

- e. Home owners must pay their pro rata share of the cost assessed by the maintenance association; said assessment by the association can become a lien on the homeowner's property for failure to pay.
- f. The association must be able to adjust the assessment of fees to meet changing needs.

3. Conveyance of Common Open Space

All land shown on the final development plan as common open space must be conveyed under one of the following options:

- a. It may be conveyed to a public agency which will agree to maintain the common open space and any buildings, structures, or improvements which have been placed on it.
- b. It may be conveyed to trustees provided in an indenture establishing an association, funded trust, or similar organization.

The common open space must be conveyed to the trustees subject to covenants to be approved by the Planning Commission which restrict the common open space to the uses specified on the final development plan, and which provide for the maintenance of the common open space in a manner which assures its continuing use for its intended purposes. (Ord. #789, June 1993)

**4.080 STANDARDS FOR SIGNS, BILLBOARDS, AND OTHER ADVERTISING STRUCTURES**

**4.081 Intent and Objectives**

1. Statement of Purpose

The purpose of these regulations is to promote the well-being of the community by establishing standards that assure the provision of signs adequate to meet essential communication needs while safeguarding the rights of the people in the community to a safe, healthful and attractive environment. Within this overall framework, it is the intent of these regulations to:

- a. protect the right to the use of signs for the identification of activities and any related products, services and events and for noncommercial messages;
- b. assure proper exposure of signs to their intended viewers;
- c. protect the right of individuals to privacy and freedom from nuisances;
- d. protect the value of property and improvements thereon;
- e. permit signs that are constructed and maintained in a safe condition;
- f. assure that signs are constructed and maintained in a safe condition;
- g. encourage design that enhances the readability and effectiveness of signs;
- h. prevent signs from interfering with traffic regulatory devices or otherwise obstructing motorist or pedestrian vision;
- i. reduce traffic hazards;
- j. eliminate obsolete signs;
- k. provide an efficient and effective means of administration and enforcement.

2. Scope

Except for signs that are prohibited in all districts in Subsection 4.084, 4, herein, these regulations shall apply to all signs and their appurtenances that are visible from the outside of buildings, including interior window signs and all exterior signs, except those located within and visible only from within enclosed courtyards, malls, or similar enclosures.

These regulations shall not in any manner attempt to censure the written or depicted copy on any permitted sign. Any sign allowed under this ordinance may contain, in lieu of any other copy, any otherwise lawful noncommercial message that does not direct attention to a business

operated for profit, or to a commodity or service for sale, and that complies with size, location, height, lighting, and spacing requirements of these regulations. (Ord. #789, June 1993)

#### 4.082 Supplementary Definitions

The following definitions are to be used for interpreting the provisions of this article only. Where words have not been defined, the standard dictionary definition shall prevail, unless defined in Article III, of this ordinance.

**Awning**: Any nonrigid material such as fabric or flexible plastic that is supported by or stretched over a frame that is attached to an exterior wall.

**Awning Sign**: A sign placed directly on the surface of an awning.

**Banner**: A sign that is mounted on or attached to a nonrigid surface such as cloth, fabric, or paper.

**Billboard**: See off-premises sign.

**Bulletin Board Sign**: A particular type of changeable copy sign that displays copy in a casement made of glass or plexiglass.

**Canopy**: An extension of the roof of a building or a freestanding structure that has a roof with support, but no walls.

**Canopy Sign**: A sign attached to a canopy.

**Copy**: The characters, letters, or illustrations displayed on a sign face.

**Frontage, Building**: The length of a building that faces a street, parking area, or private drive.

**Illegal Sign**: A sign that was constructed in violation of regulations that existed at the time it was built.

**Marquee**: A permanent structure other than a roof attached to, supported by, and projecting from a building and providing protection from natural elements.

**Marquee Sign**: A sign attached to and made part of a marquee or any other similar projection from a building.

**Nonconforming Sign:** A sign that met all legal requirements when constructed, but that is not in compliance with these regulations. An illegal sign is not a nonconforming sign.

**Off-Premises Sign:** Any sign which is not located on the premises that it identifies or advertises.

**Sign:** Any writing (including letter, word or numeral), pictorial representation (including illustration or decoration); emblem (including device, symbol, or trademark); flag (including banner, streamer, or pennant); inflatable devices; or any other figure of similar character, which:

- (a) is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a building or other structure;
- (b) is used to announce, direct attention to, or advertise; and
- (c) is visible from outside a building.

**Sign, Abandoned:** Any sign in which the functions of direction and/or identification of a bona fide business, lessor, owner, product or activity conducted or product available are obsolete.

**Sign, Accessory:** Any sign that directs attention to a person, activity, or commodity on the same zone lot.

**Sign, Advertising:** A sign which directs attention to a business, profession, commodity, service or entertainment conducted, sold or offered elsewhere than upon the same zone lot, including any expressive sign larger than fifteen (15) square feet; or directs attention to any brand name or trade name product that may be incidentally available on the same zone lot as the sign provided the establishment offering the product is not associated with the brand or trade name of the product being advertised.

**Sign, Animated:** A sign that is animated, moving, rotating or appears to be animated, moving or rotating.

**Sign, Banner:** A sign having the copy applied to cloth, paper, or fabric of any kind with only such material for a backing. "Banner" shall include animated and/or fluttering devices designed to attract attention.

**Sign, Building Mounted:** Any sign attached to or supported by any building or other structure that has a purpose other than solely to support a sign, except a sign attached to any upright pole or support when the sign is wider than said pole or support, which shall be considered a freestanding sign.

**Sign, Business:** A type of accessory sign that identifies or provides related information about commercial and manufacturing activity types.

**Sign, Changeable Copy:** A sign designed so the copy can be changed while the display surface remains unchanged; includes such signs as manually or electronically changed readerboards and fuel price displays.

**Sign, Civic:** A type of accessory sign that identifies or provides related information about community facility activity types.

**Sign, Development:** A type of incidental sign that denotes the future facility, the architect, the engineer, the contractor, the lending agency and/or the developer on a construction site.

**Sign, Direct Illumination:** All illuminated signs not included in the definition of "Sign," "Luminous Background" or "Sign," "Indirect Illumination."

**Sign, Directional:** Any sign which provides information relative to safely identifying vehicular entrances and exits to parking lots or traffic circulation areas for activities. Directional signs may include logo, symbols or a business name and shall not exceed three (3) square feet in size nor thirty (30) inches in height. Such signs shall be located on the private premises and only one shall be installed per driveway.

**Sign, Directory:** A sign which lists the names of individuals, businesses, or products available at a single site.

**Sign, Expressive:** Any sign that expresses an opinion, feeling or point of view, such as political, ideological, religious, campaign, and good will signs. Depending on its size, and expressive sign may be an incidental, temporary, or permanent advertising sign.

**Sign, Flashing:** Shall be construed to be any sign that flashes or blinks or appears to flash or blink.

**Sign, Freestanding:** Any sign that is not attached to or supported by any building or other structure that has a purpose other than solely to

support the sign and any sign attached to any upright pole or supports when such sign is wider than said pole or support.

**Sign, Ground:** A sign permanently affixed to the ground by a foundation pedestal or other structure, such foundation, pedestal, or other structure being greater than three (3) feet in width or twelve (12) inches in diameter and not attached to any building.

**Sign, Handtacked:** A temporary advertising sign commonly attached, tacked, hung, or suspended from any available structure, usually intended to announce an upcoming event such as a music performance, garage sale, or church bazaar.

**Sign, Illuminated:** A sign designed to give forth any artificial light or reflect such light from an artificial source.

**Sign, Incidental:** An accessory sign intended primarily for the convenience or direction of the public including: accessory residential signs smaller than three (3) square feet that indicate name, address or home occupation; signs that indicate the types of credit available at a business; realty signs; signs with information that is warning in nature, such as "danger," "no trespassing" or "beware of dog"; signs indicating temporary events such as a garage sale or open house; political yard signs; and expressive signs smaller than three (3) square feet.

**Sign, Indirect Illumination:** Is any illuminated sign which is either a sign illuminated entirely from an external artificial source or an illuminated sign which all attached or internal artificial sources of illumination are not directly visible or are shielded by an opaque material.

**Sign, Large Residential:** A type of accessory sign larger than three (3) square feet that indicates the name and/or address of a residential activity type that contains four (4) or more dwelling or rooming units; and shall include a sign at the principal entrance to any subdivision or residential planned development that contains more than twelve (12) dwelling units.

**Sign, Luminous Background:** A sign created by transilluminating or backlighting of a translucent plastic or glass panel, or panels of similar material, which may be integrally pigmented, painted, or opaqued.

**Sign, Monument:** A freestanding sign with a base affixed to the ground which measures at least two-thirds (2/3) the horizontal length of the sign.

**Sign, Permanent:** Any permitted sign which is not restricted as to the duration of time it can be displayed.

**Sign, Pole:** A sign permanently affixed to the ground by means of one (1) or more poles, columns, uprights, or braces and not attached to a building.

**Sign, Portable:** Any sign which is movable, portable, or designed to be portable which is in the shape of an "A" frame, panel, or mounted on wheels or legs of any kind, whether or not permanently affixed to the ground or buildings.

**Sign, Projecting:** Any sign that (a) is attached to a wall and projects outward from the wall more than twelve (12) inches or (b) is suspended from any structure that constitutes a covering or shelter such as a canopy, portico, or marquee. Usually, though not always, the face of a projecting sign will be perpendicular to or from a wide angle with the surface to which it is attached.

**Sign, Realty:** A type of incidental sign that temporarily provides information regarding the sale, lease or rent of the premises or any improvements thereon which is no larger than nine (9) square feet.

**Sign, Roof:** Any sign attached to or mounted on any surface defined as a roof.

**Sign, Structure:** A structure, including uprights, supports, frames, display surfaces, and other appurtenances, intended to support and display one or more signs.

**Sign, Temporary:** Any sign that has a specific limitation in the amount of time that it can be displayed. Expressive signs with between three (3) and fifteen (15) square feet of display surface area shall be treated as temporary signs.

**Sign, Wall:** A type of building mounted sign (a) that is attached to a wall (including parapet wall) or other structure that supports a roof, including any sign that is part of or attached to a canopy or awning and any sign attached to any side face of a marquee, (b) that does not project outward more than twelve (12) inches from the surface to which it is attached, and (c) in which the sign face is parallel to the plane of the surface to which it is attached. (Ord. #789, June 1993)

#### 4.083 Exempt Signs and Temporary Signs

##### 1. Exempt Signs

The following are exempt from the provisions of this article or from the requirement to obtain a sign permit.

- a. Address and Name of Resident: Signs indicating address and/or name of residential occupants of the premises, not exceeding two (2) square feet in area, and not including any commercial advertising or identification.
- b. Artwork: Works of art that do not include any commercial messages or references.
- c. Construction Signs: Temporary signs warning of construction, excavation, or similar hazards so long as the hazard may exist.
- d. Decals: Decals affixed to windows or door glass panes, such as indicating membership in a business group or credit cards accepted at the establishments.
- e. Directional Signs: Signs giving on-site directional assistance for the convenience of the public, not exceeding two (2) square feet in area or located closer than five (5) feet to any property line. Directional signs may be internally lit or illuminated by white light only.
- f. Flags, Emblems, Insignia, and Banners: Of any governmental agency or religious, charitable, public or nonprofit organization, subject to the following: No single flag that is flown shall exceed forty (40) square feet in area and no single zoning lot shall fly more than three (3) such flags. If the total area of such flags exceeds seventy-two (72) square feet, the excess area shall be included in the sign area calculations for the zoning lot. Flagpoles shall not exceed twenty-five (25) feet in height. Wall-mounted flags, emblems, insignia, and barriers shall be limited to one (1) per zoning lot and shall not exceed forty (40) square feet in area.

- g. Handicapped Parking Space Sign: Signs not exceeding two (2) square feet in area reserving parking spaces for handicapped motorists.
- h. Home Occupations Signs: On-premise identification signs for home occupations shall not exceed four (4) square feet in area and shall contain only the name of the business and/or business owner. Such signs shall be located on an exterior wall, window, or door of the premises.
- i. Public Signs: Signs erected by government agencies or utilities including traffic, utility, safety, railroad crossing, and identification signs for public facilities, and any signs erected by the City Commission or under the direction of the Commission.
- k. Seasonal Signs: Signs in the nature of decorations which are seasonal, clearly incidental and customarily associated with any national, local, or religious holiday.
- l. Security and Warning Signs: On-premise signs regulating the use of the premises, such as "no trespassing," "no hunting" and "no soliciting" signs, that do not exceed two (2) square feet in area in residential areas and five (5) square feet in commercial and industrial areas.
- m. Temporary Political Signs: On premises temporary political signs may be located in any residential, commercial, or industrial district. These signs shall not exceed sixteen (16) square feet and are permitted in addition to any other signs permitted by this ordinance. These signs shall be removed within seven (7) days after the election or political event.
- n. Temporary Real Estate Signs: Temporary signs indicating the availability of real property for lease or sale, located on the premises being leased or sold. Display of such signs shall be limited to one (1) per property not exceeding six (6) feet in height and not exceeding sixteen (16) square feet in area in residential zones and eight (8) square feet in area in all other zones. Such signs shall be removed within seven (7) days of the settlement or lease of the property.
- o. Auction Signs: Signs announcing and directing the public to the auction site shall be limited to a maximum of five (5)

signs per event and shall not exceed thirty-two (32) square feet. No sign shall be placed in such a manner that would obstruct vision of motorist or be a detriment to the functions of business. All signs shall be removed within one (1) business day following the event. Any sign not complying with this ordinance shall be removed at the owner's expense and be subject to penalty.

2. Temporary Signs Requiring a Sign Permit

The following signs may be erected only after obtaining a temporary sign permit from the enforcing officer. The permit shall cite the length of time the sign may be displayed. If any temporary sign is not removed by the expiration of the appropriate time limit noted in this section, the Administrator may remove it and charge the costs of removal to the individual or enterprise responsible.

- a. Special Event Signs: Signs announcing special events including, but not limited to grand openings, new management, going out of business, and events sponsored by religious, charitable, or public service groups. Any business, individual, or organization may display two (2) temporary signs including portable signs, twice during the calendar year for a period not to exceed thirty (30) days.

Such signs shall not be located in any public right-of-way or in any location that would impair visibility of the motoring public, and shall be removed immediately following the event.

- b. Temporary Farm Product Signs: Temporary on-premise signs announcing the availability of seasonal farm products. The number of signs shall not exceed two (2) and the total area of all such signs shall not exceed thirty-two (32) square feet, nor shall any sign exceed six (6) feet in height.
- c. Construction Signs: Temporary signs announcing new buildings, or projects, erected after the commencement of building construction or site development. Each construction site shall be limited to one (1) construction sign not exceeding thirty-two (32) square feet in area and eight (8) feet on height, which shall be removed by the time a permanent sign is erected or a certificate of occupancy for

the building is issued, whichever occurs first. (Ord. #789, June 1993)

#### 4.084 General Provisions

##### 1. General Standards

- a. No sign except for those specified in Subsection 4.083, 1, shall be erected until a permit has been obtained in accordance with the provisions of this ordinance.
- b. No sign shall resemble or approximate the size, shape, form, or color of any official traffic control sign, signal, or device.
- c. No sign shall be placed so as to obstruct or interfere with the visibility or effectiveness of any traffic control sign, or with driver vision at any access points.
- d. On any corner lot no sign shall be erected or placed in a manner to impede or obstruct vision between a height of two and one half (2 ½) and ten (10) feet above the center line grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines fifty (50) feet from the point of the intersection.
- e. No sign other than duly authorized governmental signs shall be erected or maintained within any public street right-of-way.
- f. No sign shall be painted on or attached to any trees, rocks, fence posts, utility poles, or similar structures or objects.
- g. No sign shall obstruct any doorway, window, or fire escape.
- h. The light from any illuminated sign shall be so directed, shaded, or shielded that the light intensity or brightness shall not adversely affect surrounding or facing premises nor affect in any way the safe vision of operators of moving vehicles. Light shall not be permitted to shine or reflect on or into any residential structure.
- i. All pole and monument signs shall be limited to no more than eight (8) items of information.

2. Surface Area Display Standards

- a. The supports or uprights and any covering thereon on which one or more signs is mounted shall not be included in the display surface area.
- b. On signs in which the copy together with the background are designed as an integrated unit separate from the structure on which the sign is mounted, the display surface area shall be the total area within a perimeter that encloses the entire sign copy of background.
- c. On signs that do not have a distinct background separate from the structure on which the sign is mounted, the display surface area shall be the area within a continuous single perimeter composed of one or more rectangles, circles, and/or triangles that enclose the extreme limits of the copy considered to be the sign.
- d. When two (2) sign faces of the same shape and dimensions are mounted back to back on the same sign structure and are either parallel or from an angle not exceeding thirty (30) degrees, only one of the sign faces shall be used to compute the display surface area. If the angle of the sign faces exceeds thirty (30) degrees, then both faces shall be used to compute the display surface area.
- e. In any district which permits advertising signs the computation of display surface area shall include both advertising and accessory signs.
- f. On a corner lot, a permitted sign may be located along each street frontage.

3. Height of Signs

The following general rules shall apply in the determination of the height of signs.

- a. The height of any sign shall be measured to the topmost point of the sign or sign structure from the average grade level at the base of the supports of the base of any sign directly attached to the ground.

- b. The height of signs placed on berms, mounds, or similar landscape features or on hills or mounds left after a lot is graded shall be measured from the finished or established grade around such features.

4. Signs Prohibited in All Districts

The following signs or types of signs are prohibited in all districts and are hereby declared to be illegal.

- a. Any sign that is abandoned, deteriorated, unsafe, or not otherwise identified as defined in this ordinance;
- b. Any sign which is painted on or attached to a vehicle or a vehicular trailer unless such vehicle is in operable condition, carrying all current and valid licenses, and used primarily for the transportation of goods and/or persons in the everyday and ordinary course of business of the owner thereof;
- c. Signs which are made structurally sound by guy wires or unsightly bracing;
- d. Signs which contain any kind of strobe or pulsating lights;
- e. Banner signs that over hang any public right-of-way;
- f. Any sign with direct illumination provided by exposed bulbs or lamps;
- g. Off-premise signs, except as permitted in Subsection 4.086, 2, a;
- h. Flashing signs;
- i. Handtacked signs, on utility poles, fence posts and trees;
- j. Portable signs, except as permitted in Subsection 4.083, 2, a;
- k. Roof signs. (Ord. #789, June 1993)

#### 4.085 Signs Permitted in Residential Districts

Withing the residential districts, the following signs are permitted subject to the provisions as set forth herein.

##### 1. Community Facility Activities

- a. A community facility activity may have one (1) civic sign constructed as a monument sign or a wall sign.
- b. A monument sign shall not exceed four (4) feet in height and twenty-five (25) square feet in size. Ground signs which are integrated into an attractive brick, stone, or wood architectural feature or an earth berm, all of which shall be permanently landscaped, may exceed four (4) feet in height to a maximum of six (6) feet.
- c. A wall sign shall not exceed fifty (50) square feet in size.
- d. Civic signs may be illuminated by indirect means or with luminous background, provided that the light source does not illuminate surrounding properties.
- e. Civic signs shall be set back from the street right-of-way and property lines, a minimum of eight (8) feet.

##### 2. Development Signs

- a. A development sign may be located at the major entrance to a new development. Said sign shall be removed within one (1) year of the approval of the development by the planning commission, provided that in the case of a multi-year development the time for removal may be extended by the enforcing officer one (1) additional year for each year the development is under continuous construction. Such signs may be either a pole or ground sign.
- b. A development sign shall not exceed three hundred (300) square feet in size nor fifteen (15) feet in height.
- c. A development sign shall not be lighted.
- d. Any development sign shall be set back from the street right-of-way a minimum of twenty (20) feet.

3. Large Residential Signs

- a. Subdivision identification signs may be permitted at the main entrances to a subdivision.
- b. Each subdivision is allowed a maximum of two (2) identification signs located at main entrances. These signs are to be located on private property or in a median if one is present.
- c. All subdivision identification signs shall be integrally designed as a part of a permanently constructed and maintained wall, fence, or similar feature or shall be a ground sign. All such areas shall be attractively landscaped.
- d. A subdivision identification sign shall not exceed twenty-five (25) square feet in size.
- e. The maximum height of such signs shall be four (4) feet when constructed as a ground sign. Ground signs which are integrated into an attractive brick, stone, or wood agricultural feature or an earth berm, all of which shall be permanently landscaped, may exceed four (4) feet in height to a maximum of six (6) feet.
- f. All subdivision identification signs and the attendant landscaped area shall be owned and maintained either by the owner/developer or by a legally established homeowners association.
- g. Any lighting on such signs shall be integrated into the entrance feature and shall be subdued and shall light only such sign. No light shall shine or reflect on or into any residential structure. (Ord. #789, June 1993)

**4.086 Permitted Signs in Commercial and Industrial Districts<sup>1</sup>**

Within the commercial and industrial districts, the following signs are permitted subject to the provisions as set forth herein.

**1. Commercial District Signs**

Within the C-1, C-3, C-4, and C-5 Districts, the following standards for signs shall apply:

- a. Accessory business and civic signs are permitted and shall be either wall or projecting signs, except as set forth in Subsections d, e, and f, below. All other sign types are prohibited.
- b. A use may be permitted to have one (1) projecting sign attached to the front of the building subject to the following standards:
  - (1) Such sign shall not exceed eighty (80) square feet in display surface area.
  - (2) Such sign shall not project into the public right-of-way more than six (6) feet provided that in no case shall such sign be closer than two (2) feet from the curb or edge of pavement of the travelway, (C-1 Districts only).
  - (3) Such sign shall not exceed thirty (30) feet in height measured from the bottom of the sign provided that

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<sup>1</sup>Ord. #911 which provided amendments to this section also provides:

Additional signage may be permitted on the building(s) within the complex and shall be wall signs, projecting signs, or signage painted on glass windows or a combination thereof. Such signage shall be in scale with the wall of the building upon which it is located and be architecturally compatible. The display area of such signage shall not exceed fifteen (15) percent of the square footage of such wall and may be apportioned for multiple occupants with each occupant entitled to an equal share of the display surface area.

The ordinance did not specify the placement of these provisions in the section.

in no case shall such sign extend above the roof line of the building to which it is attached.

- (4) Such sign shall clear the established grade by a minimum of ten (10) feet.
  - (5) Such sign shall be no closer than twenty (20) feet to any other projecting sign.
  - (6) The copy information shall be limited to the identification of the owner, address, name and/or principal activity conducted on the premises.
- c. Wall signs are permitted subject to the following standards:
- (1) All signs are limited to fifteen (15) percent of the wall surface area below the roof line of the building.
  - (2) Such sign shall be located on the front wall of the building which is oriented to the street from which access is derived. For uses with two street frontages, wall signs may be located on a wall for each frontage. For uses not oriented to a public street, the wall considered to be the front of the use shall be used for location of such signage.
  - (3) Such sign shall not extend above the roof line of the building to which it is attached nor shall such sign project outward from the building more than twelve (12) inches.
  - (4) Such sign placed in the horizontal space between windows of a two (2) story building shall not exceed in height more than two-thirds ( $2/3$ ) of the distance between the top of the window below and the sill of the window above.
  - (5) Such sign shall not cover or interrupt major architectural features of the building.
  - (6) If a use utilizes both wall and projecting signs, the total display surface area shall not exceed eighty (80) square feet.

- (7) The copy information shall be limited to the identification of the owner, address, name and/or principal activity conducted on the premises.
- d. If a use on a lot is set back from the public right-of-way a minimum of thirty (30) feet and has off-street parking, then such use may utilize one (1) ground or pole sign subject to the following standards. All other signs on the same lot shall be wall signs.
- (1) Such sign shall not exceed a maximum of one hundred (100) feet on any single sign or two hundred (200) feet for lots with more than one street frontage.
  - (2) The maximum height of a pole sign shall be thirty (30) feet and of a ground sign four (4) feet. Ground signs which are integrated into an attractive brick, or stone, or wood architectural feature or an earth berm, all of which shall be permanently landscaped, may exceed four (4) feet in height to a maximum of six (6) feet.
  - (3) The number of signs permitted on a sign structure shall be limited to one (1) sign, except that an additional sign which is a changeable copy sign may be permitted with a maximum display surface area of twenty (20) square feet.
  - (4) Signs shall be setback from the public right-of-way to meet the following standards:
    - a. Signs with 100 square feet or less      8 feet
    - b. Signs exceeding 100 square feet      16 feet
- e. A commercial complex of two (2) or more acres, which is set back from the right-of-way a minimum of thirty (30) feet and has off-street parking may utilize the following provisions:
- (1) A commercial complex may be permitted one (1) pole or ground sign for each street frontage identifying the name of the complex or business. In the event a street frontage is in excess of two hundred fifty (250) feet in length, one (1) additional such sign shall be

permitted. The maximum size of each such sign shall be a ratio of  $\frac{1}{2}$  to 1 of square footage of sign area to the length of the street frontage or the front facade of the building, whichever is greater, with a maximum sign area of one hundred fifty (150) square feet. Such sign shall not exceed thirty (30) feet in height or the height of the building, whichever is less, if a pole sign; or four (4) feet in height if a ground sign. Ground signs which are integrated into an attractive brick, stone, or wood architectural feature or an earth berm, all of which shall be permanently landscaped, may exceed four (4) feet in height to a maximum of six (6) feet. In the event the above ratio results in a sign less than fifty (50) square feet in size, then a minimum size sign of fifty (50) square feet shall be permitted.

- (2) Additional signage may be permitted on the building(s) within the complex and shall be either wall signs, projecting signs, or signage painted on glass windows or a combination thereof. Such signage shall be in scale with the size of the wall of the building upon which it is located and be architecturally compatible. The display surface area of such signage shall not exceed five (5) percent of the square footage of such wall and may be apportioned for multiple occupants with each occupant being entitled to an equal share of the display surface area.
- (3) In lieu of a pole or ground sign identifying the name of the complex, such commercial complex may utilize a directory sign identifying individual occupancies subject to the same size requirements as in paragraph (1), above.
- (4) A directory sign listing the names of individual businesses or occupancies may be permitted at the entrance to the parking lot or at the entrance of each building. The maximum display surface area shall not exceed ten (10) square feet and the maximum height shall be six (6) feet.

f. Signs may be illuminated subject to the following standards:

- (1) Exposed bulbs or luminous tubes are prohibited.
- (2) No sign shall change color or intensity.
- (3) In no event shall the light from any illuminated sign exceed one (1) foot candle at the property line of any lot that is zoned residential or agricultural.
- (4) The light from any illuminated sign shall be shaded, shielded, or directed so that the light intensity or brightness shall not adversely affect the surrounding or facing premises nor adversely affect safe vision of operators of vehicles moving on public or private streets or parking areas. Light shall not shine or reflect on or into any residential structure.

2. Highway Commercial and Industrial District Signs

Within the C-2, 1-1 and 1-2, Districts, the following standards for signs shall apply:

a. Accessory business and civic signs are permitted as follows:

- (1) Each land use is permitted to have one (1) ground or pole sign for each street frontage. The maximum display area for each sign is limited to two hundred (200) square feet per sign. The maximum display area for all signs on the same lot is limited to three hundred (300) square feet.
- (2) The maximum height shall be thirty (30) feet for a pole sign and four (4) feet for a ground sign. Ground signs which are integrated into an attractive brick, stone, or wood architectural feature or an earth berm, all of which shall be permanently landscaped, may exceed four (4) feet in height to a maximum of six (6) feet.
- (3) Signs shall be setback from the public right-of-way to meet the following standards:
  - a. Signs with 100 square feet or less      8 feet
  - b. Signs exceeding 100 square feet      16 feet

- (4) The number of signs permitted on a sign structure shall be limited to one (1) sign except that an additional sign which is a changeable copy sign may be permitted with a maximum display surface area of twenty (20) square feet.
  - (5) In addition to the signage permitted above, a use on a lot shall be allowed to have wall signs or signage painted on glass at the entrance to the building. Wall signs shall be subject to the standards contained above in Subsection 4.086, 1, c.
  - (6) A commercial complex shall be subject to the provisions contained above in Subsection 4.086, 1, e.
- b. This section shall apply one to those uses engaged in the retail petroleum and petroleum products business. The following additional provisions shall apply:
- Each such use shall be permitted:
- (1) One (1) permanent price sign per street frontage. Such sign shall not exceed sixteen (16) square feet in size and shall not identify more than three (3) products. Such sign shall be setback from the right-of-way a minimum of ten (10) feet and shall be no closer than thirty (30) feet from any street intersection.
  - (2) Two (2) nonilluminated self-service or full-service signs per pump island. Such signs shall not exceed one hundred sixty (160) square inches per sign and shall be located at the ends of the pump island perpendicular to the street.
  - (3) Federal and State stamps, octane, ratings, pump use directions, prices, and no smoking signs as required by Federal, State, and local authorities. Such signs shall be located on the body of the pump.
- c. This section shall be applicable only to movie houses or theaters. The following additional provisions shall apply:

- (1) In lieu of a wall sign or in combination therewith, a marquee structure may be permitted which may have signage thereon. Such marquee may project over a private sidewalk or driveway but not over a public right-of-way. Such marquee structure shall be permanently attached to the principal building.
  - (2) Where the building contains more than one (1) theater, additional display surface area may be permitted up to a maximum of sixty (60) square feet of sign area for each theater. This sign area shall be in addition to an identification sign for the theater(s).
- d. Signs may be illuminated subject to the standards as specified above in Subsection 4.086.1, f.

3. Off-Premise Commercial Sign Lot

Within the C-1, C-2 and C-3 Districts the following standards shall apply to off-premise commercial signs:

- a. Free standing commercial signs are permitted as principal use on lots where no other principal use is established, providing the applicant meet the following standards. In the event the owner proposes to locate any other use of the lot, it will be required to remove the sign.
- b. All lots considered for use under this section shall meet the minimum size of the district it is to be located in, or is to be approved as an existing nonconforming lot by the Board of Appeals.
- c. All off-premise signs shall meet the following standards:
  - (1) No sign shall exceed 240 square feet in display area.
  - (2) No part of any sign shall be closer than forty (40) feet to any public right-of-way.
  - (3) Such signs shall not exceed fourteen (14) feet in height above the finished grade.
  - (4) Such signs shall be a minimum of twenty (20) feet from any adjacent property line. In the event that a

sign lot is adjacent to a residential district the established setback for the district shall apply. All buffers required by the ordinance shall apply.

- (5) With the exception of the area where the sign is located, the lots shall remain or be covered in grass, groundcover or landscaping.
- d. Lighting of these signs shall be internal or in a manner that shields the light source from sight. All other site lighting is prohibited.
- e. All signs that move or are animated shall be designed in compliance with all established Traffic Safety standards and in compliance with all State and Federal laws.
- f. Before a permit is granted for any off-premise sign a site plan in compliance with section 7.030 B, 2 shall be submitted to the Planning Commission for approval. (Ord. #789, June 1993, as amended by Ord. #841, April 1996, Ord. #901, March 1999, and Ord. #911, Oct. 1999)

#### 4.087 Temporary Sign Provisions

Temporary signs shall be permitted for any lawful activity on a lot or parcel subject to the provisions set forth herein.

##### 1. General Requirements

- a. All temporary signs are required to obtain a yearly permit to place one (1) temporary sign on a parcel or lot. Each permit shall be issued for a twelve (12) month period to be renewed each year. These permits will be twenty-five dollars (\$25.00) to assist in the cost of administration of these regulations.
- b. Concerns which are actively engaged in the sign rental business and hold a current business license with the City of Lawrenceburg for this type business, will be eligible to purchase an annual permit for one hundred dollars (\$100.00). This annual permit will cover up to twenty (20) temporary signs. If additional permits are required by the concern, they will be issued at the price of five dollars (\$5.00) each.

- c. Banners may be used as temporary signs, if they do not overhang any public right-of-way.
- d. All such signs shall be securely anchored or fastened and positioned in place so as not to constitute a hazard of any kind.
- e. No temporary sign shall be displayed on a roof.
- f. No temporary sign shall be permitted to project into or over any public street right-of-way.
- g. Temporary signs are permitted at construction sites for the purpose of identifying names of contractors, consultants, etc.

2. Display Surface Area, Height, and Illumination

- a. Maximum display surface area shall be thirty-five (35) square feet.
- b. Maximum height shall be ten (10) feet.
- c. Temporary signs shall not be illuminated except in commercial or industrial districts.
- d. Any sign that is lighted shall be done in compliance with the National Electrical Code.

3. Location of Temporary Signs

- a. All temporary signs shall setback a minimum of eight (8) feet, from any street right-of-way, unless an alternate location is approved by the building inspector in special cases. No temporary graphic shall overhang or encroach on any street right-of-way at any time.
- b. The minimum distance between any two (2) such signs on the same lot shall be seventy-five (75) feet. (Ord. #789, June 1993)

#### 4.088 Nonconforming and Noncomplying Sign Provisions

Any sign lawfully existing at the time of the enactment of this ordinance but which is not permitted either by type of sign, location, or district or which fails to meet the standards on regulations shall be classified as either nonconforming or noncomplying as per definitions.

##### 1. Removal of Temporary Nonconforming Signs

Nonconforming portable and handtacked signs and signs in a public right-of-way shall be removed within forty-five (45) days. Nonconforming, flashing or animated signs shall be caused to stop flashing or animation within forty-five (45) days.

##### 2. Alterations to Nonconforming and Noncomplying Signs

A nonconforming or noncomplying sign may be altered subject to the following conditions.

- a. The proposed alteration is not greater than fifty (50) percent of the total sign structure or alteration costs are not greater than fifty (50) percent of its depreciated value.
- b. The total copy of an advertising sign may be changed in accordance with normal business practices.
- c. The proposed alteration conforms to the provisions of this ordinance.
- d. No new nonconformance or noncompliance is created.

##### 3. Damage or Destruction of Nonconforming and Noncomplying Signs

When any such sign is damaged or destroyed from any cause to the extent of fifty (50) percent of the sign structure or to the extent of fifty (50) percent of its depreciated value at the time of its damage or destruction, the sign shall be removed or otherwise made to conform or comply with all appropriate provisions of this ordinance.

Except that any advertising sign located within six hundred-sixty (660) feet, of a Federal highway, as defined by the Federal Highway Beautification Act and oriented to that highway shall not