

Exhibit A
Resolution 25-_____

The Zoning Regulations for the Yellowstone County Jurisdictional Area are amended by revising Sections 27-1400 to correct errors, provide clarification and continuity of the regulations.

27-1400 Sign Code

SECTION 27-1403 NON-CONFORMING SIGNS

A. NONCONFORMING SIGNS

Where a lawful sign exists at the effective date of this article, or amendment of this article, that would be illegal under the terms of this article, the use of such sign may be continued so long as it remains otherwise lawful, subject to the provisions of this section.

B. CLASSIFICATION OF NONCONFORMITIES

There are two types of legal, nonconforming signs: major and minor. Signs with multiple nonconforming elements are classified in the category of the most significant nonconformity.

1. Major Nonconforming Signs

Major nonconforming signs are those signs for which the nonconformity generates a nuisance per se, violates County sign policy, or is incompatible with adjacent signs and/or the adopted guiding principles such that public policy favors their elimination from the zone if they are discontinued, abandoned, or destroyed. Major nonconforming signs include:

- (a) Dangerous signs;
- (b) Signs that exceed the maximum height or size permitted in the zone district by more than 20%;
- (c) Nonconforming setback that encroaches on or over a public right-of-way, clear vision area, or public access easement;
- (d) Signs with nonconforming illumination;
- (e) Nonconforming sign types; and
- (f) Signs approved with a variance **on or before January 1, 2010**, that permits any issue included in this major nonconformity list.

2. Minor Nonconforming Signs

Minor nonconforming signs are any nonconforming signs that are not classified as major nonconforming signs. Minor nonconforming signs include but are not limited to:

- (a) Signs that exceed the maximum height or size permitted in the zone district by 20% or less;

- (b) Nonconforming setback that does not encroach on or over a right-of-way, and
- (c) Nonconforming separation.

C. MAJOR NONCONFORMITIES

1. Alterations

(a) A major nonconforming sign or sign structure may not be altered in any way that increases any nonconformity. A proposed change to any nonconforming aspect of a major nonconforming sign **for a new or relocating business** shall require the entire sign to be brought into conformance with this article.

(b) General repairs, maintenance, **updates and rebranding for an existing business** and change to advertising copy that does not include replacing a static sign with an EMD are not considered alterations.

2. Replacement

(a) A major nonconforming sign that is voluntarily replaced **for a new or relocating business** shall be replaced with a conforming sign.

(b) A major nonconforming sign that loses its nonconforming status per Section 27-1403.F shall be replaced with a conforming sign.

D. MINOR NONCONFORMITIES

1. Alterations

(a) A minor nonconforming sign may be altered **for an existing business** in a manner that conforms to this Zoning Code while still maintaining the nonconforming elements. For example, a sign that is two feet over the height limit for the zone district may be altered provided the height is not increased.

(b) General repairs, maintenance, **updates and rebranding for an existing business** and change to advertising copy that does not include replacing a static sign with an EMD are not considered alterations.

2. Replacement

(a) A minor nonconforming sign that is voluntarily replaced shall be replaced with a conforming sign.

(b) A minor nonconforming sign that loses its nonconforming status per Section 27-1403.F shall be replaced with a conforming sign.

SECTION 27-1405 GENERAL REGULATIONS FOR PERMANENT, ON-PREMISES SIGNS

The purpose of this section is to provide generally applicable sign regulations by sign type. The section is organized by sign category – freestanding, attached, and electronic message displays (EMDs). The amount of signage permitted by zone district is identified in Section 27-1406.

A. FREESTANDING SIGNS

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4. Pole Signs

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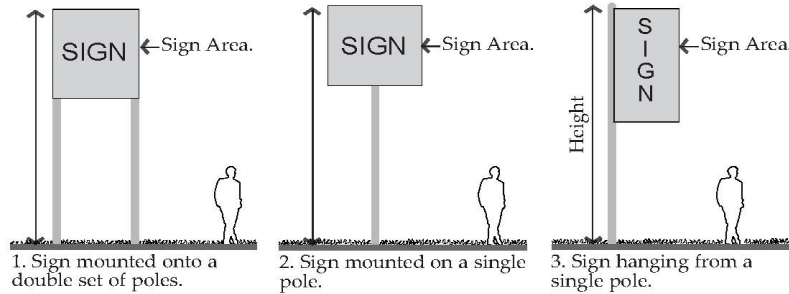


Figure 4: Pole Sign Configurations



Figure 5: Pole Sign Example

5. Pedestrian-Scale Signs

4. Pedestrian Scale Signs

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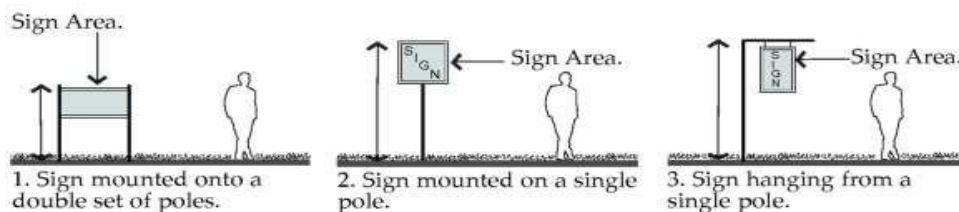


Figure 6: Pedestrian-Scale Sign Configurations

6. Structural Canopy

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Figure 7: Structural Canopy Sign Examples

7. Subdivision, Neighborhood, and Ranch Entrance Signs

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Figure 8: Subdivision and Neighborhood Sign Examples

B. ATTACHED SIGNS

1. Awning Signs

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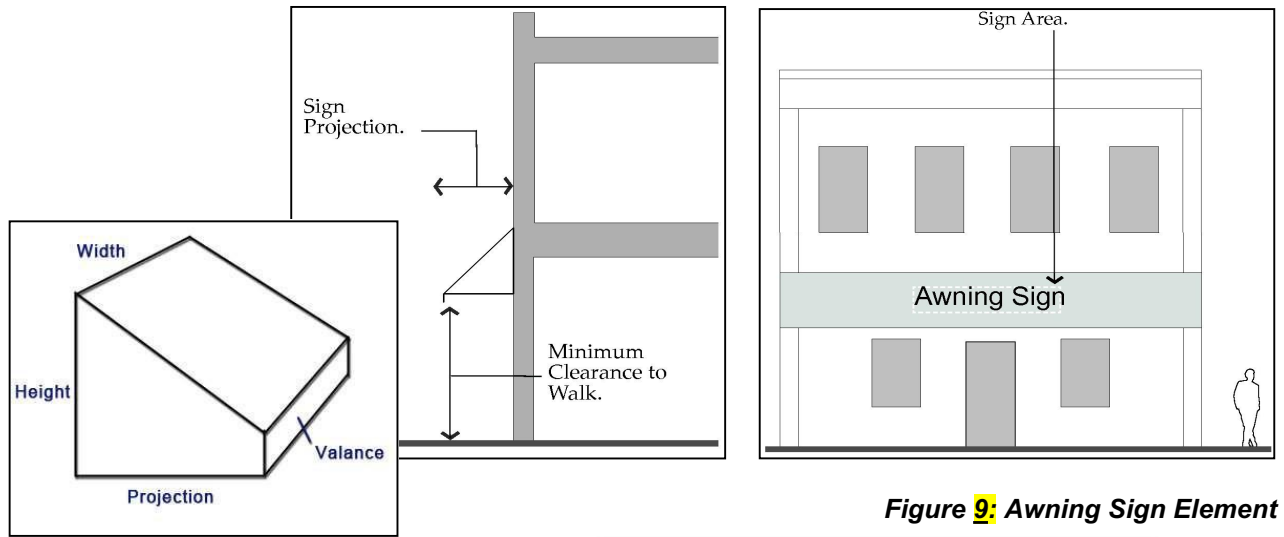


Figure 9: Awning Sign Element



Figure 10: Awning Sign Examples

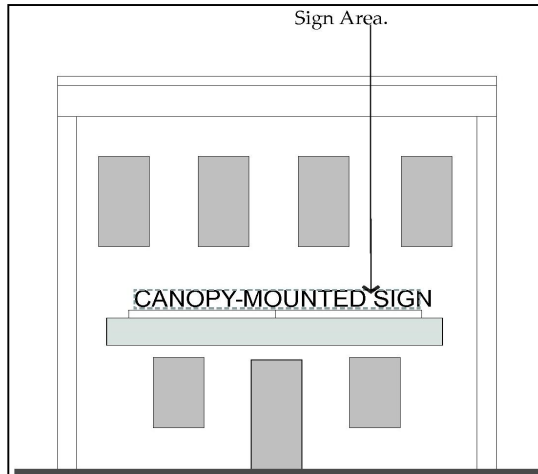
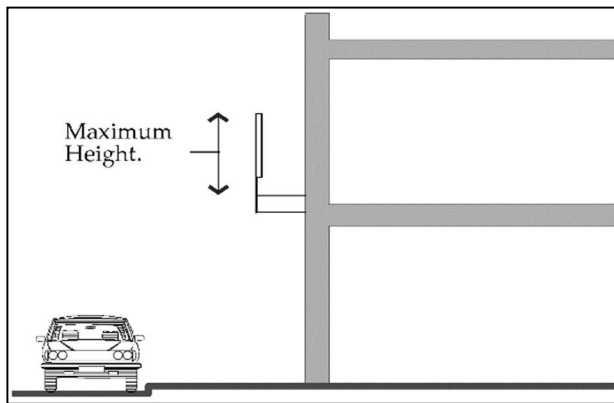
2. Canopy Signs

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Figure 11: Canopy Sign Examples



Figure 12: Canopy Sign Elements



3. Marquee Sign

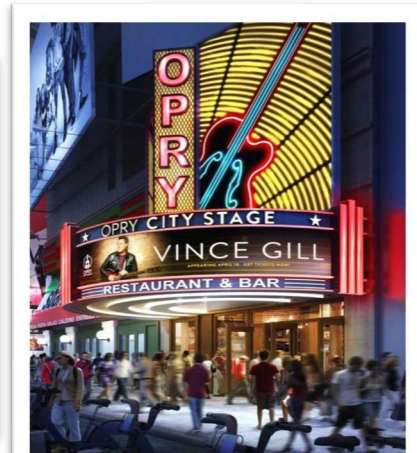


Figure 13: Marquee Sign Examples

4. Projecting Sign

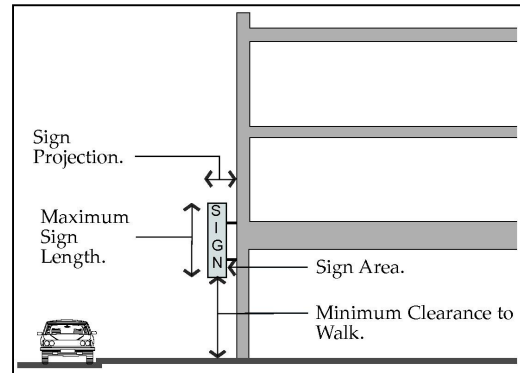


Figure 14: Projecting Sign Example and Elements

5. Roof Sign



Figure 15: Roof Sign Examples

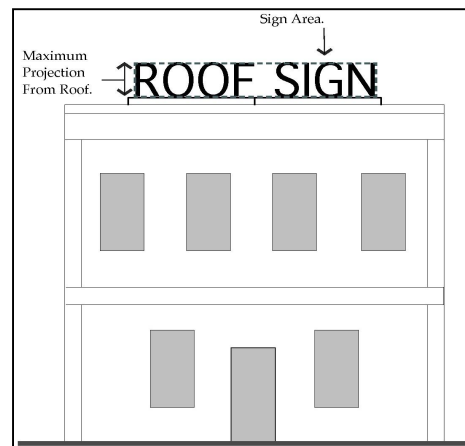
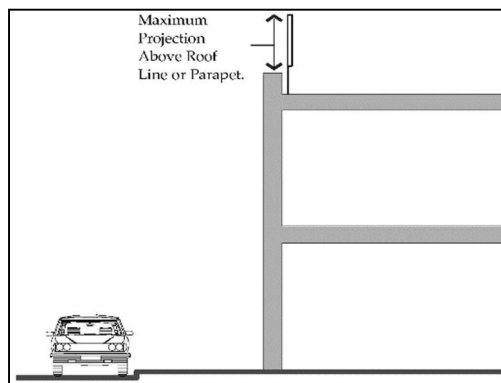


Figure 16: Roof Sign Elements

6. Wall Sign

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Figure 17: Wall Sign Examples

7. Window Sign

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Figure 18: Window Sign Examples

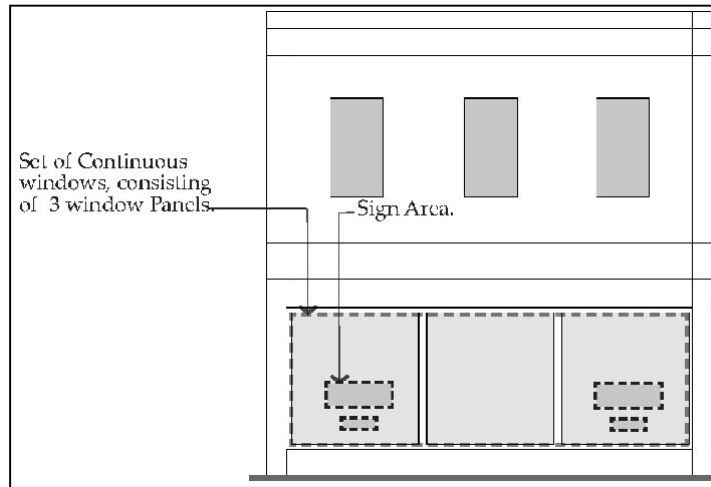


Figure 19: Window Sign Elements

C. ELECTRONIC MESSAGE DISPLAY (EMD) SIGNS

1. EMD Signs Prohibited

EMD signs are prohibited in the following districts:

(a) Agriculture

(b) All residential base zone districts (RR1, RR3, N1-4, RMH, and RRMH, NX1-3) and residential zones in a PD or PND.

(c) Public 1 and Public 2

(d) Neighborhood Office (NO) and Neighborhood Mixed Use (NMU).

2. Display Technology

The technology currently being deployed for EMDs is LED (light emitting diode), but there may be alternate, preferred, and superior technology available in the future. Any other technology that operates pursuant to the display brightness limits above shall not require an ordinance change for approval.

3. Incorporation in Wall or Freestanding Sign

(a) Except when used on a billboard sign, an EMD may only be used in conjunction with an adjacent wall sign or as part of a freestanding sign and shall not be displayed on its own.

(1) The EMD shall not be larger than 40 percent of the total square footage of the permanent graphic portion of the sign when compared as separate components.

(2) For purposes of determining the allowable total sign area, the permanent graphic portion of the sign and the EMD shall be included in the same perimeter and measured as a single sign, inclusive of any physical separation between the two components.

(b) Only one EMD sign, either wall or freestanding is permitted per developed parcel. EMD sign(s) shall be counted in the total number of signs allowed on the parcel.

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5. Static Display EMD

Where a static display EMD is permitted by this article, the following standards shall apply:

(a) A static display EMD may display a series of static messages and may not flash, scintillate, blink, show motion borders or traveling lights, employ any other aspect of animation, or display video.

(b) Messages on static display EMDs shall not include flashing, the varying of light intensity, or scrolling.

(c) Each static message on the sign shall be displayed for a minimum of ~~six~~three seconds in duration.

(d) Message change shall be completed instantaneously. There shall be a direct change from one message to the next. All transition effects, such as motion, animation, fading, scrolling, or dissolving are prohibited.

(e) EMD use on a billboard sign face is allowed and each static message on the sign shall be displayed for a minimum of six seconds in duration.

6. Animated Display EMD

Where an animated display EMD is permitted by this article, the following standards shall apply:

(a) The sign shall be on-premises;

(b) A freestanding animated display EMD sign shall be separated by at least 35 linear feet in any direction from any other freestanding animated display EMD;

(c) The sign shall be located at least 100 feet from any agriculture or residential zone (A, RR1, RR3, N1-4, RMH, RRMH, NX1-3 or any residential zone in a PD or PND); and

(d) Video display is prohibited (See definition of video in Section 27-1803).

7. Sign Permit Conditions

The following conditions apply to all EMD sign permits including EMD on billboard signs. Failure to comply shall result in the sign ceasing operation until compliance occurs.

(a) That the sign shall at all times be operated in accordance with County codes and that the owner or operator shall provide proof of such conformance within 24 hours of a request by the County;

(b) That a County inspector may access the property upon 24 hours' notice to the owner, operator or permittee so that the County may verify that the EMD has the automatic image dimming capability engaged. In the event of a citizen complaint regarding the EMD brightness, the owner, operator or permittee may be required by the County inspector to manually reduce the brightness to a lower setting;

(c) That whether the sign is programmed from the site or from a remote location, the computer interface that programs the sign and the sign's operation manual shall be available to County staff upon 24 hours' notice to the owner, operator or permittee.

(d) Sign permit applications to install an EMD must include a certification from the

owner or operator that the sign shall at all times be operated in compliance with the conditions set out in County code. The owner, operator or permittee shall immediately provide proof of such conformance upon request of the County.



Figure 20: EMD Sign Examples

SECTION 27-1407 SIGN REGULATIONS BY ZONE DISTRICT

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B. NEIGHBORHOOD RESIDENTIAL

1. Applicability

The standards in this section shall apply to the following districts: **N1-4, RMH, RRMH, NX1-3** and any residential zone in a PD or PND.

2. Summary Table

Table 27-1400.3 identifies the types of signs permitted in the neighborhood districts, subject to the regulations identified in the table and this article.

Table 27-1400.3: Permanent Signs in Neighborhood Residential Districts

Sign Type	Number	Height (max., ft.)	Sign Area per Sign (max., sf.)	Setback (min., ft.)	Illumin.	Additional Standards
Attached Signs						
Wall: Multi-unit Development	1; see 27-1407.B.3	Same as wall [1]	12	n/a	Internal or external	27-1405.B Wall Signs
Wall: Public, Civic, and Institutional Uses	1	Same as wall [1]	32	n/a	Internal or external	27-1405.B Wall Signs
Freestanding Signs						
Monument: Neighborhood or Subdivision	2 per entrance	8	32	5 [2]	Internal or external	27-1405.A Monument Signs
Monument: Public, Civic, and Institutional	1 per parcel	8	48	5 [2]	Internal or external	27.1405.A, Monument Signs
Notes:						
[1] May not project above wall on which located						
[2] From all property lines; must comply with clear vision areas per 27-1802.H.						

3. District Specific Standards

(a) Where signs are linked to a use category, a description of the category can be found in Section 27-1000, Use Standards.

(b) EMD signs are not permitted in residential districts.

(c) Multi-unit wall signage is permitted as follows:

(1) NX1: the sign shall be located on the primary building on a wall facing the main entrance to the development.

(2) NX2,3, and RMH, all with 10 or more units: wall sign with the same restrictions as NX1 plus one neighborhood monument sign.

C. NEIGHBORHOOD OFFICE AND NEIGHBORHOOD MIXED-USE

1. Applicability

The standards in this section shall apply to the following districts: NO and NMU.

2. Maximum Total Permitted Sign Area

(a) Attached signs: 20% of total wall area of a public street-facing wall, to a max of 100 square feet, or a max of one hundred (100) square feet, or to a max of one and one-half (1.5) square feet of sign area per linear foot of building frontage whichever is less. This maximum wall sign area is calculated on a per tenant basis. See subsection 27-1407.C.3, for wall signs on building facades that do not face a street..

(b) Freestanding signs: 60 square feet unless otherwise provided in Table 27-1400.5. Table 27- 1400.1, Permitted Number of Permanent Freestanding Signs applies.

3. Summary Tables

Tables 27-1400.4 and 27-1400.5 identify the types of signs permitted in the NO and NMU districts, subject to the regulations identified in the table and this article.

Table 27-1400.4: Attached Signs NO and NMU

Sign Type	Number	Height (max., ft.)	Sign Area per Sign (max., sf.)	Illumin.	Additional Standards
Awning	1 per awning	n/a	n/a	Internal or external	27-1405.B, Awning Signs
Canopy	1 per canopy	n/a	n/a	Internal or external	27-1405.B, Canopy Signs
Projecting	1 per street frontage	Same as wall [1]	32	Internal or external	27-1405.B, Projecting Signs
Wall	1 per tenant per street frontage	Same as wall [1]	32 [2] 100	Internal or external	27-1405.B, Wall Signs
Window	n/a	Limited to architect. distinct window area	27-1405.B, Window Signs	No	27-1405.B, Window Signs

Notes:

[1] May not project above wall on which located

[2] Distribution of this signage across multiple tenancies is the responsibility of the property owner. Extra signage will not be permitted once the maximum signage identified here has been met.

Table 27-1400.5: Freestanding Signs NO and NMU

Sign Type	Number	Height (max., ft.)	Sign Area per Sign (max., sf.)	Setback (min., ft.)	Illumin.	Additional Standards
Access Point	1 per vehicle access	3	2	0 [1]	Internal or external	27-1405.A, Access Point Signs
Monument	1 per street frontage	8	32	5 [1]	Internal or external	27-1405.A, Monument Signs
Monument, Multitenant [2]	1 per street frontage	8	Same as monument plus 10 sf per tenant up to 6 tenants (base + 60 sf max)	5 [1]	Internal or external	27-1405.A, Monument Signs
Pedestrian-Scale Freestanding	1 per street frontage	Single pole: 8 Double pole: 5	8	2 [1]	Internal or external	27-1405.A, Pedestrian-Scale Signs
Structural Canopy	1 per street frontage	2 feet above canopy	n/a	Canopy: zone district standards	Internal or external; static EMD	27-1405.A, Structural Canopy Signs

Notes:

[1] From all property lines; must comply with clear vision areas per 27-1802.H

[2] Distribution of this signage across multiple tenancies is the responsibility of the property owner. Extra signage will not be permitted once the maximum signage identified here has been met.

3. District Specific Standards

(a) Where signs are linked to a use category, a description of the category can be found in Section 27-1000, Use Standards.

(b) Residential uses and structures within an NO or NMU district are permitted the same signage as neighborhood residential districts as provided in Table 27-1400.3.

(c) EMD signs are not permitted in NO or NMU districts.

(d) Tenant signage in multitenant structures shall be allocated to each tenant unit based on the front wall area of the individual unit. Tenants with side, rear, or alley entrances are permitted wall signage on the wall with their primary public entrance only.

D. CORRIDOR MIXED-USE

1. Applicability

The standards in this section shall apply to the following districts: CMU1 and CMU2.

2. Maximum Total Permitted Sign Area

(a) Attached signs: Attached signs: 20% of total wall area to a max of 250 square feet, or two (2) square feet of sign area per linear foot of building frontage, whichever is less. This maximum wall sign area is calculated on a per tenant basis. See subsection 27-1407.D.4 for wall signs on building facades that do not face a street..

(b) Freestanding signs:

(1) Table 27-1400.1, Permitted Number of Permanent Freestanding Signs applies.

(2) Table 27-1400.6, Maximum sign area for freestanding signs is as follows:

Table 27-1400.6: Freestanding Sign Maximum Area in CMU1 and CMU2

Zone District and Number of Businesses	Street Frontage 0-300 linear feet	Street Frontage Greater than 300 linear feet
CMU1 One Tenant	50 sf	50 sf
CMU1 Multiple Tenants [1]	+ 10 sf sign area per additional tenant up to 6 tenants (110 sf)	+ 10 sf sign area per additional tenant up to 6 tenants (110 sf)
CMU2 One Tenant	80 sf	140 sf
CMU2 Multiple Tenants [1]	+ 20 sf sign area per additional tenant up to 6 tenants (200sf)	+ 10 sf sign area per tenant up to 10 tenants (240 sf)
CMU2 Shopping Center [1]	375 sf	375 sf
Notes: [1] Distribution of this signage across multiple tenancies is the responsibility of the property owner. Extra signage will not be permitted once the maximum signage identified here has been met.		

3. Summary Tables

Tables 27-1400.7 and 27-1400.8 identify the types of signs permitted in these districts, subject to the regulations identified in the table and this article.

Table 27-1400.7: Attached Signs in CMU1 and CMU2

Sign Type	Number	Height (max., ft.)	Sign Area per Sign (max., sf.)	Illumin.	EMD	Additional Standards
Awning	1 per awning	n/a	n/a	Internal or external	n/a	27-1405.B, Awning Sign
Canopy	1 per canopy	n/a	n/a	Internal or external	n/a	27-1405.B, Canopy Sign
Projecting	1 per tenant	Same as wall	48	Internal or external	n/a	27-1405.B, Projecting Sign
Wall	1 per tenant per street frontage	Same as wall	D.2.(a), above [4]	Internal or external	Static; Max 40% of sign area	27-1405.B, Wall Sign
Window	n/a	architect. distinct window area	27-1405.B, Window Signs	No	n/a	27-1405.B, Window Signs

Notes

[1] Distribution of this signage across multiple tenancies is the responsibility of the property owner. Extra signage will not be permitted once the maximum signage identified here has been met.

Table 27-1400.8: Freestanding Signs in CMU1 and CMU2

Sign Type	Number	Height (max., ft.)	Sign Area per Sign (max., sf)	Setback (min., ft.)	Illumin.	EMD	Additional Standards
Access Point	1 per vehicle access	3	6	0 [2]	Internal or external	n/a	27-1405.A, Access Point Sign
1) Monument, 2) Multitenant Monument, or 3) Shopping Center	Table 27-1400.1	8	Table 27-1400.6	5 [2]	Internal or external	Static: Max 40% of sign face	27-1405.A Monument Sign
Pedestrian-Scale Freestanding	Table 27-1400.1	Single Pole: 8; Double Pole: 5	8	2 [2]	Internal or external	Static: Max 40% of sign face	27-1405.A, Ped-Scale Freestanding
Pole	1 per parcel	25 [1]	Table 27-1400.6	5 [2]	Internal or external	Static: Max 40% of sign face	27-1405.A, Pole Sign
Structural Canopy	1 per street frontage	2 feet above canopy	n/a	Canopy: Zone district standards	Internal	Static; Max 40% of sign face	27-1405.A, Structural Canopy Sign

Notes:

[1] The maximum height of pole signs located in the CMU1 or CMU2 and EBURD-RSVM districts within 660 feet of and oriented to the interstate or interstate frontage right-of-way is 40 feet.

[2] From all property lines; must comply with clear vision areas per 27-1802.H.

4. District Specific Standards

(a) Where signs are linked to a use category, a description of the category can be found in Section 27-1000, Use Standards.

(b) Tenant signage in multitenant structures shall be allocated to each tenant unit based on the front wall area of the individual unit. Tenants with side, rear, or alley entrances are permitted wall signage on the wall with their primary public entrance.

E. COMMERCIAL AND INDUSTRIAL

1. Applicability

The standards in this section shall apply to the following districts: C3, CX, I1, and I2

2. Maximum Total Signage

(a) Attached signs: 2 square feet per lineal foot of building frontage to a max of 250 square feet. **This maximum wall sign area is calculated on a per tenant basis. See subsection 27-1407.E.4 for wall signs on building facades that do not face a street.**

(b) Freestanding signs: 1 square foot per lineal foot of street frontage to a max of 250 square feet unless otherwise provided in Table 27-1400.10. Table 27-1400.1, Permitted Number of Permanent Freestanding Signs applies.

3. Summary Table

Tables 27-1400.9 and 27-1400.10 identify the types of signs permitted in these districts, subject to the regulations identified in the table and this article.

Table 27-1400.9: Attached Signs Commercial and Industrial

Sign Type	Number	Height (max., ft.)	Sign Area Max per Sign (sf)	Illumin.	EMD	Additional Standards
Awning	1 per awning	n/a	n/a	Internal or external	n/a	27-1405.B, Awning Sign
Canopy	1 per canopy	n/a	n/a	Internal or external	n/a	27-1405.B, Canopy Sign
Projecting	1 per tenant	Same as wall	48	Internal or external	n/a	27-1405.B, Projecting Sign
Roof [1]	1 per premises	4 ft above roofline	250	Internal or external	n/a	27-1405.B, Roof Sign
Wall	1 per tenant per street frontage	Same as wall	E.2(a) above [2]	Internal or external	Static; Max 40% of sign face	27-1405.B, Wall Sign
Window	n/a	Limited to architect. distinct window area	27-1405.B, Window Signs	No	n/a	27-1405.B, Window Signs

Notes:

[1] Permitted in lieu of a wall sign.

[2] **Distribution of this signage across multiple tenancies is the responsibility of the property owner. Extra signage will not be permitted once the maximum signage identified here has been met.**

Table 27-1400.10: Freestanding Signs Commercial and Industrial

Sign Type	Number	Height (max., ft.)	Sign Area per Sign (max., sf)	Setback (min., ft.)	Illumin.	EMD	Additional Standards
Access Point	1 per vehicle access	3	6	0 [1]	Internal or external	n/a	27-1405.A, Access Point Sign
Monument	1 per street frontage; Table 27-1400.1	8	100 per side	5 [1]	Internal or external	Static; Max 40% of sign face	27-1405.A Monument Sign
Multitenant Monument [2]	1 per street frontage; Table 27-1400.1	8	100 plus 10 sf per tenant up to 6 tenants; 160 max	5 [1]	Internal or external	Static; Max 40% of sign face	27-1405.A Monument Sign
Shopping Center Monument	1 per street frontage	8	375	5 [1]	Internal or external	Static; Max 40% of sign face	27-1405.A, Monument Sign
Pole	1 per street frontage; Table 27-1400.1.	25 [3]	100 per side	5 [1]	Internal or external	Static; Max 40% of sign face	27-1405.A, Pole Sign
Structural Canopy	1 per street frontage	2 feet above canopy	n/a	5 [1]	Internal	Static; Max 40% of sign face	27-1405.A, Structural Canopy Sign

Notes:

- [1] From all property lines; must comply with clear vision areas per 27-1802.H.
- [2] Distribution of this signage across multiple tenancies is the responsibility of the property owner. Extra signage will not be permitted once the maximum signage identified here has been met.
- [3] The maximum height of pole signs within 660 feet of and oriented to the interstate or interstate frontage right-of-way is 40 feet.

SECTION 27-1408 TEMPORARY SIGNS

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D. GENERALLY APPLICABLE TEMPORARY SIGN STANDARDS

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2. Location

(a) Temporary signs are subject to the prohibited sign locations identified in Section 27-1401.E. **1402.E**

(b) No temporary sign shall cause unsafe ingress or egress or otherwise create traffic visibility problems.

SECTION 27-1409 BILLBOARD SIGNS

A. APPLICABILITY WITHIN THE INTERSTATE CORRIDOR

Billboards shall be permitted in the Interstate Corridor (660 feet either side of the right-of-way of the Interstate Highway) on properties zoned C3, CX, I1, or I2 as follows:

1. Billboards located within the Interstate Corridor shall have a maximum size of 600 square feet in size and shall be no more than 40 feet in height.
2. Billboards shall be separated by a minimum distance of 500 feet.
3. Lighting shall be designed to minimize glare and interference with any adjacent residential uses or traffic.

B. APPLICABILITY OUTSIDE THE INTERSTATE CORRIDOR

1. Billboards not located in the interstate corridor are allowed as indicated below.

Table 27-1400.22: Billboard Height, Maximum

Zone District	Max. Height (ft)	Max. Size (sq. ft.)	Min. Separation (ft)
Commercial 3 (C3)	30	288	750
Heavy Commercial (CX)	30	300	700
Industrial 1 and 2 (I1, I2)	40	378	500

2. In all districts, lighting shall be designed to minimize glare and interference with any adjacent residential uses or traffic.

C. Lighting and display.

1. Static lighting shall comply with subsection 27-1406.A or the EMD provisions in this section.
2. Electronic message display (EMD) lighting shall comply with subsection 27-1405.C and the following:
 - (a) A billboard EMD may be allowed on any off-premises/billboard sign face provided it conforms to all of the standards and requirements of the county sign code including the limitation on replacement of nonconforming off-premises billboard sign faces in subsection 27-1403 and the maintenance and repair requirements of section 27-1410.
 - (b) A billboard EMD does not need to be incorporated in a freestanding or wall sign pursuant to subsection 27-1405.C, the EMD may be used as the only sign area on the billboard sign face.