



417-272-3313 110 Silver Lady Ln. PO Box 2229 Branson West, MO 65737

BANNER SIGN APPLICATION

Address of sign location _____

Business Name _____

Applicant /Owner _____ Contact Number _____

Applicant/Owner Mailing Address _____

Emergency Contact Name and Number if different _____

Property Owner Name and Phone Number _____

Dimensions of Sign: Width _____ Height _____ Square Feet _____

Printed Name of Business Owner or Authorized Representative _____

Signature: _____

- Banner signs may be displayed only during business hours of the business being advertised for a duration not more than 60 days per calendar year per permit in increments of not less than three (3) days. Any portion of a day that a banner sign is displayed shall count as a full day. A permit shall be tied to a particular business location. No more than two (2) banner signs shall be displayed at the same time for the same permit holder, and banner signs may not be closer than 50 feet to one another, including banner signs on adjacent properties for other businesses.
- Banner signs are those consisting of a flexible lightweight material, not exceeding twenty-four (24) square feet of area. The area of banner signs that are not rectangular shall be computed by measuring the area of a rectangle that is as wide as the maximum width of the sign and as long as the maximum length of the sign, disregarding poles and ropes or other attachments.
 - National, State, and municipal flags, or the official flag of any other public or private entity, shall be exempt from permit requirements and shall not be considered banners.
- Please use the calendar provided to mark the desired dates you would like to display your banner. You will receive 60 days per calendar year per business license. **There is a \$15.00 fee per application.** You may choose all sixty (60) days now or if you need to choose days later there will be an additional \$15.00 fee and application.
- Be mindful of the sight triangles ORD 400.790 and setbacks ORD 400.800 (attached)

Ordinances can be found in their entirety on our website CityofBransonWest.com

For Office Use Only

Permit No: _____ Fee: _____ Date Paid: _____ Cash/Ck: _____

Zoning: _____ Date Permit Issued: _____ Approved by: _____

Start & Expiration Dates: _____

CITY OF BRANSON WEST

An Ordinance Amending Article X, Defining Banner Signs and Establishing Regulations for Banner Signs and Updating Regulations on Home Occupations

RECITALS:

1. The City's Planning and Zoning Commission, after notice published on June 22, 2023, held a public hearing on July 10, 2023, to consider regulations to define and regulate banner signs, which had been in most cases exempt from permit requirements and other regulation.
2. Effective August 28, 2022, section 89.500 RSMo created exemptions for zoning for "home-based work," which limits the scope of zoning regulations relating to home occupations, requiring modification of various sections of the zoning regulations.
3. After hearing public comments, with the input of the Planning and Zoning consultant, the Planning and Zoning Commission recommended a proposed ordinance to the Board of Aldermen, as follows.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BRANSON WEST, MISSOURI, AS FOLLOWS:

Section 1. Code Section 400.270 is modified by the addition of the following:

Sign permit for banner sign (good for remainder of calendar year) \$15.00

Section 2. The following definition of "banner sign" is added to Section 400.710 of the Code:

BANNER SIGN

A sign made of a flexible lightweight material, not exceeding 24 square feet in area, including "feather" signs and pennants.

Section 3. Code Section 400.730.B.2 is deleted in its entirety and replaced with the text "[Reserved]".

Section 4. Code Section 400.730.B. 5 and replaced with the following:

5. *Flags.* National, state, and municipal flags, or the official flag of any other public or private entity, shall be exempt

from permit requirements and shall not be considered banner signs.

Section 5. A new subparagraph is added to Code Section 400.780.A.4 as follows to describe how the area of banner signs is computed, as follows:

- c. The area of banner signs that are not rectangular shall be computed by measuring the area of a rectangle that is as wide as the maximum width of the sign and as long as the maximum length of the sign, disregarding poles and ropes or other attachments.

Section 6. A new subsection is added to Section 400.800 as follows:

- E. Banner signs may be displayed only during the business hours of the business being advertised for a duration not more than 60 days per calendar year per permit in increments of not less than three days. Any portion of a day that a banner sign is displayed shall count as a full day. A permit shall be tied to a particular business location. No more than two banner signs shall be displayed at the same time for the same permit holder, and banner signs may not be closer than 50 feet to one another, including banner signs on adjacent properties for other businesses.

Section 7. The definition of “home occupation” in Code Section 400.090 is deleted in its entirety and replaced with the following:

HOME OCCUPATION

An activity carried out by a resident conducted in that resident’s dwelling or an accessory structure on the same lot or an abutting lot other than “home-based work,” which is not prohibited by the City’s zoning regulations, described as follows:

- a. Mail order or telephone work.
- b. Service by appointment within the home or accessory structure.
- c. Storage of or use of equipment that does not produce effects outside the home or accessory structure.

In addition, the City does not regulate the hours of operation for “home-based work” or prohibit or require structural modifications for “home-based work,” as that term is defined in Section 89.500 Revised Statutes of Missouri. The City’s ordinances may require business licenses for home occupations

and home-based work, even if zoning regulations do not apply.

Section 8. Subsection c of 400.240.C pertaining to certificates of occupancy is amended by deletion of the existing subsection c and replacing it with the following:

- c. The establishment of a home occupation unless that home occupation is exclusively “home-based work” as described in the definition of Home Occupation in Section 400.090

Section 9. The definition of home occupation in subsection B of Code section 400.430 is deleted in its entirety and replaced with the following:

HOME OCCUPATION. An activity carried out by a resident conducted in that resident’s dwelling or an accessory structure on the same lot or an abutting lot other than “home-based work,” which is not prohibited by the City’s zoning regulations, described as follows:

- a. Mail order or telephone work.
- b. Service by appointment within the home or accessory structure.
- c. Storage of or use of equipment that does not produce effects outside the home or accessory structure.

In addition, the City does not regulate the hours of operation for “home-based work” or prohibit or require structural modifications for “home-based work,” as that term is defined in Section 89.500 Revised Statutes of Missouri. The City’s ordinances may require business licenses for home occupations and home-based work, even if zoning regulations do not apply.

Section 10. The first sentence of Subsection D of Section 400.430 is deleted up to the colon and replaced with the following:

- D. *Use Limitations.* In addition to all limitations applicable to the zoning district in which it is located, and subject to the prohibitions of Section 89.500 Revised Statutes of Missouri, no home occupation shall be permitted unless it complies with the following restrictions:

Section 11. The first sentence of Subsection E of Section 400.430 is deleted up to the colon and replaced with the following:

- E. *Particular Home Occupations Prohibited.* The

following types of uses and activities shall not be permitted as home occupations unless performed entirely inside the residence or accessory structure, unless otherwise permitted by the zoning district regulations:

Section 12. All ordinances or parts of ordinances in conflict herewith are hereby repealed but shall otherwise remain in full force and effect.

Section 13. This Ordinance shall become effective immediately upon passage and approval.

Chapter 400. Zoning Regulations

ARTICLE X. Signs

Section 400.700. Purpose.

[Ord. No. 1250 §1(1000), 10-15-2002]

This Article establishes standards for the erection and maintenance of signs in order to protect the safety of persons and property; to promote the efficient communication of information; to protect the public welfare; and to preserve and enhance the visual character and economy of the City of Branson West. Except as otherwise provided, no sign shall be erected, moved, enlarged, illuminated, or substantially altered except in accordance with the provisions of this Article.

Section 400.710. Definitions.

[Ord. No. 1250 §1(1001), 10-15-2002]

Unless otherwise provided, the words and phrases defined in this Section shall have the meanings indicated when used in this Article:

SIGN

Any words, numbers, figures, devices, designs, or trademark by which anything is made known, such as are used to designate an individual, a form, profession, business, or a commodity and which are visible from any public street.

SIGN, ATTACHED

Any sign substantially and permanently attached to, applied on, structurally connected to, painted on, etched on, or supported by any part of a building.

SIGN, DETACHED (FREESTANDING)

Any sign other than an attached sign, and including any inoperable vehicle or any trailer located for the primary purpose of advertising.

SIGN, OFF-PREMISES (BILLBOARD)

A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other activity that is conducted, sold or offered at a location other than the premises on which said sign is located.

SIGN, ON-PREMISES

A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other activity that is conducted, sold or offered at the location where the sign is located.

SIGN, PORTABLE

Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported from one place to another, including, but not limited to, signs designed to be

transported on wheels; menu and sandwich board signs; balloons or other inflatable figures and umbrellas used as signs.

SIGN, ROOF

Any sign erected and constructed wholly one (1) and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

SIGN, VEHICULAR

Any sign permanently attached to a motor vehicle.

Section 400.720. General Provisions.

[Ord. No. 1250 §1(1002), 10-15-2002]

A. The following provisions shall apply to all signs in the City:

1. *Prohibited signs.* The following signs are specifically prohibited.
 - a. Signs which advertise or promote unlawful activity.
 - b. Signs which may be confused with a traffic control signal, sign or device, the light of an emergency or road equipment vehicle, or any other governmental agency sign.
 - c. Signs which hide from view any traffic or street sign, signal or similar traffic control or directional sign.
 - d. Portable signs, except as specifically allowed as a temporary sign in Section **400.730**. Unless otherwise allowed under the provisions of this Article, all portable signs located in any district in the City of Branson West shall be removed within five hundred forty (540) days after the effective date of this Article.
2. *Sign illumination.* All illuminated signs shall be designed, constructed and located to eliminate or minimize glare. Such signs shall not increase the lighting intensity upon adjoining properties and shall not cause glare on roadways that creates a safety hazard for motorists.
3. *Signs painted on building walls.* Signs painted on building walls are prohibited in all districts except for directional and informational signs.
4. *Sign condition.* All signs, including supports, braces, and anchors, shall be kept in good repair. Unsafe signs in danger of falling or breaking apart shall be removed or repaired by the sign owner. All signs shall be installed and maintained in accordance with the building codes of the City of Branson West.

Section 400.730. Sign Permits.

[Ord. No. 1250 §1(1003), 10-15-2002; Ord. No. 40-2007 §§1 — 2, 7-10-2007]

- A. *Sign Permits Required.* Except as otherwise provided in Subsection **(B)**, no sign shall be erected, moved, enlarged, illuminated, or substantially altered without first obtaining a sign permit for each sign from the City. Repainting or changing the message on a sign shall not be considered a substantial alteration and shall not require a sign permit. Applications for sign permits shall be in conformity with the sign permit requirements of Article **III**, Administration and Review.
- B. *Signs Not Requiring A Permit.* The following signs shall not require a sign permit, but must be in conformance with all other provisions of this Article. Such signs are allowed in addition to all other signs allowed by this Article:

1. *Address numbers and name plates.* Address numbers and unlighted name plates not exceeding three (3) square feet in area per dwelling unit or business. Such signs must be attached to the principal structure, be parallel with the wall to which it is attached, and no part of said sign may extend into any required yard setback.
2. *Banner signs.* Banner signs are those consisting of a flexible lightweight material, not exceeding twenty-four (24) square feet of area. National, State, and municipal flags, or the official flag of any other public or private entity, shall not be considered banners. Four (4) banner signs per business premise are permitted, posted for not more than (4) four weeks per permit per calendar year after said permit fee of fifteen dollars (\$15.00) and said application is submitted to the City of Branson West and approved by Planning and Zoning Administrator or designee.
3. *Construction site signs.* Construction site identification signs, exceeding no more than one (1) sign per site, with such sign exceeding no more than thirty-two (32) square feet in area.
4. *Directional signs.* Signs directing and guiding traffic on private property that do not exceed one and one-half (1½) square feet each and that contain no advertising.
5. *Flags.* Flags, pennants or insignia of any government or non-profit organization when not displayed in connection with a commercial promotion.
6. *Governmental signs.* Signs erected by, or on behalf of, or pursuant to the authorization of a governmental body, including legal notices, identification and information signs, traffic and directional signs, or regulatory signs.
7. *Neighborhood identification signs.* Neighborhood identification signs such as a masonry wall, landscaping or other similar materials that are combined to display neighborhood identification. The message of such signs shall display only the name of the neighborhood, tract or district.
8. *Non-commercial signs.* Signs proclaiming religious, political, or other non-commercial messages that do not exceed sixteen (16) square feet in area per side of sign and that are not internally illuminated.
9. *Official signs.* Official signs of a non-commercial nature erected by public utilities.
10. *Real estate sale or lease signs.* Detached or attached, non-illuminated, temporary on-premise signs pertaining to the sale or lease of the premise. Such sign in residence districts shall not exceed twelve (12) square feet in area per side of sign. In commercial and industrial districts, such sign shall not exceed thirty-two (32) square feet in area per side of sign. Such signs shall be removed within fourteen (14) days of sale or lease of the premises.
11. *Temporary special event signs.* Temporary signs not exceeding thirty-two (32) square feet in area per side of sign, erected to advertise a special event of a civic, educational, philanthropic, religious, political or similar nature. Such signs may be erected no sooner than one (1) month before the event and shall be removed no later than fourteen (14) days after the event.
12. *Vehicular signs.* Signs painted on or permanently attached to vehicles. Vehicular signs may not contain flashing or blinking lights, nor any animation.
13. *Window signs.* Any sign, symbol, or picture designed to provide information about a business, activity, service or event that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window. Window signs shall not exceed fifty percent (50%) of the glass.

Section 400.740. Signs Permitted in "A-1", "R-1", "R-2" and "R-MP" Districts.

A. The following provisions apply to all signs in the "A-1" Agriculture District and the "R-1", "R-2" and "R-MP" residence districts:

1. Dwellings located in the "A-1" agriculture and "R-1", "R-2" and "R-MP" residence districts may use any non-business sign as described in Section **400.730(B)**, but no other signs are allowed.
2. Only on-premise signs are allowed.
3. Each premise in an agricultural district or a "R-1", "R-2" or "R-MP" residence district containing a multi-family use, permitted non-residential use, or legal non-conforming use is allowed the following attached and detached signs:
 - a. *Attached signs.* One (1) wall sign is permitted that contains the name and logo of the business or establishment. The total area of all wall signs shall not exceed one-half ($\frac{1}{2}$) square foot per lineal foot of the wall length.
 - b. *Detached signs.* One (1) detached sign is permitted. No detached sign shall exceed sixteen (16) square feet in area per side of sign or be more than eight (8) feet in height above the street grade.

Section 400.750. Signs Permitted in "R-3" Residence Districts.

[Ord. No. 1250 §1(1005), 10-15-2002]

A. The following signs are permitted in the "R-3" Multi-Family Residence District:

1. Single-family and two-family dwellings may use any non-business sign as described in Section **400.730(B)**, but no other signs are allowed.
2. Only on-premise signs are allowed.
3. Each premise in the "R-3" residence district containing a multi-family use, permitted non-residential use, or legal non-conforming use is allowed the following attached and detached signs:
 - a. *Attached signs.* One (1) wall sign is permitted that contains the name and logo of the business or establishment. The total effective area of all wall signs shall not exceed one (1) square foot per lineal foot of the wall length.
 - b. *Detached signs.* One (1) detached sign is permitted. No detached sign shall exceed sixteen (16) square feet in area per side of sign or be more than fifteen (15) feet in height above the street grade.

Section 400.760. Off-Premise Signs (Billboards).

[Ord. No. 1250 §1(1006), 10-15-2002]

Off-premise signs (billboards) shall be permitted only in the "C-2" commercial district and in the "I-1" and "I-2" industrial districts. In no case may a single side of such sign exceed eight hundred (800) square feet in surface area. Any off-premise sign shall be located a distance of at least five hundred (500) feet from any other off-premise sign.

Section 400.770. Legal Non-Conforming Signs.

[Ord. No. 1250 §1(1007), 10-15-2002]

A. Any sign lawfully erected before the effective date of this Article, but which does not comply with the requirements and restrictions of this Article, shall be considered a legal, non-conforming sign and

may be continued subject to the provisions of this Section.

- B. A non-conforming sign shall not be expanded in size or effective area, or altered in any manner so as to increase the degree of non-conformity. Illumination shall not be added to any non-conforming sign.
- C. A non-conforming sign shall not be moved or replaced except to bring the sign into complete conformance with this Article.
- D. Except for safety requirements, a non-conforming sign shall not be structurally altered so as to prolong the life of the sign. Non-conforming signs may be repaired so long as the cost of materials and labor for such work does not exceed within any twelve (12) month period fifty percent (50%) of the value (tax value if listed for tax purposes) of the sign.
- E. If a non-conforming sign is destroyed, it may not be repaired, reconstructed or replaced except in conformity with the provisions of this Article. A non-conforming sign is considered "destroyed" if damaged to an extent where the cost of materials and labor to restore the sign or replace it with an equivalent sign exceeds seventy-five percent (75%) of the value (tax value if listed for tax purposes) of the damaged sign.
- F. Abandoned or discontinued non-conforming signs shall be removed within thirty (30) days after such abandonment by the sign owner, owner of the property where the sign is located, or other party having control over the sign. A sign shall be considered abandoned or discontinued if:
 - 1. For a period of six (6) consecutive months the sign advertises a service, product or activity that is no longer operating, being conducted or offered.
 - 2. For a period of twelve (12) consecutive months the sign is blank or is maintained without an advertising message. For purposes of this Section, a sign is considered blank if:
 - a. The advertising message displayed becomes illegible in whole or substantial part.
 - b. The message on the sign contains no advertising other than the name, address, telephone number or other identification of the sign owner or message intended solely to advertise the sign for rent or sale.

Section 400.780. Calculating Sign Surface Area.

[Ord. No. 1250 §1(1008), 10-15-2002]

- A. For the purpose of calculating the number of signs and surface area of signs in accordance with the provisions of this Article, the following shall apply:
 - 1. A sign shall be considered a single display containing elements related, organized and composed to form a unit. Where information is displayed in a random manner without any organized relationship, each element shall be considered a single sign.
 - 2. Two-sided and multi-sided signs shall be considered as one (1) sign, provided that:
 - a. The distance between the backs of each face of a two-sided sign does not exceed three (3) feet.
 - b. The distance between the backs of a "V" (multi-sided) type sign does not exceed five (5) feet.
 - 3. The sign surface area shall be calculated by adding the entire area within a single, continuous perimeter, enclosing the writing, emblem or other display, together with the material forming the background of the sign, but excluding supporting framework or bracing that is incidental to the sign. If a sign consists of more than one (1) section or unit, all of the area, including the spacing between units, shall be included in the calculation of the sign surface area.

4. The sign surface area of two-sided or multi-sided signs shall be computed by including the total of all sides designed to attract attention or communicate information that can be seen at any one (1) time from one (1) vantage point. The following shall apply:
 - a. The surface area of a two-sided, back-to-back sign shall be calculated by totaling the area of only one (1) side of the sign, as long as the distance between the backs of the signs does not exceed three (3) feet.
 - b. The surface area of a double-faced sign constructed in the form of a "V" shall be calculated by totaling the area of the largest side, as long as the angle of the "V" does not exceed thirty degrees (30°) and the distance between the backs of the signs does not exceed five (5) feet.

Section 400.790. Sight Triangles.

[Ord. No. 1250 §1(1009), 10-15-2002]

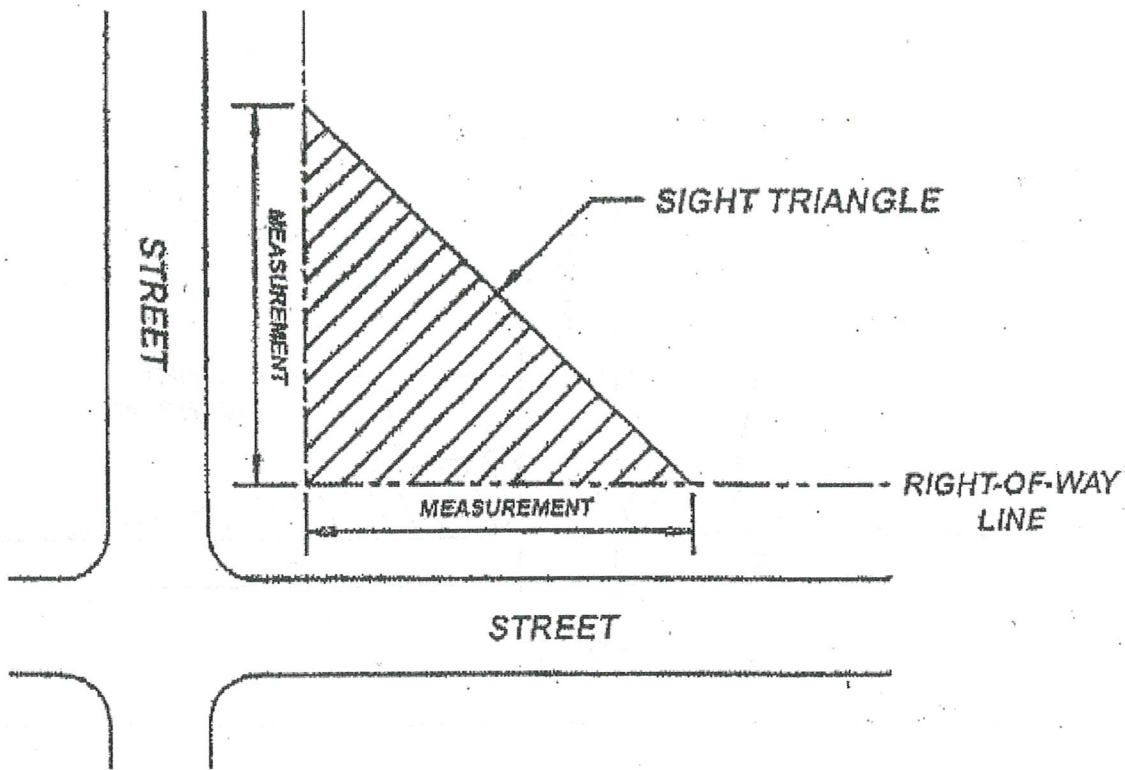
- A. *Signs At Street Intersections.* Street intersection sight triangles shall reflect the street classification as established in the Branson West Comprehensive Plan. Minimum requirements for sight triangles shall be in accordance with the following table. The sight triangle shall be measured along the right-of-way as illustrated in Figure 1009.1. The City may require additional triangle area for clear sight and safety as may be warranted by special condition or the recommendation of the Administrative Official.

Signs may be erected in the street intersection sight triangles. However, any such sign must be at least ten (10) feet above street grade except for supports, which may not exceed one (1) foot in width or diameter or be spaced less than ten (10) feet apart from any other stationary object.

Street Sight Triangle Requirements			
Intersecting Street	Highway and Arterial	Collector	Local Residential
Highway and arterial	A	B	B
Collector	B	C	C
Local residential	B	C	C

Key:
 A: 100 feet by 100 feet sight triangle
 B: 30 feet by 30 feet sight triangle
 C: 10 feet by 10 feet sight triangle

Figure 1009.1 Sight Triangles for Street Intersections

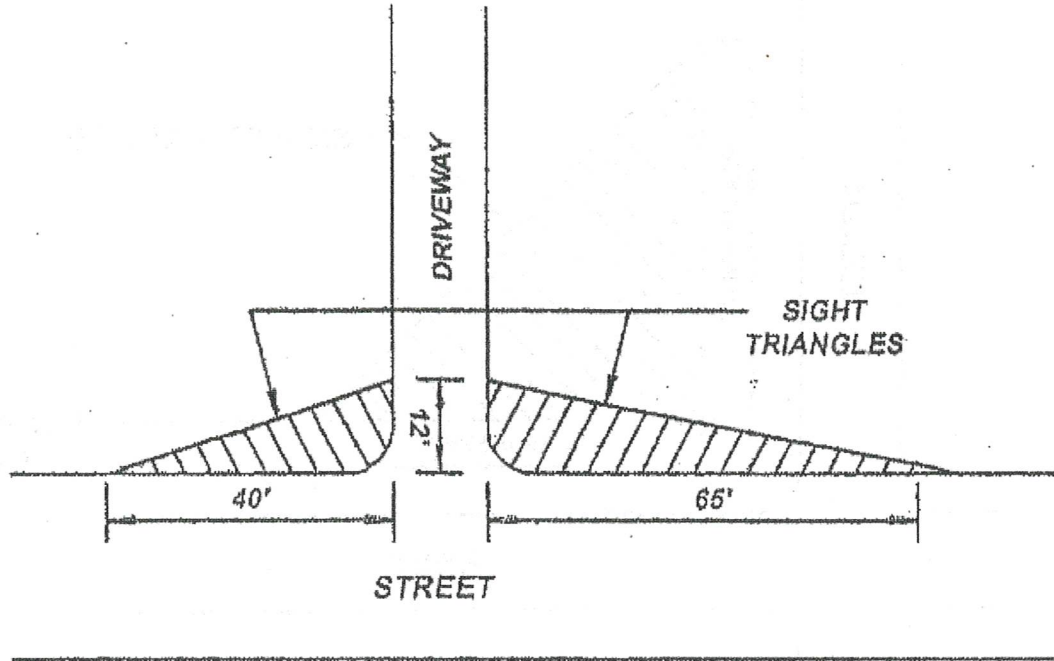


B. Signs At Street/Driveway Intersections.

1. Signs may be erected in the street/driveway sight triangles. However, any such sign shall be at least ten (10) feet above street grade except for supports, which may not exceed one (1) foot in width or diameter or be spaced less than ten (10) feet apart from any other stationary object.
2. Figure 1009.2 illustrates the measurement of a street/driveway sight triangle. A street/driveway sight triangle shall be measured as follows:

A triangle formed by the intersection of a public street and a driveway where the triangle area is that area encompassed within two (2) intersecting lines formed by the edge of the pavement, curb, roadway, or projection thereof and extending forty (40) feet down the street from the right edge of the driveway when standing in the driveway facing the street, and extending twelve (12) feet from the edge of the street extending up the driveway pavement, and a third (3rd) imaginary line connecting the other two (2) lines without overlaying the pavement. On the left side of the driveway, the triangle is determined by measuring sixty-five (65) feet down the street pavement from the edge of the driveway and measuring twelve (12) feet down the driveway pavement from the edge of the street, and an imaginary third (3rd) line connecting the other two (2) lines without overlaying the pavement.

Figure 1009.2 Sight Triangles for Street/Driveway Intersections



Section 400.800. Location, Setback and Height Requirements.

[Ord. No. 1250 §1(1010), 10-15-2002]

- A. No sign or supporting structure, other than a government sign, shall be located in or over any public property or right-of-way, unless the sign is attached to a structural element of a building and permission has been obtained from the City.
- B. Wall signs attached to a building shall not extend past the edge of the wall. A wall sign is a sign in a parallel plane to and attached upon a structure's wall.
- C. Projecting signs shall have a minimum clearance of ten (10) feet above the highest level of the ground under the sign at the sign's lowest point. A projecting sign is a sign that is attached to and projects from the building surface or face.
- D. Freestanding signs shall meet the minimum setback requirements as established in the following table:

Street Classification	Minimum Setback
Highway and arterial	15 feet
Collector	10 feet
Local residential	10 feet

Section 400.810. Sign Permits and Inspection.

[Ord. No. 1250 §1(1011), 10-15-2002]

Except as otherwise provided in this Article, no sign shall be erected, moved, enlarged, illuminated, or substantially altered without first obtaining a sign permit for each sign in conformance with the

requirements of Article III, Administration and Review. Repainting or changing the message on a sign shall not be considered a substantial alteration and shall not require a sign permit.