

## **Appendix B: Sign Regulations**

### **1.1 Intent**

This article provides content-neutral sign standards that allow legitimate signage for agricultural, residential, business, and industrial activities while promoting signs that:

- A. Reduce intrusions and protect property values;
- B. Minimize undue distractions to the motoring public;
- C. Protect the tourist industry by promoting a pleasing community image; and
- D. Enhance and strengthen economic stability and growth.

### **1.2 Scope**

The provisions apply to the display, construction, erection, alteration, location, and maintenance of all new and existing signs within Harrison County.

### **1.3 Exempt Signs**

The following signs are exempt from the provisions of this Article and are, therefore, exempt from the requirement to obtain a sign permit:

- A. Signs not visible beyond the boundaries of the property upon which they are located.
- B. Government signs that are placed by government officers in the performance of their professional/ elected duties.
- C. Temporary signs erected by public utility companies or construction companies in the performance of their professional duties can be placed on the project site but must be removed when the certificate of occupancy has been granted.
- D. Vehicle signage when painted directly on a vehicle or attached magnetically.
- E. Temporary signage of 12 square feet or smaller placed on or after April 15 and removed by the last day of May. Temporary signage of 12 square feet or smaller placed on or after the first day of October and removed by November 15.
- F. Temporary signs for a new business for up to 30 consecutive days from the first day of business. Exempt signage shall only be displayed on the property where the new business is located.
- G. Signage placed on property for sale shall be no larger than 6 square feet.
- H. Window signage.

### **1.4 Permit Requirements**

- A. No sign regulated by this ordinance (except those exempted in Section 1.4.1 below) shall be displayed, erected, relocated, or altered unless all necessary permits have been issued by the Cynthiana- Harrison County- Berry- Joint Planning Commission. Applicants shall submit an application form to the department before any permit may be issued.
- B. Sign shall only be constructed or erected in compliance with the approved permit.
- C. Signs permitted as an accessory to a legal, nonconforming use shall be subject to the regulations of the zone in which the nonconforming use is located.

#### **1.4.1 Signs Exempt from Permit Requirements**

The following signs shall not require a permit

- A. Incidental Signs
- B. Historic Markers
- C. Change of copy of any sign where the framework or other structural elements are not altered.

### **1.5 Nonconforming Signs**

A legal, nonconforming sign may continue in existence as long as it is properly maintained in good condition.

These provisions shall not prevent the repair or restoration to a safe condition of any sign, but a nonconforming sign shall not be:

- A. Changed to another nonconforming sign except where only the face or copy is changed;
- B. Structurally altered so as to increase the degree of nonconformity of the sign;
- C. Expanded or enlarged;
- D. Reestablished after its removal; or
- E. Moved to a new location on the building or lot.

### **1.6 Illegal Signs**

All illegal signs shall be subject to immediate enforcement action as outlined in Article 18 of this Zoning Ordinance.

### **1.7 General Requirements**

All signs in all zones shall meet the following requirements:

- A. Illuminated signs shall be located in a fashion which prevents all direct rays of light from shining beyond the property lines of the lot on which the sign is located.
- B. No light, sign, or other advertising device shall be designed or erected 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 a vehicle.
- C. No sign shall be attached to or painted on the surface of any tree, utility pole, or street light.
- D. Projecting signs shall have at least 7' of clearance above a road or sidewalk.
- E. 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 shall not be used to outline buildings, structures, or ornamental features.
- F. No sign, except for government signs, shall be located within the sight triangle of any intersection.
- G. No sign shall be placed in or project into the public or private street right-of-way, except as specifically permitted herein.
- H. Freestanding, monument, and projecting face sign area shall be computed as follows:
  - a. Double-faced signs shall have only one face counted in calculating the area.
  - b. Sign with more than two faces shall have the area calculated by summing the area of all sign faces and dividing by two (2).
  - c. The area enclosing the perimeter of each cabinet shall be calculated to determine the area.

- d. The perimeter of the measurable area shall not include embellishments (e.g., pole covers, framing, or decorative roofing) provided there is no written copy on such embellishments.
- e. Maximum height shall be measured from the finished grade at the center of the sign and shall include the sign's base.
- I. Every sign, including those for which a permit is not required, shall be maintained in good condition at all times.

### **1.8 Prohibited Signs in All Zones**

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

- A. Mobile signs;
- B. Roof signs that extend higher than the top of the roof;
- C. Rotating or moving signs;
- D. Abandoned signs;
- E. Streamers, pennants, and tag signs or similar signs or devices except when attached to a permitted temporary sign;
- F. Any sign which emits any noise or odor;
- G. Flashing or blinking signs other than window signs;
- H. Signs in a public right-of-way.

### **1.9 Signs Permitted by Specific Zone**

Any sign not specifically permitted shall be prohibited

#### **1.10.1 Agricultural Zone (A-1)**

- A. Residence-** One wall sign not exceeding one (1) square foot in area. In addition,
  - a. Every parcel shall be entitled to signage not exceeding 2 square feet in area to be placed in any one of the following locations:
    - 1. On the front of every building, residence or structure;
    - 2. On each side of an authorized U.S. Postal Service mailbox; and
    - 3. On one post which measures no more than 48 inches in height and four (4) inches in width.

#### **B. Farm**

- a. Two signs per entrance if incorporated into a fence or wall feature, or one freestanding sign per entrance. Signs shall not exceed 32 square feet in area each.
- b. Incidental Signs

#### **C. Buildings Used for Religious or Educational Activities**

- a. One freestanding sign not exceeding 32 square feet in area and eight (8) feet in height.
- b. One bulletin board, not exceeding 12 square feet in area and eight (8) feet in height.
- c. One wall sign per building not exceeding 32 square feet in area.
- d. Incidental signs

#### **D. All Other Conditional Uses**

- a. One free standing sign for any other permitted or conditional use not noted herein; signage shall not exceed 32 square feet in area and eight (8) feet in height.
- b. One wall sign that shall not exceed 12 square feet in area, and eight (8) feet in height.

### **1.10.2 Residential Zones**

#### **A. Residence-**

- a. One wall sign not exceeding one (1) square foot in area.
  - 1. Every parcel shall be entitled to signage not exceeding 36 square inches in area to be placed in any of the following locations:
    - i. On the front of every building, residence or structure;
    - ii. One each side of an authorized U.S. Postal Service mailbox; and
    - iii. On one post which measures no more than 48 inches in height and four (4) inches in width.

#### **B. Multi- Family Residence-** Multi- family buildings and conditional uses may have:

- a. One freestanding sign that shall not exceed 32 square feet in area and eight (8) feet in height and shall have a front yard setback of 20 feet;
- b. One wall sign that shall not exceed 12 square feet in area; and
- c. Incidental signs

#### **C. Home Occupation-** One wall sign not exceeding six (6) square feet in area.

#### **D. Subdivision-** One freestanding sign per entrance into the subdivision not to exceed 32 square feet in area and eight (8) feet in height.

#### **E. Buildings Used for Religious or Educational Activities**

- a. One freestanding sign shall not exceed 32 square feet in area and eight (8) feet in height;
- b. One wall sign should not exceed 12 square feet in area;
- c. One bulletin board that shall not exceed 12 square feet in area and eight (8) feet in height; and
- d. Incidental signs

#### **F. All other Conditional Uses:**

- a. One freestanding sign that shall not exceed 32 square feet in area and eight (8) feet in height;
- b. One wall sign that shall not exceed 12 square feet in area; and
- c. Incidental signs

### **1.10.3 Standard Signage Permitted in all Commercial and Industrial Zones**

#### **A.** One freestanding or monument sign per street frontage with a maximum of two (2) signs per lot.

- a. Freestanding signs shall not exceed 75 square feet in area, 25 feet in height, and shall have a minimum setback of 10 feet. When street frontage permits two (2) signs, the two freestanding signs may be combined into one (1) freestanding sign that shall not exceed 110 square feet in area. For buildings with more than one occupying business this freestanding may list all the businesses within the building.
- b. Monument signs shall not exceed 60 square feet in area, eight (8) feet in height, and shall have a minimum setback of 10 feet.

- B. One wall sign, canopy sign or awning sign per street frontage with a maximum of two (2) signs per building. The maximum allowed area for all signage in this category is 32 square feet or 15 percent of the wall area to which the sign, canopy or awning is attached, whichever is greater. Awnings shall have at least seven (7) feet of clearance when fully extended. When a building contains two or more separate businesses, these requirements shall be applied separately to the wall area of the portion of the building occupied by the individual business.
- C. One wall sign per tenant or lessee not exceeding two (2) square feet in area.
- D. One attraction board either attached to the wall or attached to the permitted freestanding sign not to exceed 32 square feet in area and eight (8) feet in height.
- E. One menu board for every property that includes a drive-thru lane, walk-up window or drive-up curbside. Menu boards shall not exceed 55 square feet in area and shall have a maximum height of eight (8) feet.
- F. Temporary Signs- Shall include banners, streamers, tethered balloons, and inflatable signs and objects. One temporary sign per street frontage shall be allowed subject to the following conditions:
  - a. Shall not exceed 50 square feet per sign where non-rigid materials are used.
  - b. Shall not exceed 32 square feet per sign where rigid materials, such as wallboard or plywood are used.
  - c. Shall comply with the applicable regulations for the zone in which they are located.
  - d. Shall not remain in place for a period of more than 14 continuous days.
  - e. Shall not be displayed for more than a total of eight (8) times in any calendar year.
  - f. Shall not be placed within the public right-of-way or the sight triangle at intersections.
- G. One marquee per theatre.
  - a. A marquee shall not exceed 32 square feet in area, shall not project more than eight (8) feet from the building face to which it is attached, and shall have a minimum clearance of eight (8) feet.
- H. Incidental Signs
- I. Buildings Used for Religious or Educational Activities
  - a. In addition to signage permitted above, one bulletin board, not exceeding 32 square feet in area and eight (8) feet in height.
  - b. Signs with electronic message display systems shall be prohibited in the B-1 district. Electronic message display systems may be incorporated into one freestanding or wall sign for each property.

#### **1.10.4 Additional Signage Permitted in Specific Commercial and Industrial Zones**

- A. Central Business District (B-1)-** In addition to the signage permitted in section 1.10.3 above, the following signs shall be permitted:
  - a. Portable sign- One shall be permitted for each business entrance subject to the following restrictions:
    - 1. Maximum surface area of the sign shall be six (6) square feet per face, maximum height of the sign shall be three (3) feet, and maximum width of the sign shall be two (2) feet.

2. A minimum of 36 inches wide pedestrian travel- way shall be maintained on the sidewalk. Signs may be designed with a changeable face and shall be removed from the public sidewalk when the business is closed.

b. Mural- may be permitted for the entirety of one wall per business. Must obtain written approval from the Cynthiana Arts Council.

**B. Highway Commercial Zone (B-3) and Industrial Zones-** In addition to the signage permitted in 1.10.3 above, the following signs shall be permitted:

a. Retail stores and/or shopping centers larger than 100,000 square feet may have one freestanding sign per street frontage with a maximum of 250 square feet per sign and a maximum height of 30 feet. All other retail stores and/or shopping centers may have one freestanding sign per street frontage with a maximum of 75 square feet per sign face and a maximum height of 25 feet.

b. One billboard sign shall be permitted subject to the following restrictions:

1. The sign shall not have an electronic display message unless approved by the Board of Adjustment.
2. The property on which the billboard is located shall abut a state highway.
3. The sign shall be the principal use; there shall be no other buildings, freestanding signs, etc., on the lot.
4. Signage shall not exceed 720 square feet in area.
5. The sign shall be located no closer than 300 feet to any other structure.
6. The sign shall be at least 150 feet away from any residential zone or residential use.
7. There shall be a 40-foot setback requirement from any right-of-way.
8. Maximum height shall be 35 feet.

#### **1.10.5 Maintenance Standards**

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

#### **1.10.6 Penalties for Violation**

Violations 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 18 of this Zoning Ordinance

#### **1.10.7 Substitution Clause**

The owner of any sign which is otherwise allowed by this chapter may substitute noncommercial speech in lieu of any other commercial speech or noncommercial speech. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial speech over any other noncommercial speech. This provision prevails over any more specific provision to the contrary.

#### **1.10.8 Severability Clause**

In the event any word or sentence in this ordinance, or provision or portion of this ordinance, or rules adopted by this ordinance is invalidated by any court of competent jurisdiction, the

remaining words and/or sentences, provisions, or portions thereof shall not be affected and shall continue in full force and effect.

### 1.10.9 Definitions

The definitions contained in this section shall be applied in the interpretation of all sections in Appendix B of this ordinance, except where the context clearly indicates otherwise. Words used in the present tense shall include the future tense, singular number shall include plural, and plural include the singular.

1. **Abandoned Sign:** Signage that has been neglected or fallen into disrepair.
2. **Attraction Board:** Copy is changed manually or electronically on a regular basis.
3. **Awning Sign:** Applied directly to the surface of an awning; defined as a shelter supported entirely on a wall and made of non-rigid material supported by a frame.
4. **Banner Sign:** Made of non-rigid material with no enclosing framework.
5. **Billboard:** Signage intended for lease to a variety of businesses, organizations, and/or individuals.
6. **Bulletin Board:** Allows the manual or electronic change of copy and is used to notify the public of events or occurrences such as church services, political rallies, civic meetings, or similar events.
7. **Canopy Sign:** Applied directly to the surface of a canopy; defined as a permanently roofed shelter covering a sidewalk, driveway or similar area. Canopies may be supported by a building, columns, poles, braces, or a combination of both.
8. **Double-faced Sign:** Two (2) faces either set parallel or up to a 45 degree angle. Any two sign faces set at an angle greater than 45 degrees shall be considered two (2) separate signs.
9. **Electronic Message Display System:** Copy which uses rotating reflective discs, direct illumination, rotating veins, light emitting diodes (LEDs), liquid crystal diodes (LCDs), or other digital devices and is changed by a central computer.
10. **Flashing or Blinking:** Intermittent or sequential illumination for the purpose of attracting attention to the sign.
11. **Freestanding Sign:** Attached to the ground by columns, poles, braces, or other means and not attached to any building.
12. **Government Sign:** Temporary or permanent, erected by government employees or offices in the performance of their professional/elected duties.
13. **Historic Markers:** An indicator such as a plaque or sign to commemorate an event or person of historic interest and to associate that point of interest with a specific locale to visit.
14. **Illegal Sign:** Does not meet the requirements of this zoning ordinance and has not been identified as a legal, nonconforming sign.
15. **Illuminated Sign:** Emits or reflects artificial light from any source.
  - a. **Directly illuminated:** Lighted by 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:** Light source projects light onto the exterior of the sign surface or onto the building where the sign is located.

- c. Internally illuminated: Light source is within the sign, with a transparent or translucent background or cover which silhouettes letters or designs.
16. **Incidental Sign:** Not exceeding two (2) square feet in area.
  17. **Marquee Sign:** Used in conjunction with a theatre, is attached to the building, and projects from the building.
  18. **Menu Board:** Freestanding signs placed at properties where there is a drive-thru lane, walk-up window or drive-up curbside.
  19. **Mobile Sign:** Affixed to a frame having wheels or capable of being moved. Mobile signs do not have a permanent foundation and cannot withstand the wind-load stress requirements of the adopted building code as they are designed to stand free from a building. The removal of wheels from such a sign or temporarily securing a sign of this type shall not prevent it from being classified as a mobile sign within this definition. This includes signage placed in a truck bed or on a trailer designed to be pulled behind a vehicle.
  20. **Monument Sign:** Attached to a permanent foundation or decorative base and not attached to or dependent for support from any building, pole, post, or similar upright.
  21. **Mural:** A painting or other type of art work expressed on a wall.
  22. **Nonconforming Sign:** Legally erected but does not comply with the current regulations for the zone in which it is located.
  23. **Non-illuminated Sign:** Does not emit or reflect artificial light from any source.
  24. **Portable Sign:** Small sign, easily transported by hand, placed outside during business hours and brought into business after hours, usually tent style or A-frame.
  25. **Projecting Sign:** Attached to a building, extends more than 24 inches.
  26. **Roof Sign:** Projects above the cornice of a flat roof or the ridgeline of a gabled or hipped roof. In determining the top edge of the roof, calculation shall not include cupolas, pylons, chimneys, or other projections above the roofline.
  27. **Rotating or Moving Sign:** Any portion of which moves by mechanical means or the wind; does not refer to changing copy with an electronic message display system.
  28. **Sign:** Any copy, including material used to differentiate the copy from the background, which is applied to a surface as a means of identifying, advertising, announcing, or illustrating products, services, and/or events.
  29. **Sign Clearance:** The vertical distance between the lowest point of any sign and the grade at the base of the sign.
  30. **Sign Copy:** Any word, figure, number, symbol, or emblem affixed to a sign.
  31. **Sign Height:** The vertical distance measured from the highest point of the sign, including the frame and any embellishments, to the bottom of the base of the sign.
  32. **Sign Setback:** A horizontal distance between any street right-of-way and a sign. The measurement shall be taken at the closest point between the right-of-way and any part of the sign.
  33. **Sign Surface:** That part of the sign on which the message is displayed.
  34. **Square Foot:** A unit of area equal to one foot by one foot square.
  35. **Street Frontage:** Property line that lies adjacent to street right-of-way.
  36. **Temporary Sign:** A banner, pennant, poster, or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, or other like materials and that appears to be intended to be displayed for a limited period of time. They are intended to be

displayed for not more than 14 continuous days or more than eight (8) times per calendar year.

37. **Vehicle Signage:** Signage painted directly on a vehicle or attached magnetically.
38. **Wall Sign:** Attached directly to a building; includes mansards, canopies, awnings, and signs attached to a roof which do not project above the roofline.
39. **Window Display:** Merchandise or other objects placed inside a building to be viewed from outside the building.
40. **Window Sign:** 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.