

CHAPTER 11.38

HIGHWAY SCENIC DISTRICT (HS)

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11.38.010 DESIGNATION. Highway scenic districts may be designated and established on one or both sides of any highway in combination with any other zoning district where roadside scenic vistas are available to a passing motorist. Within the considered highway scenic district, no outdoor advertising structure or signs shall be permitted. Provided, however, that in highway scenic districts combined with residential, suburban or agricultural districts, signs shall be permitted as provided in the chapter for those districts; and, provided further, that where a highway scenic district is combined with an unclassified district, only those signs permitted in a suburban or agricultural district will be authorized.

[Ord. 611 (2018) § 141]

11.38.020 PERMIT REQUIRED FOR ADVERTISING. No person, firm, or corporation, except as set forth in this chapter shall erect or maintain upon any real property in the County of Benton outside the corporate limits of any city or town any outdoor advertising structure until a permit for the erection and maintenance of the

same shall have been obtained from the county official duly authorized for this purpose.

[Ord. 611 (2018) § 142]

11.38.030 APPLICATION. Any application shall be made to the county official duly authorized for this purpose for each outdoor advertising structure to be erected and maintained and each application shall be accompanied by a non-refundable application fee as established by resolution of the Board of County Commissioners. The application shall be in writing upon forms furnished by the county official duly authorized to do so and shall contain the full name and address of the applicant and such other information as said official may require, and shall be signed by the applicant and all persons holding an ownership interest in the real property. The application for a permit shall also state the location of the structure for which the permit is asked and shall be accompanied by construction drawings; provided, that this section shall not apply to signs allowed in residential, suburban and agricultural districts and as to unclassified districts as set forth in this chapter.

[Ord. 611 (2018) § 143]

11.38.040 MUST CONFORM WITH ZONING CODE. No permit shall be granted for the erection, construction or maintenance of any outdoor advertising structure which does not conform with the zoning code of Benton County.

[Ord. 611 (2018) § 144]

11.38.050 AREAS PROHIBITED. Signs and advertising structures shall be prohibited within the following areas:

(a) Within a distance of three hundred (300) feet of the intersection or junction of a state highway or county F.A.S. secondary with another state or county F.A.S. secondary highway, or with a railway at a point where it would obstruct or interfere with the view of a vehicle, train or other moving object on the intersecting or joining highway or railway.

(b) If placed along any highway in such a manner as to prevent a clear view of vehicles approaching within a distance of five hundred feet (500) along the said highway.

(c) If placed closer than the front yard setback for the residential zone.

(d) If placed within one thousand (1,000) feet of any public park or public playground and in public view therefrom.

[Ord. 611 (2018) § 145]

11.38.060 ERECTION OR MAINTENANCE PROHIBITED. The following signs and advertising structures shall be prohibited:

(a) Any advertising sign, if visible, from any highway which simulates any directional, warning or information sign if likely to be construed as giving warning to traffic, such as the use of words "stop", "slow down", etc.

(b) Any outdoor advertising structure on private property the written consent from the owner of which has not been obtained.

[Ord. 611 (2018) § 146]

11.38.070 REPAIR. All outdoor advertising structures, together with supports, braces, guys, and anchors, shall be kept in good repair and in a proper state of preservation.

[Ord. 611 (2018) § 147]

11.38.080 SEVERABILITY. If any provision of this chapter is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the chapter and the applicability thereof to other persons and circumstances shall not be affected thereby.

[Ord. 611 (2018) § 249]

11.38.090 EFFECTIVE DATE. This chapter shall take effect and be in full force upon its passage and adoption.

[Ord. 611 (2018) § 250]