

ARTICLE 11. SIGN REGULATIONS*

Cross references: Signs in central business district, § 11-41 et seq.

11.1 Intent

The intent of this article is to provide sign standards and restrictions which allow for the legitimate needs for identification of agricultural, residential, professional office, business, and industrial activities while at the same time promoting signage which does not unduly detract from the overall aesthetics of the community; which reduces intrusions and protects property values; which provides minimizing the undue distraction of the motoring public; which provides for the protection and enhancement of the tourist industry by promoting a more harmonious and pleasing community image; and which generally enhances and strengthens the economic stability of Winchester/Clark County.

(Ord. No. 19-86, § 5, 9-15-86)

11.2 Scope

The provisions of this article shall apply to the display, construction, erection, alteration, use, location, and maintenance of all signs within Winchester/Clark County, and it shall be unlawful hereafter to display, construct, erect, alter, use or maintain any sign except in conformance with provisions of this article. Furthermore, it shall be unlawful to alter, maintain, enlarge, use, or display any sign erected or constructed prior to the enactment of this article except in conformance with this article. ~~Except as specifically provided, the following shall be exempt from the provisions of this article:~~

11.3 General Provisions

11.3(A) The following signs shall be **exempt** from the provisions of this article:

(a) Signs which are not visible beyond the boundaries of the lot or parcel upon which they are located and/or from any public thoroughfare or right-of-way.

(b) Government Signs:

1. Official governmental notices and notices posted by governmental officers in the performance of their duties;
2. ~~g~~Governmental signs to control traffic or for other regulatory purposes; ~~or~~
3. ~~to~~To identify streets; or
4. ~~to~~To warn of danger.

NOTE: Identification or bulletin board signs accessory to governmental buildings or other facilities **shall not be** exempt from the provisions of this article.

(c) The flag, pennant, or insignia of any nation, organization of nations, state, county or city, any religions, civic or fraternal organization, or any educational institution; except when such are used in connection with a commercial promotion or as an advertising device.

(d) Works of fine art which in no way depict, identify, or advertise a product or business.

(e) Temporary decorations or displays, when such are clearly incidental to and are customarily and commonly associated with any national, local, or religious holiday or celebration, or community event.

(f) Temporary or permanent signs erected by public utility companies or construction companies to warn of danger or hazardous conditions, including signs indicating the presence of underground cables, gas lines, and similar devices.

(g) Merchandise, pictures, or models of products or services which are incorporated as an integral part of a window display.

~~(h) Signs displayed on trucks, buses, trailers, or other vehicles which are being operated in the normal course of a business, such as signs indicating the name of the owner or business which are affixed or painted onto moving vans, delivery trucks, contractors vehicles and equipment, rental trucks and trailers, and the like, provided that such signs are clearly incidental to the use of the vehicle in conjunction with a bona fide business and are not for the purpose of display of signs; and provided that they are parked or stored in areas appropriate to their use as vehicles, and in such a manner and location on the lot so as to minimize their visibility, from any street to the greatest extent feasible.~~
Signs displayed on trucks, buses, or other vehicles under the following requirements:

1. Those vehicles being operated in the normal course of a business, such as signs indicating the name of the owner or business which are affixed or painted onto moving vans, delivery trucks, contractors vehicles and equipment, rental trucks and trailers;
2. Signs shall be clearly incidental to the use of the vehicle in conjunction with a bona fide business and are not for the purpose of displaying a sign only; and
3. Must be parked or stored in areas appropriate to their use as vehicles, and in such a manner and location on the lot so as to minimize their visibility, from any street to the greatest extent feasible.

(Ord. No. 19-86, § 5, 9-15-86)

11.3 Definitions (The definitions section has been moved to the back of the document)

11.4 General provisions

11.43(aB) Permit requirements.

No sign except as specifically exempted herein, shall be displayed, erected, relocated or altered unless and until a permit has been issued by the ~~building inspector~~ Director of Planning and Community Development or their designee. Application materials shall be as required by the ~~building inspector~~ Director of Planning and Community Development or their designee and shall include, but shall not be limited to the following:

- (1) An ~~completed~~ application form completed by the person responsible for the sign installation.

(2) A site plan and/or building elevation's drawing, showing the location of the proposed sign(s) on the lot and/or building, including setbacks.

(3) Detailed sign information, including type of construction, method of illumination, dimensions, copy, method of mounting and/or erecting and other similar information.

(4) The written consent of the owner of the underlying real property or authorized agent with full knowledge of all penalties (Section 11.14).

(5) A permit fee.

The ~~building inspector~~ Director of Planning and Community Development or their designee shall maintain written records of all permits issued or formally denied and any conditions attached to approval of such permit requests. Signs may be erected or constructed only in compliance with the approved permit.

11.43**(bC)** Signs exempt from permit requirement.

(1) Political signs;

(2) Nameplates;

(3) Government signs;

(4) Real Estate signs;

(5) Incidental signs; and

~~(6) Window signs; and~~

~~(7)~~ The changing of copy on a billboard, attraction board, marquee, or informational sign.

11.43**(cD)** Real Estate and Tract Signs

All real estate and tract signs shall be removed within ten (10) days after completion of sales activities in connection with the property or tract to which they pertain.

11.43**(dE)** Illuminated Signs

Illuminated signs shall be located in a fashion which minimizes to the ~~greatest~~ extent ~~extent~~ feasible the direct rays of such illumination penetrating into any residential zone or property used for residential purposes.

11.43**(eF)** No light, sign or other advertising device shall be designed or erected in such a manner or location as to imitate or resemble any official traffic sign, signal or device or use any words, phrases, symbols or characters implying the existence of danger, or the need to stop or maneuver the vehicle.

11.43**(fG)** No sign shall be attached to or painted on the surface of any tree, utility pole, street light standard, or dilapidated structure.

11.43**(gH)** Gooseneck and thin line reflectors and lighting shall be permitted on indirectly illuminated signs, provided such do not extend six (6) feet beyond the sign structure to which they are attached and such illumination is directed upon the sign in such a fashion as to reduce the possibility of direct light rays shining onto any adjacent property or public way.

11.43**(hI)** Neon Signs ~~Neon lighting and tubing and exposed light sources not exceeding one hundred (100) watts per bulb may be used on signs where signs are permitted to be directly~~

~~illuminated as defined in this article. However, no such lighting may be used to outline buildings, structures, or ornamental features.~~

Neon or other lighted tubing signs shall not be permitted except where such lighting is used behind solid lettering to produce a “halo” effect, or where it is used indirectly. Neon lighting may not be used to outline buildings, structures, or ornamental features.

Interior neon “open” signs area allowed with the following requirements:

- 1) Sign shall not exceed a maximum of four (4) square feet;
- 2) Sign shall have a 110-volt maximum input;
- 3) It shall only read “OPEN”;
- 4) Sign shall be located in the window of the business;
- 5) Sign shall only be illuminated while the business is open to the public and shall be turned off within one-half hour after the close of business;
- 6) Sign shall not flash, blink, oscillate, rotate or intermittently turn on and off; and
- 7) Only one sign shall be allowed per business

11.43(ij) No sign (except for government signs), may be located within the required sight triangle of any intersection, nor within or projecting into the public or private street right-of-way, except as specifically permitted herein.

11.43(jk) Signs accessory to legal nonconforming uses shall be permitted and shall be subject to the regulations of the zone in which the use is located.

11.43(kl) Where wall signs are permitted on a ~~lot~~building on a per frontage basis under this article, such wall signs shall be located and oriented to the distinct street frontage by which the sign is permitted. In addition, for freestanding signs permitted on a lot on a per frontage basis, the signs on that lot may not be closer than seventy-five (75) feet from each other as measured in a straight line.

11.43(m) Where wall signs are permitted as a percentage of the wall area to which it is attached, such wall area shall include all windows, doors, and wall area of the building in one plane of elevation. Where the building or wall face is broken or irregular in relation to a single vertical plane ~~perpendicular to the ground (by such architectural features as dormers, pitched roofs, awnings, etc.,)~~ the requirements may be applied in one of two (2) ways:

(1) The total building face may be considered as ~~one a single~~, two—dimensional wall, and number of signs permitted and maximum area requirements applied on that basis.

(2) Where each individual plane created by the architectural feature projects or is recessed by twelve (12) inches or more, each plane may be considered as a separate wall, and number of signs permitted and maximum ~~are {area}~~ requirements applied on that basis. However, the total square footage of the permitted signs shall not exceed the square footage permitted under 11.43(m)(1) above, and no sign shall be oriented in a direction other than that of the building face under consideration.

~~11.4(m) No incidental sign shall be attached to a freestanding advertising sign, business sign, identification sign or directional sign.~~

~~11.43(n) Canopy signs shall be counted as a part and limited to the percentage allowable for wall signs. The maximum height of a canopy signs shall not exceed twenty (20) feet. For any case where the vertical dimension of the canopy face exceeds three (3) feet, only three (3) feet of the vertical dimension shall be used for computing the area of such facing, and Signage shall be allowed on the vertical face of the canopy only and any sign or sign cabinet permitted on the vertical face of the canopy shall have a maximum vertical dimension of three (3) feet.~~

All awnings shall be at least seven (7) feet above the sidewalk when fully extended. Signs located on an awning shall be painted, printed or attached flat against the surface of the awning. Lettering/logo height shall not exceed eighty (80) per cent of the height of the slant of the flap of the awning, but the lettering may extend the full width of the awning.

(Ord. No. 19-86, § 5, 9-15-86)

11.54 Prohibited signs in all zones

The following signs and/or signs features shall be prohibited in all zones:

~~11.54(a) Mobile signs.~~

~~11.5(b) Projecting signs.~~

~~11.54(c) Roof signs.~~

~~11.54(d) Flashing or blinking signs except for permitted informational signs.~~

~~11.54(e) Rotating or moving signs.~~

~~11.54(f) Abandoned signs.~~

~~11.54(g) Streamers, pennants and tag signs or similar signs or devices except when attached to a permitted temporary sign.~~

~~11.54(h) Any sign which emits any noise, odor or visible matter for the purpose of attracting attention to the sign.~~

~~11.54(i) Any freestanding sign, any portion of which overhangs any part of a building.~~

11.4(l) Signs painted directly on a building or structure

(Ord. No. 19-86, § 5, 9-15-86)

11.65 Permitted signs in all zones

The following signs shall be permitted within all zones subject to the restrictions specified:

11.65(a) Government signs with no restrictions on size, number or location.

11.65(~~bB~~) Political signs, not exceeding four (4) square feet in area limited to one sign per street frontage; and erected no earlier than thirty (30) days prior to the election they pertain to; and removed within five (5) days after such election.

11.65(~~cC~~) Real estate signs, limited to one (1) sign per agency per street frontage; non-illuminated; not exceeding six (6) square feet in area and six (6) feet in height; and removed within ten (10) days after completion of the sale or lease of the property to which they pertain.

11.65(~~dD~~) Construction signs, not exceeding sixty-four (64) square feet; non-illuminated; and to be removed prior to issuance to an occupancy permit for the structure to which they pertain.

11.65(~~eE~~) Tract signs, setback from any street as required for a principal structure within the zone, non-illuminated; and ~~further~~ regulated as follows:

(1) ~~Where the subdivision contains twenty five (25) lots or less~~ The sign area shall not exceed sixty-four (64) square feet.

(2) ~~Where the subdivision contains more than twenty five (25) lots, the sign area shall not exceed one hundred (100) square feet.~~

(3) Each subdivision shall be permitted one (1) tract sign per arterial or collector street frontage; provided the total number of signs shall not exceed four (4) signs.

11.65(~~fF~~) Incidental signs.

11.65(~~gG~~) Temporary signs, not specifically otherwise regulated, in accordance with the following conditions:

(1) Such signs shall be limited to advertise events of a special nature (i.e. opening/closing) or a special sale or event for the public. One temporary sign per street frontage shall be allowed.

(2) ~~Such signs shall be limited to window or wall signs only; shall not exceed one hundred (100) square feet in surface area per use per sign where non-rigid materials are used; and shall not exceed thirty-two square feet per use sign where rigid materials such as wallboard or plywood are utilized; and shall comply with the applicable regulations for the zone in which they are located.~~

(2) Such signs shall not remain in place for a period of more than thirty (30) days, except that the ~~division of building inspection~~ Office of Planning and Community Development, may for good cause, extend the time period for an additional thirty (30) days upon request by the applicant ~~application therefore~~. In addition, no use shall be permitted to display a temporary signs for more than a total of one hundred twenty (120) days any calendar year.

11.65(~~hH~~) Historic markers not exceeding six (6) square feet in area, ~~limited to one sign per street frontage~~.

(Ord. No. 19-86, § 5, 9-15-86)

11.76 Permitted signs by zone

The following sign regulations shall be applicable within the zoning categories indicated. Any sign not specifically permitted shall be deemed as prohibited.

11.76(aA) Agricultural Zone (A-1).

Permitted signs within this zone may be either freestanding or wall-mounted unless otherwise specified; no freestanding sign may exceed eight (8) feet in height; signs shall be either non-illuminated or indirectly illuminated unless otherwise specified.

(1) One nameplate per residence or other permitted use; not exceeding one (1) square foot in area.

(2) One identification sign for a permitted home occupation, not exceeding ten (10) square feet.

(3) ~~One~~ Two identification signs for a farm or estate (minimum ten (10) acres) if incorporated into a fence or stonewall feature or one freestanding identification sign, per street frontage; total sign area shall not exceed thirty-two (32) square feet and eight (8) feet in height if freestanding.

(4) One identification sign for any permitted use not otherwise specifically provided for; not exceeding thirty-two (32) square feet in area.

(5) One identification sign for a permitted church or school for academic instruction; freestanding or wall mounted; not exceeding thirty-two (32) square feet in area; not exceeding eight (8) feet in height if freestanding; in addition, one bulletin board not exceeding twelve (12) square feet in area, and eight (8) feet in height.

(6) One non-illuminated business sign advertising agricultural products grown or raised on the premises; not exceeding thirty-two (32) square feet in area.

(7) For farms utilizing more than one point of access, two non-illuminated or indirectly illuminated signs if incorporated into a fence or stonewall feature or one non-illuminated or indirectly illuminated freestanding sign per entrance indicating the name of the farm (total sign area shall not exceed thirty-two (32) square feet or be more than eight (8) feet in height if freestanding) and directional information signage as necessary to provide information as to the particular farm activity which must be served by only that point of access; not to exceed ten (10) square feet in area; maximum height of eight (8) feet.

~~(8) One identification sign, for a farm or estate exceeding five (5) acres in size; freestanding or wall mounted; not exceeding thirty-two (32) square feet in area; not exceeding the eight (8) feet in height if freestanding.~~

11.76(bB) Low Density Residential Zones (R-1 (A through D), R-2).

Permitted signs within these zones shall be wall signs unless otherwise specified; signs shall be either non-illuminated or indirectly illuminated.

- (1) One nameplate per residence or other permitted use; not exceeding one (1) square foot in area.
- (2) One identification sign for a permitted home occupation not exceeding ten (10) square feet in area.
- (3) One identification sign for a permitted kindergarten, nursery school, day nursery, or child care center; wall mounted not more than seven (7) feet above ground level; not exceeding ten (10) square feet in area.
- (4) One identification sign for a permitted church or school for academic instruction; freestanding or wall-mounted; not exceeding thirty-two (32) square feet in area; not exceeding eight (8) feet in height if freestanding; in addition, one bulletin board freestanding or wall-mounted not exceeding twelve (12) square feet in area and eight (8) feet in height.
- (5) One subdivision identification sign per entrance of permanent construction; freestanding or wall-mounted, not exceeding thirty-two (32) square feet in area; not exceeding eight (8) feet in height if freestanding.
- (6) One wall-mounted identification sign for a permitted bed and breakfast home not exceeding eight (8) square feet in area.

(Ord. No. 1-98, § 13, 1-20-98)

11.76(C) High Density Residential Zones (R-1E, R-3, R-4, R-5, R-6).

Permitted signs within these zones shall be freestanding or wall-mounted as specifically noted; signs shall be either non-illuminated or indirectly illuminated.

- (1) Signs ~~are as~~ permitted and regulated under section 11.76(bB) above.
- (2) One identification sign for a multi-family residential building containing four (4) or more dwelling units and not located within a group residential project; freestanding or wall-mounted; not exceeding thirty-two (32) square feet in area; not exceeding eight (8) feet in height if freestanding; minimum setback of at least twenty (20) feet.
- (3) Identification sign(s) for a group residential project; one sign per street frontage with a maximum of two (2) signs; freestanding or wall-mounted; not exceeding thirty-two (32) square feet in area per sign; not exceeding eight (8) feet in height if freestanding; minimum setback of at least twenty (20) feet.
- ~~(4) One wall-mounted identification sign for a permitted bed and breakfast home not exceeding eight (8) square feet in area.~~

(Ord. No. 1-98, § 14, 1-20-98; Ord. No. 20-98, § 4, 12-1-98)

11.76(dD) Professional Office Zone (P-1).

Permitted signs may be either freestanding or wall-mounted as specifically noted: signs shall be non-illuminated, indirectly illuminated, or internally illuminated unless otherwise specified. No freestanding sign shall exceed ten (10) feet in height.

(1) Identification signs, limited to one (1) freestanding sign per building and one (1) wall-mounted sign per street frontage with a maximum of two (2) such wall-mounted signs per building; freestanding sign not to exceed forty (40) square feet in area; wall-mounted signs not to exceed five (5) per cent of the wall area to which it is attached; minimum setback of ten (10) feet for a freestanding identification sign. (Note: Where a freestanding sign is not utilized on a lot with only one street frontage, a second wall-mounted sign on a different building face shall be permitted as regulated above in place of the permitted freestanding sign. However, no sign shall be placed on a building wall facing adjacent residential property.)

(2) One nameplate per tenant or lessee; not exceeding two (2) square feet in area; non-illuminated or indirectly illuminated only.

(3) Informational signs, not exceeding twenty (20) square feet. Such signs shall be included in the computation for maximum square footage specified under 11.76(d)(1) above, and shall be freestanding only when included as a part of a permitted freestanding identification sign.

(4) Directional signs not exceeding three (3) square feet in area; not exceeding four (4) feet in height if freestanding; not to exceed two (2) signs per entrance.

(5) One attraction board, wall-mounted or attached to the permitted freestanding identification sign, the area of the attraction board to be included in the maximum permitted sign area. If attached to a permitted freestanding identification sign, the attraction board sign shall not be more than fifty (50) percent of the total sign area of the sign.

11.76(eE) Neighborhood Business Zone (B-1).

Permitted signs may be freestanding or wall-mounted as specified; signs shall be non-illuminated, indirectly illuminated, or internally illuminated unless specified otherwise. No freestanding sign shall exceed twenty (20) feet in height.

(1) Business signs shall be permitted as follows:

a. The total surface area of ~~business~~ all signs on the property shall not exceed one and one-half (1-1/2) square feet per linear foot of street ~~or building frontage~~ (only one street frontage shall be used to calculate the maximum signage allowed). ~~whichever is greater or thirty-two (32) square feet, whichever is greater.~~

b. One free standing business sign shall be permitted per street frontage with a maximum of two (2) freestanding signs; not exceeding fifty (50) square feet per sign; minimum setback is ten (10) feet. ~~one half the setback required for a principal building, but not less than ten (10) feet in any case.~~

c. The surface area of the wall-mounted business signs shall not exceed fifteen (15) per cent of the wall area to which it is attached or thirty-two (32) square feet, whichever is ~~greater less~~, each wall to be considered separately. Only one business sign shall be permitted per wall street frontage, if one of the walls facing the street is not usable for signage, then a secondary wall may be used as

approved by the Office of Planning and Community Development; however, no wall signs shall be placed on a building wall facing adjacent residential zoned property. In the case of a building containing two (2) or more separate business uses, these requirements shall be applied separately to the wall area of the building space leased, rented or owned by the individual business tenant.

d. Window signs shall be permitted limited to no more than twenty-five (25) per cent of the total window area.

e. Canopy or awning signs shall be permitted as per Sec. 11.3(N) and included in the computation of the maximum permitted wall sign area ~~and limited to the percentage allowable for wall signs.~~ Under canopy or under awning signs shall be permitted and limited to identification signs.

(2) One (1) attraction board, wall-mounted or attached to a permitted freestanding business sign; the area of the attraction board to be included in the maximum permitted sign area. If attached to a permitted freestanding identification sign, the attraction board sign shall not be more than fifty (50) percent of the total sign area of the sign.

(3) Directional signs not exceeding three (3) square feet in area; not exceeding four (4) feet in height; if freestanding not to exceed two (2) signs per entrance.

(4) One nameplate per tenant or lessee; not exceeding two (2) square feet in area; non-illuminated or indirectly illuminated.

(5) Informational signs, not exceeding twenty (20) square feet. Such signs shall be included in the computation for maximum square footage specified under 11.76(e)(1) above, and shall be freestanding only when included as part of a permitted freestanding identification sign.

(6) One indirectly or internally illuminated menu board sign per restaurant business use drive-through lane or drive-up curb-side service station; all copy (including any logos, restaurant name, etc.) shall have a maximum letter height and width of six (6) inches continuing no direct illumination; not exceeding thirty (30) square feet in area; maximum height of eight (8) feet if freestanding; and not located so as to have the copy visible to vehicular traffic on any adjacent street. If the menu board sign is six (6) square feet or less, a sign permit is not required.

11.76(f) Downtown Business Zone (B-2).

Permitted signs may be freestanding or wall-mounted as specified; such signs may be non-illuminated or indirectly illuminated, ~~internally illuminated or directly illuminated~~ unless specified otherwise; painted wall signs shall be prohibited.

(1) Business signs shall be permitted as follows:

a. Total number of signs per business

Each business shall be limited to two (2) signs per street frontage in any combination of wall sign, window sign, projecting sign, freestanding sign or awning/canopy sign. Permitted signs shall identify only the premises on which they are located and shall contain only the name and type of establishment and

~~one trademark or logo. General products advertising or lists of specific goods or services shall be prohibited.~~

b. Window Signage

Window signs shall be calculated the same as wall signs, unless the signage is used for supplemental advertising, in which case it shall be approximately twenty-five (25) percent of the total glass area.

c. Signs for buildings with a single entrance servicing multiple businesses/tenants.

Single buildings that house multiple tenants shall be allowed to have any two of the following signs per street frontage: (1) a projecting sign that list all of the businesses within the building; (2) small one (1) square foot wall plaques displaying each business within the building at the main entrance doorway; or (3) a freestanding sign that list all of the businesses occupying the building (as regulated in 11.6(F)(1)(g) below.

d. Canvas Awning and Canopy signs.

All awnings and canopies shall be at least seven (7) feet above the sidewalk when fully extended. Signs located on an awning or canopy shall be painted, preprinted or attached flat against the surface of the awning/canopy. Lettering/logo height shall not exceed eighty (80) percent of the height of the slant or flap of the awning or the fascia of the canopy, but the lettering may extend the full width of the awning/canopy. If both the tops and sides of the awning are utilized for signage, this would constitute for the two allowable signs as referenced in Sec. 11.6(F)(1)(a) above.

e. Projecting signs.

Projecting signs are permitted, provided they do not extend more than sixty (60) inches beyond the face of the building (including support bracket) and that the area of such signs do not exceed nine (9) square feet in area. The bottom of such signs shall not be less than seven (7) feet above the sidewalk and shall not encroach on any significant architectural details/features or second floor window space. Such signs shall be supported by one top bracket only.

bf. Wall signs.

~~Only one freestanding or wall sign shall be permitted for each street frontage or face of building. If freestanding, the sign shall have a maximum area of fifty (50) square feet, with a maximum height of twenty five (25) feet; with a maximum projection into the street right-of-way of twelve (12) inches. If wWall-mounted signs, the sign shall have a maximum height of lettering of two (2) feet or a total area of three (3) per cent of the wall area to which it is attached whichever is greater. Such wall-mounted signs shall be placed at a height on the building of fifteen (15) feet or higher, and may overhang the right-of-way by a maximum of twelve (12) inches.~~

g. Freestanding signs.

Freestanding non-illuminated signs are permitted, provided that the surface area of the sign does not exceed five and five-tenths (5.5) square feet, that the edge of the sign does not extend beyond the curbline, and that the maximum dimensions of the support frame do not exceed eight (8) square feet (maximum

forty-eight (48) inches wide or thirty-six (36) inches high). The bottom of such support shall be seven (7) feet above the sidewalk level, the maximum height is ten (10) feet, and the vertical support shall be twenty-four inches from the curb.

h. Signs above the cornice prohibited.

No sign shall be erected above the cornice of any building.

i. Portable, A-frame signs.

Portable signs shall be permitted on public sidewalks in the Downtown Business District, subject to the following requirements:

1) Only one portable sign shall be permitted for each business; however, no more than two portable signs may be located at an individual building entrance, regardless of the number of businesses using the entrance (upon written approval of the building owner or managing agent a rotating schedule for multiple tenants at a single entrance may be approved).

2) Sign dimensions:

a. Maximum area shall be six (6) square feet

b. Maximum height shall be three (3) feet

c. Maximum width shall be two (2) feet

3) Sign location:

a. A minimum thirty-six (36) inch wide pedestrian travel-way shall be maintained between the sign and the face of the curb, or any public structure located on the sidewalk, such as streetlight poles, trash receptacles, etc.

b. The sign shall be placed next to the building wall with a maximum space of four inches

c. The sign shall not be more than six feet from the entrance of the business advertised.

4. Message content. The sign may be designed with a changeable face to advertise daily specials.

5. The sign shall be removed from the public sidewalk when the business is closed.

~~c. In addition to the wall-mounted sign permitted under b, above one additional wall sign is permitted per building face. Such signs shall have a maximum lettering height or vertical cabinet dimension of two and one-half (2 ½) feet; and shall be located no lower than ten (10) feet nor higher than fifteen (15) feet on the building face.~~

~~d. Window signs shall be permitted; limited to no more than twenty-five (25) per cent of the total window area.~~

~~(2) Wall-mounted identification signs not exceeding five (5) square feet with a maximum letter height of six (6) inches; located no higher than seven (7) feet on the face of the building; one sign per establishment or one sign per ten (10) linear feet of building~~

~~frontage, whichever is greater; maximum projection into the right of way of twelve (12) inches.~~

~~(32) Nameplates, Directional signs, menu boards, informational signs and signs on or under a canopy or awning shall be permitted as regulated in the B-1 Zone.~~

~~(4) Additional signs. In addition to other signs permitted in this zone. Electronic message display systems may be permitted as an allowable conditional use, after approval by the board of adjustments. Such signs shall be freestanding or wall-mounted and shall be included in the computation for maximum allowable square footage and shall not exceed the allowable height for permitted signs within the zone.~~

11.76(gG) Highway Business, General Business and Industrial Zones (B-3, B-4, I-1, I-2).

Permitted signs may be freestanding or wall-mounted as specified; signs may be non-illuminated, indirectly illuminated or internally illuminated ~~or directly illuminated~~ unless specified otherwise, no freestanding business sign shall exceed twenty-five (25) feet in height; no freestanding advertising sign shall exceed twenty-five (25) feet in height.

(1) Business signs shall be permitted as follows:

a. The total surface area of business all signs on the lot shall not exceed two (2) square feet per linear foot of street or building frontage (only one street frontage shall be used to calculate the maximum signage allowed). ~~, whichever is greater or thirty-two (32) square feet whichever is greater.~~

b. One freestanding sign ~~per lot~~ shall be permitted per street frontage with a maximum of two (2) freestanding signs per lot; not exceeding seventy-five (75) square feet per sign or when fronting on two (2) or more streets the freestanding signage may be combined into one freestanding sign not exceeding one hundred ten (110) square feet. The minimum setback shall be ten (10) feet. ~~one-half setback required for a principal building but not less than ten (10) feet in any case.~~

c. The surface area of wall-mounted business signs shall not exceed fifteen (15) percent of the wall area to which it is attached, ~~or thirty-two (32) square feet whichever is greater~~ each wall to be considered separately. Only one business sign shall be permitted per wall-street frontage, if only one of the walls facing the street is not usable for signage, then a secondary wall may be used as approved by the Office of Planning & Community Development; however, no sign shall be placed on a building wall facing adjacent residential zoned property. In the case of a building containing two (2) or more separate business uses, those requirements shall be applied separately to the wall area of the building space leased, rented or owned by the individual business tenant.

d. Window signs shall be permitted limited to no more than twenty-five (25) per cent of the total window area.

(2) Name plates, directional signs, informational signs and signs on or under a canopy or awning shall be permitted as regulated in the B-1 Zone, except that in I-1 and I-2 Zones, there shall be permitted one directional sign per entrance, which shall not exceed

sixteen (16) square feet in area, five (5) feet in height, and shall not be located within the required sight triangle.

(3) In conjunction with an indoor theatre, one marquee shall be allowed not to exceed thirty-two (32) square feet per theatre; such marquee shall project no more than eight (8) feet from the building face to which it is attached and shall have a minimum clearance of eight (8) feet. In addition, one attraction board attached to one freestanding business sign, not to exceed twenty-four (24) square feet per theatre. The area of the marquee and attraction board shall be included in the computation of the maximum permitted sign area. (Note: Where an attraction board attached to a freestanding business sign is not utilized, a second marquee, mounted on a different building face shall be permitted as regulated above).

(4) One attraction board, wall-mounted or attached to a permitted freestanding business sign, the area of the attraction board to be included in the maximum permitted sign area. If attached to the permitted freestanding identification sign, the attraction board sign shall not be more than fifty (50) percent of the total sign area of the sign.

(5) Menu boards as permitted and regulated in the B-1 Zone.

(6) Informational signs as permitted and regulated in the B-1 Zone.

(7) In addition, advertising sign structures shall be permitted as follows:

a. The lot must abut a federal or state highway.

b. No advertising sign structure shall contain more than two (2) signs per facing. Where only one sign per face is utilized, the maximum sign area shall be seven hundred twenty (720) square feet. Where two (2) signs per face are utilized, no individual sign may exceed three hundred (300) square feet in area.

c. No advertising sign shall be permitted within one hundred fifty (150) feet of any residential zone.

d. No advertising sign structures shall be located within three hundred (300) feet of another structure.

e. Advertising signs shall be required to setback from any street right-of-way twenty (20) feet or at the same setback as any principal building on the lot, whichever is less.

(8) Additional signs. In addition to other signs permitted in this zone, electronic message display systems may be permitted as an allowable conditional use, after approval by the ~~Board of~~ Adjustments. Such signs shall be freestanding or wall-mounted and shall be included in the computation for maximum allowable square footage, and shall not exceed the allowable height for permitted signs within the zone.

(9) Those properties lying within a ~~fifteen hundred-~~ two thousand (2,000) foot radius of the center point of an interstate interchange overpass which are zoned B-3 or B-4 may be permitted in a combination of any two (2) of the following, one interstate service business sign, one permitted freestanding sign, one permitted wall sign. The interstate

~~service business sign shall be considered a conditional use and shall have an area of not more than two hundred fifty (250) square feet and a height of not more than ninety (90) feet. Both building and sign permits will be required for the interstate service business sign and must be obtained prior to sign installation. The applicant must demonstrate a need for the proposed sign and must show that the sign will in fact be visible by the interstate motorists for thirty (30) seconds prior to beginning his exit from the interstate highway. The applicant must submit conclusive pictorial evidence of a boom and target test clearly indicating the minimum height necessary to achieve the required visibility. Failure to achieve the required thirty second visibility is grounds for denial. All other signage on the property must be in compliance with the zoning regulations.~~

(10) In addition to the above-permitted signs, temporary advertising devices announcing special events, sale, or announcements may be permitted, subject to the following regulations:

- a. Permit must first be issued pursuant to the provisions of Section 11.43(aB).
- b. For any one business, such devices may be displayed (whether at the usual business premises or at some other temporary location) for not more than ten (10) continuous days (or fractions thereof), and not more than ~~twice~~ four times in any calendar year.
- c. Signs permitted under this section shall include but not be limited to inflatable signs and objects, tethered balloons, mobile signs, roof signs, streamers, flags, pennants, and temporary signs not otherwise regulated under Section 11.65(gG) of this Ordinance.
- d. Signs should be located so as not to interfere with movement or safety of vehicular and/or pedestrian traffic either on the public way or on the business premises.

11.76(hH) *Manufactured Home Park Zone (MH)*.

Permitted signs shall be either non-illuminated or indirectly illuminated.

- (1) One freestanding mobile home park identification sign shall be permitted per park entrance; sign not to exceed thirty-two (32) square feet in area; not exceeding eight (8) feet in height, minimum set-back of twenty (20) feet from any street.
- (2) One nameplate per mobile home; not exceeding one square foot in area.

11.76(iI) *Planned Development Zones*.

Permitted signs locations shall be determined by the ~~p~~Planning ~~e~~Commission and shall be shown on the required development plan. The height, size, location, design features, etc., of any sign ~~accessory to~~ associated with a use ~~first permitted in a zone~~ shall be determined by the sign requirements for the underlying zone in which the use is first permitted.

(Ord. No. 1986, § 5, 9-15-86; Ord. No. 8-91, § 3, 6-26-91; Ord. No. 18-95, § 1.1--3, 7-5-95; Ord. No. 9-98, § 27, 6-2-98)

11.7 Off-site Directional Signs.

An off-site directional sign shall be permitted subject to the following requirements:

a. The sign applicant shall provide evidence that a sign easement has been granted and recorded by the underlying property owner identifying the entity responsible for maintenance of the sign, liability for the sign, and those entities having use of the sign easement. Off-premise signs shall not be located on public right-of-way.

b. Maximum size shall be three (3) square feet per business with a maximum area of twenty (20) square feet.

c. Setbacks shall be sufficient to meet sight distance requirements

d. Maximum height shall be eight (8) feet

e. Only one sign shall be allowed at any street entrance/intersection location

f. Message content permitted shall be the name and address of the business only

11.8 Nonconforming signs

A legal nonconforming sign may continue in existence and shall be properly maintained in good condition. These signs regulations shall not be construed to prevent the strengthening, repair or restoring to a safe condition of any sign, but a nonconforming sign **shall not** be:

a. Changed to another nonconforming sign; except where only the faces or the messages are changed, ~~or where the sign is reduced in height, size or area;~~

(b) Structurally altered (~~except to meet safety requirements~~) so as to prolong the life of the sign;

(c) Altered so as to increase the degree of nonconformity of the sign;

(d) Expanded or enlarged;

(e) Re-established after its discontinuance;

(f) Continued in use after ~~creation~~ or change of the business or activity to which the sign pertains;

(g) Moved to a new location on the building or lot.

(Ord. No. 19-86, § 5, 9-15-86)

11.9 Discontinuance of illegal signs

~~Mobile signs prohibited under 11.5(a) are~~ All illegal signs and are subject to immediate enforcement action.

(Ord. No. 19-86, § 5, 9-15-86)

11.10 Discontinuance of temporary signs Reserved.

~~Any temporary sign erected or displayed more than ninety (90) days prior to the date of the passage of this article shall be removed forthwith.~~

(Ord. No. 19-86, § 5, 9-15-86)

11.11 Signs as conditional uses or variances to signs

Only the Board of Adjustments shall have the authority to approve sign variances or conditional uses for signs which are specifically listed in the zone of question. Such signs shall be subject to all provisions and procedures as set forth in article 5 for a variance or conditional use permit.

(Ord. No. 19-86, § 5, 9-15-86)

11.12 Maintenance standards

Every sign including ~~these~~ signs for which a permit is not required, shall be maintained in good condition at all times.

(Ord. No. 19-86, § 5, 9-15-86)

11.13 Advertising on interstate highways

No advertising structure shall be permitted adjacent to interstate or limited access highways except in conformance with the setback requirements established by the Federal Bureau of Public Roads, the Kentucky Department of Highways, and the requirements of this Zoning Order with respect to the zoning district involved.

(Ord. No. 19-86, § 5, 9-15-86)

11.14 Penalties for violation

Violation of the provisions of these sign regulations shall constitute a misdemeanor, which shall be subject to the fines and penalties as set forth in Article 14 for violation of this Zoning Ordinance.

(Ord. No. 19-86, § 5, 9-15-86)

11.15 Definitions

The following definitions unique to this article are listed below. The terms to be defined have been grouped according to the specific aspects of sign control to which they pertain in order to provide a clearer understanding of the regulations contained later in this article.

Abandoned sign and structure: A sign and/or supporting structure which no longer identifies a business conducted or product sold on the premises; any advertising sign and/or supporting structure which no longer directs attention to a bona fide business conducted, product sold, or activity or campaign being conducted or for which no legal owner can be found. A sign and/or supporting structure shall be deemed as abandoned when the conditions described above have been in evidence for a period exceeding ~~one hundred eighty (180)~~ thirty (30) days. For the purpose of this definition, an advertising sign shall not be deemed abandoned solely because the sign has contained no copy for a period exceeding ~~one hundred eighty (180)~~ thirty (30) days.

Advertising Sign: A sign which directs attention to a business, product, service or activity generally conducted, sold or offered elsewhere than on the premises where such sign is located.

Attraction Board: A sign which contains no permanent copy, either letters or emblems, on which copy is changed manually with changeable letters and which announces special activities on the property.

Awning ~~or canopy~~ Sign: A sign painted, printed or attached flat against the surface of an awning ~~or canopy~~. As used in this article, awning shall be defined as a shelter supported entirely from an exterior wall of a building consisting of cloth or other similar non-rigid material supported by a frame.

Banner Sign: A sign made of fabric or other non-rigid material with no enclosing framework.

Billboard: An advertising sign classified as a "standardized poster panel (12 × 25)" or a "standardized painted bulletin" by the Outdoor Advertising Association of America or an advertising sign exceeding twenty (20) feet in total length.

Bulletin Board: A sign which allows the manual changing of the copy material and is used to notify the public of noncommercial events or occurrences such as church services, political rallies, civic meetings or similar events.

Business Sign: A sign which directs attention to a business, profession, product, activity, or entertainment, sold or offered upon the premises where such a sign is located, and may include information as for an identification sign.

Canopy Sign: A sign painted, printed or attached flat against a surface of a canopy. As used in this article, canopy shall be defined as permanently roofed shelter covering a sidewalk, driveway or other similar area, which shelter may be wholly supported by a building or may be wholly or partially supported by columns, poles or braces extended from the ground.

Construction Sign: A temporary sign identifying the project name, the architect, engineer, contractor, financing company, material supplier, or others engaged in work on the construction site on which the sign is located. Leasing information, renderings and similar copy shall also be permitted.

Curb-side service menu board: A freestanding or wall-mounted sign primarily designed for the display of menu items and prices for the purpose of placing orders for such items in conjunction with a restaurant utilizing drive-up curbside service.

Directional Sign: A noncommercial sign of an instructional nature, such as “parking,” “exit” or “entrance,” displayed solely for the convenience of the public, no more than twenty-five (25) percent of such sign being devoted to the name or logo of the property, business or profession on the site and containing no business advertising, or product trade name identification or listing of any product sold or offered on the premises.

Double-faced Sign: A sign with two (2) faces either set parallel or up to a forty-five (45) degree angle. Any two (2) sign faces set at an angle greater than forty-five (45) degrees shall be considered two (2) separate signs.

Electronic Message Display System: A sign with copy which utilizes rotating reflective disc, direct illumination, rotating veils, light emitting diodes (L.E.D.'s) or liquid crystal diodes (L.C.D.'s), and is changed by means of a central computer teletype.

Flashing or Blinking Sign: A sign, the illumination of which is not kept constant and which contains an intermittent or sequential flashing light source for the purpose of either attracting attention to the sign or as a method of changing copy.

Freestanding Sign: A sign, not attached to any building, and attached to the ground by poles, braces, or other means.

Government Sign: A temporary or permanent sign erected by any government body for traffic direction, or for designation or direction to any school, hospital, park, historic site or other service, property or facility.

Historic Marker: A sign or emblem which commemorates or identifies an event, past ownership of property, or age of a building.

Illegal Sign: A sign which does not meet the requirements of this Zoning Ordinance and which is has not been identified as a ~~not~~-nonconforming sign.

Illuminated Sign: A sign which emits or reflects, either directly or indirectly, artificial light from any source.

a. *Directly illuminated sign:* A sign which is lighted by ~~of~~ an unshielded light source (including neon tubing) which is visible as a part of the sign and where light travels directly from the source to the viewer's eye.

b. *Indirectly illuminated sign:* A sign whose light source is so situated as to project light onto the exterior or front of the sign surface, or to project light onto the building facade where the sign is located.

c. *Internally illuminated sign:* A sign whose light source is within the sign, with the sign having a transparent or translucent background or cover which silhouettes opaque or transparent letters or designs.

Incidental Sign: A small sign, not exceeding two (2) square feet each, limited to information and directions related to the permitted use on the lot or building on which the sign is located, and containing no direct illumination as defined in this Article. Examples of incidental signs would include “no smoking,” “restroom,” “no solicitors,” “no trespassing,” “self service,” “vacancy,” credit card acceptance signs, signs indicating hours of business, and similar information.

Identification Sign: A sign which establishes the identity of a building or building complex by name or symbol or combines name, street address, and/or management and has no direct advertising value.

Informational Sign: A sign whose copy gives only the time, temperature and/or date through an electronic message display system or by mechanical means (including clocks and thermometers), and provides no advertising of any product or business activity.

Interstate Business Sign: A sign which directs attention to an activity upon the premises where such sign is located so that the traveling public utilizing the limited access highway is conveniently provided with transient type services without endangering movement along and access to and from the limited access highway.

Marquee Sign: A sign used in conjunction with a theatre which is attached to and supported by the building and generally projects from the building and, which in addition to permanent copy may allow for changeable letters.

Menu Board: A freestanding or wall-mounted sign primarily designed for the display of menu items and prices for the purpose of placing orders for such items in conjunction with a restaurant utilizing drive-through service.

Mobile Sign: Mobile signs are signs which are affixed to a frame having wheels or capable of being carried, or otherwise portable, do not have a permanent foundation, and cannot withstand the stress and wind loads of the building code, and designed to stand free from a building or other structure. Signs designed to be affixed to the surface of real estate shall be deemed freestanding signs and not mobile signs, but the mere removal of wheels or temporary securing of a sign to the surface of real estate shall not prevent its being a mobile sign within this definition.

Nameplate: A wall sign which gives only the name, address, and/or occupation of the occupant(s) of the building on which it is located.

Non-conforming Sign: A sign which was legally erected but which does not comply with the adopted sign regulations of this Zoning Ordinance for the zone in which it is located.

Non-illuminated Sign: A sign which does not emit or reflect artificial light from any source either directly or indirectly.

Painted Sign: Any sign which is applied with paint or similar substance directly to a wall or other surface. ~~Any painted sign shall be subject to the regulations of the zone which it is located.~~

Political Sign: A temporary sign supporting the candidacy for office or urging action on any other matter on the ballot of a state, local or national election or referendum.

Projecting Sign: A sign which is attached directly to a canopy, marquee, or wall of a building and which extends horizontally outward from such canopy, marquee or wall more than twenty-four (24) inches.

Real Estate Sign: A temporary sign indicating only sale or rental of property or buildings on which the sign is erected.

Roof Sign: A sign which projects above the cornice of a flat roof, or above the top edge of any roof including the ridge line of a gabled or hipped roof. Such top edge shall not include any cupolas, pylons, chimneys or other minor projections above the roof line.

Rotating or Moving Sign: A sign, any portion of which moves by mechanical means, motion of the wind or other means. Such motion does not refer to methods of changing copy used on an electronic message display system.

Sign. Any writing, pictorial representation, form, emblem, trademark, flag, banner, decoration (including material used to differentiate the sign copy from the background) or any figure which is written, printed, projected, painted, constructed, or otherwise displayed upon or designed into a building, board, plate, canopy, awning, window, vehicle, or upon any object or device which by reason of its form, color, wording, symbol, design, illumination, motion or other characteristic is designed to attract attention to the subject thereof or is used as a means of identification, advertisement, announcement, or of illustrating products.

Sign Area: Shall be defined and computed as follows:

(1) *Freestanding or Projecting Signs:*

- a. Any double-faced sign shall have only one face, the largest, counted in calculating the area.
- b. Any sign with three (3) or more sign faces shall have the area calculated by summing the area of the sign faces and dividing by two (2).
- c. If the sign is composed of one or two (2) individual cabinets, the area around and enclosing the perimeter of each cabinet or module shall be summed and totaled to determine the area. If the sign is composed of more than two (2) sign cabinets, or modules, the area enclosing the entire perimeter of all cabinets and/or modules within a single continuous geometric figure shall be the area of the sign. The perimeter of the measurable area shall not include embellishments such as pole covers, framing, decorative roofing, etc., provided there is no written copy on such embellishments and their total surface area (excluding pole covers provided such covers do not extend more than six (6) inches at any point from any structural member) does not exceed twenty-five (25) per cent of the otherwise permitted sign area.
- ~~4. If the sign is composed of more than two (2) sign cabinets, or modules, the area enclosing the entire perimeter of all cabinets and/or modules within a single continuous geometric figure shall be the area of the sign. The measurable area shall not include embellishments such as pole covers, framing, decorative roofing, etc., provided there is not written~~

~~copy on such embellishments and their total surface area (excluding pole covers provided such covers do not extend more than six (6) inches at any point from any structural member) does not exceed twenty five (25) per cent of the otherwise permitted sign area.~~

b. *Wall Sign:* The area shall be within a single continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of the copy including vertical and horizontal spacing between individual letters, logos, etc.

Sign Clearance: The least vertical distance between the lowest points of any sign, including the framework, and the established grade at the sign.

Sign Copy: Any word, letter, number, or emblem affixed to the sign surface either permanently or in removable form.

Sign Face: The vertical area of the sign on which the copy is placed.

Sign Height: The vertical distance measured from the highest point of the sign including the frame and any embellishments to the established grade at the adjacent street, or to the base of the sign, whichever is greater.

Sign Setback: The horizontal distance between any street right-of-way and a freestanding sign and/or its supporting structure. The measurement shall be taken at the closest point proximity between the right-of-way and any part of the sign or structure.

Tract Sign: A temporary sign advertising the original sale of property in a subdivision.

Temporary Sign: A sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard, plywood, or other light materials, with or without frames, and/or intended to be displayed for a limited period of time only.

Under Awning or Under Canopy Sign: A small sign, limited to four (4) square feet, attached to and suspended from the underside of a canopy or awning and having a clearance of not less than eight (8) feet.

Wall-mounted Sign: A sign attached parallel to and extending not more than twenty-four (24) inches from the wall of the building and includes painted, individual letter and cabinet signs, signs on a mansard, or on a parapet not exceeding three (3) feet in height and provided the parapet extends on at least three (3) sides of a building and signs erected on or against the side of a roof but not projecting above the roof line. No copy shall be permitted to be displayed on the sides of the sign which are perpendicular to the wall face.

Window Sign: A sign which is painted on, applied or attached to, or located within three (3) feet of the interior of a window and which can be seen through the window from the exterior of the structure. Merchandise which is included in a window display shall not be included as a part of a window sign.

(Ord. No. 19-86, § 5, 9-15-86; Ord. No. 8-91, § 1, 2, 6-26-91)