specially permitted, that includes a change of message display area or its illumination."

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out by law.

Section Three. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Four. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this 10 day of June, 2025.

  
\_\_\_\_\_  
Renee Hall, City Clerk

  
\_\_\_\_\_  
John A. Haila, Mayor