

SMITHS GROVE CITY COMMISSION

ORDINANCE NUMBER 11-012 820

*** **

AN ORDINANCE AMENDING THE CITY-COUNTY ZONING ORDINANCE FOR INCORPORATED AREAS OF SMITHS GROVE, KENTUCKY.

*** **

WHEREAS, the City of Smiths Grove has agreed to follow the county-wide Planning and Zoning Ordinance; and

WHEREAS, the City-County Planning Commission of Warren County has unanimously approved a recommendation to the Smiths Grove City Commission to revise Articles 4, 5 and 8 of the Zoning Ordinance which covers the parking, landscaping, signage and setbacks;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF SMITHS GROVE, KENTUCKY:

1. That the full text, of the Smiths Grove Zoning Ordinance is hereby amended, approved and adopted as if copied in full.

Article and Sections are amended as follows:

Article 4 - Zoning Districts

Article 5 - Use Regulations

Article 8 - Definitions

2. Applicability - The provisions of this Zoning Ordinance shall apply within the incorporated limits of Smiths Grove, Commonwealth of Kentucky.

3. The provisions of this Zoning Ordinance Amendment shall become effective on adoption.

Passed on First Reading by roll call vote this 26th day of September 2011.

Passed by roll call vote and adopted on Second Reading this 24th day of October 2011.

APPROVED: 
BERT E. HIGGINBOTHAM, MAYOR

ATTEST: 
DEBORAH K. BREWER, CITY CLERK

ARTICLE 4 ZONING DISTRICTS

SEC. 4.6 COMMERCIAL AND OFFICE/PROFESSIONAL DISTRICTS

4.6.8 General Commercial Development Standards

F. Signs

3. Application and Permits for On-Premise Signs

- a. All permanent and temporary on-premise signs shall require a permit. Permits shall be obtained from the Building Inspector of the appropriate jurisdiction. Prior to the issuance of a permit by the Building Inspector, the permit applications shall be approved by the Executive Director, or designee, in order to determine compliance with the Zoning Ordinance of Warren County and the Subdivision Regulations of Warren County as well as any recorded subdivision plat or development plan.
- b. The following on-premise signs shall not require a permit:

- (1) On-premise signs which are in the public or community interest and contain no commercial reference. These signs may advertise events of public or community interest that occur off the premises of the commercial establishment. The signs may be placed only with the consent of the property owner. The signs shall also comply with Section 4 (On-Premise Sign General Provisions) with regard to visibility and may not be placed on public right-of-way.

On-premise signs, such as safety signs, pedestrian and motor vehicle control signs; signs of historical significance; clocks; temporary construction, real estate, flags (including government, political subdivision, or other official designated flags of an institution or business), personal expression, and political campaign signs. These signs shall, however, otherwise comply with Section 4 (On-Premise Sign General Provisions) with regard to visibility and right-of ways.

4. On-Premise Sign General Provisions

- h. No on-premise signs shall be permitted which exceed the intensity of illumination of 0.5 foot candles above ambient light (0.5 lumens per square foot, 5.382 lux or candelas per square meter or comparable measuring unit) measured at five feet above grade at 20 feet from the sign. No sign shall have a flashing light or a light resembling any law enforcement or emergency vehicle light or revolving lights that ~~will resemble any stop light, signal light, or traffic light.~~ All applicants must submit certification that the sign is dimmable in

order to comply with the listed illumination standard.

~~p. Electronic Message Display (EMD) Signs shall have a minimum display time of six (6) seconds per message.~~

5. Prohibited Permanent On-Premise Signs

- d. ~~Animated Signs, defined as signs with externally moving parts or messages, or so operating as to give a viewer the illusion of moving parts or messages~~ **or Electronic Message Display (EMD) Signs that have a display time of less than six (6) seconds per message** are prohibited. Official signs for safety purposes shall be exempt from this restriction.

7. Permanent On-Premise Signs

- c. **Historic District.** Signs in any Local Historic District shall require a Certificate of Appropriateness approved by the Historic Preservation Board. All on-premise signs shall conform to the sign standards provided in the Sign Standards Summary Table unless otherwise excepted in this Section. One identification sign per frontage is permitted and may be wall or canopy. One bulletin board is permitted per lot. Identification signs which are wall signs may be located in historically traditional locations, (i.e. on storefront beltcourses or on flat surfaces of the building); painted on glass elements; or hanging or mounted inside windows or door. Signs should be constructed of historic sign materials such as: finished, carved or sandblasted wood; glass; goldleaf; brass and/or copper letters; plastic or unfinished wood (not plywood). Signs should be limited to no more than 2 or 3 colors coordinating with the overall building colors. Signs should be of a style appropriate to the period of the building. Signs should utilize lettering not exceeding 18 inches in height or covering more than 60 percent of the total sign area. The canopy sign shall not project above the roof line nor above the vertical canopy face. The more restrictive of the Historic District Overlay or the underlying district shall apply. Electronic Message Display (EMD) Signs are prohibited in all Local Historic Districts.

11. Consolidated Shopping Center Signs

The following special regulations shall apply to on and off-premise signs for Shopping Centers zoned HB or Planned Unit Development.

- f. **Illumination.** Signs may be illuminated provided such illumination shall be effectively shielded so as to prevent beams or rays of light from being directed at any travel way, or which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle. No sign shall be so illuminated that it

interferes with the effectiveness of or obscures an official traffic sign, device, or signal. Electronic Message Display (EMD) Signs are prohibited on Consolidated Shopping Center Signs when located off-premise.

...

12. Billboard Advertising Signs.

The following special regulations shall apply to billboard advertising signs:

...

- f. **Spacing Per Sign Structure.** No billboard sign shall be located within ~~500~~ 2,500 feet of another billboard sign (on each side of the roadway) as measured along the centerline of the parkway, interstate, or arterial highway on which such signs are located.
- g. **Illumination.** Signs may be illuminated provided such illumination shall be effectively shielded so as to prevent beams or rays of light from being directed at any travel way, or which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle are prohibited. No sign shall be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device or signal. Electronic Message Display (EMD) Signs are prohibited on Billboard Advertising Signs.
- h. **Billboard Sign Lot Requirement.** All billboard signs must be located on an individual lot, consisting of at least 5,000 square feet, and meet the lot shape requirements found in the Subdivision Regulations of Warren County, Kentucky. All sign structures shall be considered principal structures for purposes of this Ordinance and shall be the sole structure on the lot. Such lots must meet all dimensional requirements (frontage, width, setbacks, etc) of the specific zoning district in which the sign is located. Adequate water and sewer capacity shall not be required for such lots.

The table on the following pages lists the uses allowed within zoning districts.

[illegible]

...

5.2.3

Institutional and Civic Use Categories

...

G. Religious Institutions.

...

5. Specific Use Standards

a.—In all agricultural or residential zoning districts, signs for Religious Institutions shall be limited to one sign per street frontage. Each sign shall not exceed seven (7) feet in height and seventy-five (75) square feet in sign area. In all other zoning districts, signs for Religious Institutions shall be limited to one sign per street frontage. Each sign shall not exceed the maximum height and total sign face area requirements for that district. Signs in all zoning districts may be externally or internally illuminated.

...

I. Schools.

...

5. Specific Use Standards

In all agricultural or residential zoning districts, signs for Schools shall be limited to one sign per street frontage. Each sign shall not exceed ten (10) feet in height and one hundred (100) square feet. In all other zoning districts, signs for Schools shall be limited to one sign per street frontage. Each sign shall not exceed the maximum height and total sign face area requirements for that district. Signs in all zoning districts may be externally or internally illuminated.

...

ARTICLE 8 DEFINITIONS

...

SEC. 8.2 DEFINED TERMS

...

SIGN, ELECTRONIC MESSAGE DISPLAY: A sign characterized by action, motion, movement, changeable copy, or flashing light changes, and whose alphabetic, pictographic or symbolic informational content can be changed or altered by an electronic or computerized process, on a fixed display screen composed of electrically illuminated components that are activated by electrical energy, electronic energy or other manufactured sources of energy supply.

...