

ORDINANCE NO. 2011-55

**AN ORDINANCE AMENDING ARTICLE 801 SIGNS AND
BILLBOARDS OF CHAPTER 14 ZONING CODE TO REQUIRE
FREESTANDING SIGNS TO BE MONUMENT-STYLE**

WHEREAS, the regulation of signs is necessary to protect the public health, safety and welfare; and

WHEREAS, the City of Bentonville's General Plan includes the Community Design Goal to "Maintain the small town environment that is Bentonville's hallmark while recognizing the unique characteristics of existing neighborhoods and continuing to develop the cultural amenities that draw residents and visitors to the city;" and,

WHEREAS, the City of Bentonville's General Plan contains the following policy: "The City should encourage the installation of monument signs over other types of signs in its design standards and guidelines," and,

WHEREAS, with Ordinance 2008-8, the City of Bentonville revised the sign regulations to encourage the installation of monument signs by allowing an additional 20% of maximum sign area above what is permitted for a free standing sign; and,

WHEREAS, since Ordinance 2008-8 was adopted, while some applicants have chosen to install monument signs, none have used the incentive of the additional 20% in sign area; and,

WHEREAS, it is the intent of the City of Bentonville to improve overall appearance with monument-style signs, instead of pole signs.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BENTONVILLE, ARKANSAS:

Section 1. That the Bentonville Municipal Code, Title 14 Zoning Code, Article 201 Definitions should be and the same is hereby amended by deleting the definitions of "Sign, Freestanding" and "Sign, Monument" and replacing them with the following definitions and illustrations:

Sign, Freestanding: *A permanent sign that is supported wholly or in part by some structure other than a building or other structure whose principal function is something other than the support of a sign. Freestanding signs include monument signs and pole signs.*

Sign, Monument. *A freestanding sign that is supported by a solid base (other than poles) such that the bottom of the sign face is 3 feet or less above grade and no air space is visible within or between any portion of the sign display area and sign structure*



Section 2. That the Bentonville Municipal Code, Title 14 Zoning Code, Article 201 Definitions should be and the same is hereby amended by adding the following definitions:

Sign, Pole. A freestanding sign that is affixed, attached, erected or supported on a pole such that the bottom of the sign face is three feet or more above grade.



Sign, Multiple Tenant. A sign intended to provide identification to a multiple tenant commercial development of more than 25,000 square feet of gross building area in which more than 3 tenants occupy.

Sign, Single Tenant. A sign intended to provide identification to a building with a single tenant only.

Sign Face. The area of a sign on which copy is intended to be placed.

Sign Area. The entire face of a sign, including the advertising surface and any framing, trim or molding, but not including the supporting structure.

Sign Structure. The entire composition of the sign, including the sign face, framing, trim, molding and supporting structure.

Section 3. That the Bentonville Municipal Code, Title 14 Zoning Code, Article 801.9 Signs Permitted with a Sign Permit, Section A. Height and Area Regulations should be and the same is hereby amended by replacing the word “freestanding” with “monument.”

Section 4. That the Bentonville Municipal Code, Title 14 Zoning Code, Article 801.9 Signs Permitted with a Sign Permit, Section A. Height and Area Regulations should be and the same is hereby amended with the following:

Zoning District	Sign Types Permitted	No. of signs permitted	Max. Height (sign structure)	Maximum Sign Area (per sign face)
A1, RE, R1, R2, R3, R4, PRD, RC2, RC3	Monument – nonresidential use	1/street entrance	6 ft.	32 sq. ft.
C1, C3, RO	Monument	1/street frontage	6 ft.	32 sq. ft.
C2, PUD, I1, I2	Monument – single tenant	1/street frontage	8 ft.	60 sq. ft.
	Monument – multiple tenant	1/street frontage	12 ft.	100 sq. ft.

Section 5. That the Bentonville Municipal Code, Title 14 Zoning Code, Article 801.9 Signs Permitted with a Sign Permit, Section D. Freestanding Signs – Nonresidential Districts should be and the same is hereby deleted and replaced with the following:

D. Monument Signs – Non-Residential Districts. Monument signs are subject to the following regulations:

Section 6. That the Bentonville Municipal Code, Title 14 Zoning Code, Section 801.9 Signs Permitted with a Sign Permit, Subsection D.5 should be and the same is hereby amended with the following:

Adjacent to I-540. Freestanding signs up to 70' in height for restaurants, hotels, motels and fuel sales establishments are allowed when the property on which the sign is located is within 500 feet of Interstate 540 between Exit 85 (southbound entrance ramp) and Exit 86 (southbound exit ramp).

Section 7. That the Bentonville Municipal Code, Title 14 Zoning Code, Article 801.9 Signs Permitted with a Sign Permit, Section D. Freestanding Signs – Nonresidential Districts, Subsections 6.a and 6.b be deleted and 6.c and 6.d be added to the outline numbering for 801.9(D).

Section 8. That the Bentonville Municipal Code, Title 14 Zoning Code, Article 801 Signs, Section 801.9 E “Freestanding Signs – Residential Districts” be amended such that the title reads “Monument Signs – Residential Districts”.

Section 9. That the Bentonville Municipal Code, Title 14 Zoning Code, Article 801 Signs, Section 801.11 should be and the same is hereby amended with the following:

J. Pole Signs. Any sign that meets the definition of “pole sign” in Article 201 Definitions shall not be permitted, with the exception of those expressly permitted within this chapter.

Section 10. This Ordinance shall be in full force and effect 30 days from the date of its passage and approval.

PASSED and APPROVED this 14th day of June, 2011.

Approved:



Mayor Bob McCaslin

Attest: Linda Spence, City Clerk

ATTEST:



City Clerk