

ORDINANCE 2016-19

AN ORDINANCE OF THE CITY OF WILLIAMSTOWN, GRANT COUNTY, KENTUCKY, AMENDING THE TEXT OF THE OFFICIAL ZONING ORDINANCE 80-199 ET. SEQ., ARTICLE XIV, (SIGN REGULATIONS), SECTION 14

WHEREAS, On the 28th day of March, 2016, the Grant County Joint Planning Commission did hold a public hearing on an application from the City of Williamstown, Kentucky, requesting a text amendment to the City of Williamstown Official Zoning Ordinance 80-199 et. seq., Article XIV (Sign Regulations), Section 14; and,

WHEREAS, Upon the foregoing application, the Grant County Joint Planning Commission did make written findings and conclusions in support of the requested text amendment together with written recommendations addressed to and received by the City Council of the City of Williamstown, Grant County, Kentucky, that the text amendment be granted, approved, and duly so ordained by the City of Williamstown, Kentucky, outlined in the findings and recommendations at the public hearing of the Grant County Joint Planning Commission; and

WHEREAS, The City Council of the City of Williamstown, Kentucky, did so concur in the findings, conclusions, and recommendations of the Commission concerning the change in the text amendment, by majority vote of the entire legislative body.

NOW, THEREFORE, BE IT ORDAINED by the City Council, City of Williamstown, Grant County, Kentucky:

SECTION I

As the Legislative Body of the City of Williamstown, Kentucky, the Williamstown City Council hereby adopts the findings of facts and conclusions of law review of the evidence and record of the Grant County Joint Planning Commission and adopts its hearing as its own:

- A. That on the 28th day of March, 2016, the Grant County Joint Planning Commission did hold a public hearing on the application of the City of Williamstown, requesting a text amendment change to the official Zoning Ordinance 80-199 et. seq., amending Article XIV (Sign Regulations), Section 14;
- B. Upon the following application, the Grant County Joint Planning Commission did make written findings and conclusions in support of the requested text amendment together with findings and conclusions in support of the requested text amendment together with recommendations to and received by the City Council of the City of

Williamstown, Grant County, Kentucky, that the City of Williamstown's requested text amendment be granted and approved; and,

- C. That the City Council of Williamstown, Kentucky, after hearing and reviewing evidence provided thereto so concur in the findings, conclusions, recommendations, and conditions of the Commission concerning the change in the text amendment.

SECTION II

Ordinance 80-199 et. seq. and those amendments thereto and Article XIV (Sign Regulations), Section 14, is hereby amended with the words and numbers being added indicated by being double-underlined and deletions by being struck through as required by K.R.S. 83A.060(3) and the changes shall be incorporated into the Williamstown Code of Ordinances and the text of Ordinance 80-199 as follows:

ARTICLE XIV

SIGN REGULATIONS

SECTION 14.0 SCOPE OF REGULATIONS: The regulations set forth herein shall apply and govern signs in all zones except as otherwise specifically provided within this ordinance.

SECTION 14.1 GENERAL RULES, REGULATIONS, AND LIMITATIONS:

- A. All business and identification signs, shall be deemed accessory uses and all advertising signs shall be deemed nonaccessory uses.
- B. No sign shall be erected, maintained, or continued unless it is in full compliance with the regulations for the zone in which it is located, all applicable provisions and regulations of this ordinance or any other applicable laws, codes, or ordinances of the legislative body. The zoning administrator shall have the duty and authority to remove or cause to have removed, any sign not in full compliance with all applicable provisions and regulations of this ordinance or any other applicable laws, codes, or ordinances of the legislative body when the owner or agent has failed to comply within the time specified by the zoning administrator to make the sign comply. Said owner or agent shall bear full costs of such removal and shall be billed accordingly.
- C. No signs shall be erected, maintained, replaced, relocated, repaired, or restored within a distance of six hundred sixty (660) feet of the right-of-way of any interstate highways, limited access highway or turnpike, except as provided for in KRS 177.830-177.890 and approved by the Kentucky Department of Transportation, Bureau of Highways, District Office Number 6, as amended.
- D. **TIME SCHEDULE FOR COMPLIANCE OF SIGN REGULATIONS:** Compliance with the provisions of this article of the ordinance shall be according to the following time schedule:

1. All new signs comply when erected.
 2. Advertising signs, as defined herein, which become nonconforming after the effective date of this ordinance, and located in any residential zone, shall be required to conform to the requirements of this ordinance within twelve (12) consecutive calendar months after the effective date of this ordinance.
 3. Advertising signs, as defined herein, which become nonconforming after the effective date of this ordinance, and located in any zone other than a residential zone, shall be required to conform to the requirements of this ordinance within thirty-six (36) consecutive calendar months after the effective date of this ordinance.
 4. Business and identification signs, as herein defined, which become nonconforming after the date of this ordinance, shall be required to conform to the requirements of this ordinance within sixty (60) consecutive calendar months after the effective date of this ordinance.
- E. No sign constituting a nuisance, because of light, glare, focus, noise, animation, flashing intensity of illumination as to unduly disturb the use of surrounding properties, as determined by the zoning administrator, or causing a traffic hazard, shall be erected, maintained, or continued in any zone.
- F. No radio, phonograph, tape recorder, whistle, bell, gong, siren, or other sound or noise-making or transmitting device or instrument shall be allowed, permitted, or continued in connection with any sign or may it be used separately for advertising purposes in any zone.
- G. No sign shall be erected, maintained, or continued which constricts the flow of air through any window or door.
- H. No sign shall be erected, maintained, or continued which is misleading, fraudulent, obscene, immoral, indecent, or unsightly in character, as determined by the zoning administrator.
- I. No advertising sign, except those of a governmental entity, shall be erected, maintained, or continued unless the following provision is complied with; and said provision shall go into effect ninety (90) consecutive calendar days after the effective date of this ordinance:
1. The name of the company or person owning, maintaining, or erecting said sign is plainly displayed thereon.
- J. No sign shall be erected, maintained, or continued over or into any street, public way, or alley right-of-way, unless specifically provided for within this ordinance.
- K. It shall be unlawful and a violation of this ordinance for any person to fasten, place, paint,

or attach in any way: any sign, handbill, poster, advertisement, or notice of any kind, whether political or otherwise, or cause the same to be done in or upon any curbstone, lamp post, telephone pole, telegraph pole, electric light or power pole, hydrant, bridge, culvert, public drinking fountain, public trash container, courtesy benches, rest station building, tree, or in or upon any portion of any public sidewalk, street, or sign, except as specifically permitted within this ordinance.

- L. No sign shall be erected, maintained, or continued upon the inside of a curve of a street which causes any interference to sight distance in the opinion of the zoning administrator.
- M. No sign shall be erected, maintained, or continued displaying flashing or intermittent lights of changing degrees of intensity, with changes alternating on not less than a five second cycle.
- N. No sign shall be erected, maintained, or continued in any zone which does not comply fully with Article 13, Section 0, of this ordinance, except as specifically permitted within this ordinance.
- O. Except for temporary type signs, all signs shall be permanently attached to the ground or on the building which the sign is to serve. Signs located on portable type vehicles shall not be permitted, or continued in any zone.
- P. No sign shall be erected, maintained, or continued in any zone except as provided for in Section 14.1 D, unless the sign complies with all of the following regulations:
 - 1. Is erected and maintained to advertise a use specifically permitted in the zone in which the sign is located, or for a nonconforming use subject to the limitations contained in Section 9.12, E, of this ordinance, regarding nonconforming uses;
 - 2. Is clearly incidental, customary to and commonly associated with the operation of the use being advertised;
 - 3. Is established and controlled under and by the same ownership as the use being advertised;
 - 4. Is limited in location to the premises on which the use being advertised is located;
 - 5. Is limited in subject matter to the name, design, picture or phone number and address of owner, operator, builder, sales agent, managing agent, lesser, lessee, of the premises or of the activities (including merchandise handled or services rendered) on the premises on which such sign is located, except as provided for in this Article, and does not include any general commercial advertising unrelated to or extending in substantial degrees beyond the specifically permitted subject; and

6. Compliance with the exemptions listed in Section 14.2 of this article of the ordinance.
- Q. When any sign becomes defective or dangerous, as determined by the building department, the zoning administrator shall have the power and the authority to remove or cause to have removed such sign when the owner or agent has failed to comply within the time specified by the zoning administrator to repair or make said sign safe or has failed to satisfy the building department that the sign is not defective or dangerous. The owner or agent of said sign shall bear the full costs of such removal and shall be billed accordingly. If the building department determines that said sign is of possible immediate danger to persons or vehicles, which may be passing nearby, the zoning administrator shall place or cause to have placed, signs or barriers indicating such danger.
- R. Whenever any sign which does not comply with the provisions and regulations of this ordinance, collapses, burns, or if said sign is removed from its location, except for normal maintenance, said sign shall not be replaced or reconstructed, except in full compliance with all of the provisions and regulations of this ordinance.
- S. The zoning administrator shall have the power and authority to remove or cause to have removed any and all signs which have been determined to be a traffic hazard, when the owner or agent responsible for the maintenance of said sign has failed to eliminate such traffic hazards within two (2) weeks from the date that the written notice is mailed by the zoning administrator. Said owner or agent shall bear the full costs of such removal and shall be billed accordingly.
- T. Except as otherwise specified in this ordinance, signs shall be in conformance with the building code, where applicable, and shall be subject to the inspection and approval by the building inspector.
- U. Shopping Complex, for the purposes of this Article, shall be defined as two or more commercial establishments planned and constructed on a single lot, with off-street parking and loading/unloading facilities provided on the lot, and related in location, size, and type of shops to the trade area which the unit serves.
- V. Portable signs are expressly prohibited in all zones including signs placed on vehicles or Trailers which are parked or located for the primary purpose of supplementing or Replacing on-site signage. This does not apply to signs or lettering on vehicles operating during the normal course of business.
NOTE: Article XIV, Section 14.1, Paragraph V, Amended by Ordinance 2012-20.
- W. Off-premises signs are expressly prohibited in all zones, except as permitted under Section 2, Paragraph K, Section 2, Paragraph L, and Section 2, Paragraph M, of this Article.
- X. Projecting signs in the Central Business District may extend over the sidewalk, provided

that a minimum distance of twelve (12) feet is maintained between the top of the sidewalk and the bottom of the sign.

SECTION 14.2 SPECIAL SIGNS: The following signs may be permitted in any zone without a fee, and do not require an application for a sign permit, as provided in Section 14.4. No part of any special sign shall be closer than five (5) feet from any property line or right-of-way line, except as herein provided.

A. Real Estate Signs.

1. Residential Zones and the Agricultural-1 Zone. One (1) real estate sign per lot, not exceeding twelve (12) square feet in outside area; single or double faced; maximum height of eight (8) feet, which advertises the sale, rental or lease of the premises on which said sign is located. Lots with a road frontage of one hundred fifty feet (150') or more, or lots with a road frontage on two or more streets may have two signs, however, no lot shall have more than two (2) signs total. Said sign shall not be animated; may be illuminated but only by concealed lighting, and only until 10:00 PM. Such signs shall be removed by owners or agent within ten (10) consecutive calendar days after the sale, rental, or lease of the premises.
2. Lots in the Agricultural- 1 Zone with Ten or More Acres. One (1) real estate sign per lot, not exceeding thirty-two (32) square feet in outside area; single or double faced; maximum height of eight (8) feet, which advertises the sale, rental or lease of the premises on which said sign is located. Lots with a road frontage on two or more streets may have two signs, however, no lot shall have more than two (2) sign total. Said sign shall not be animated; may be illuminated but only by concealed lighting, and only until 10:00 PM. Such signs shall be removed by owner(s) or agent within ten consecutive calendar days after the sale, rental, or lease of the premises.
3. Commercial and Industrial Zones. One (1) real estate sign per lot, not exceeding thirty-two (32) square feet in outside area; single or double faced; maximum height of eight (8) feet, which advertises the sale, rental or lease of the premises on which said sign is located. Lots with a road frontage of one hundred fifty feet (150') or more, or lots with a road frontage on two or more streets may have two signs, however, no lot shall have more than two (2) signs total. Said sign shall not be animated; may be illuminated but only by concealed lighting, and only until 10:00 PM. Such signs shall be removed by owner(s) or agent within ten (10) consecutive calendar days after the sale, rental, or lease of the premises.
4. Any lot or subdivision abutting or adjoining Interstate 75. One (1) real estate sign per lot or subdivision, not exceeding sixty-four square feet in outside area; single or double faced; maximum height of twelve (12) feet, which advertises the sale, rental or lease of the premises on which said sign is located. Said sign shall be subject to KRS 177.830-177.890 and approved by the Kentucky Department of Transportation, Bureau of Highways, District Office

Number 6. Said sign shall not be animated; may be illuminated but only by concealed lighting, and only until 10:00 PM. Such signs shall be removed by the owner(s) or agent within ten (10) consecutive calendar days after the sale, rental, or lease of the premises.

- B. Professional name plates not exceeding one (1) square foot in outside area; single or double faced. Shall not be animated or illuminated.
- C. Bulletin board not over eighteen (18) square feet in outside area; single or double faced; maximum height of eight (8) feet, for public, charitable, or religious institutions when the same is located on the premises of said institution. Said sign shall not be animated; may be illuminated, but only by concealed lighting, and only until 10:00 PM.
- D. Signs not over thirty-two (32) square feet in outside area; single or double faced; maximum height of eight (8) feet, denoting the person/firm, architect, engineer, or contractor, when placed upon the premises where construction work is being performed. Said sign shall be removed by owner or agent within ten (10) consecutive calendar days after completion of project or that person/firm's part of the project.
- E. Memorial signs or tablets, containing the name of the building and the date of erection when built into the walls of the building and constructed of bronze, brass, marble, stone, or other incombustible materials.
- F. Traffic and directional signs, provided that said signs are designed and located in accordance with the "Manual on Uniform Traffic Control Devices for Streets and Highways", U.S. Department of Transportation, Federal Highway Administration.
NOTE: Article XIV, Section 14.2, Paragraph F, Amended by Ordinance 2013-03.
- G. Temporary signs, where permitted or required by the zoning administrator, to fulfill requirements of this ordinance or other resolutions or regulations imposed by a governmental entity.
- H. Repainting or cleaning of an advertising structure or the changing of the advertising copy or message thereon, unless a structural change is made.
- I. Signs inside a building, but shall not include signs within open malls or open courts.
- J. Political Signs – Temporary political signs may be permitted in all zones in accordance with the following regulations:
 - 1. On each lot there may be located one (1) political sign per candidate supporting the candidacy of any person for local, state, or national office, or any local or state issue.
 - 2. Permission to install the sign must be obtained from the occupant of the premises.
 - 3. No political sign shall exceed twelve (12) square feet in size, however, with the

exception that each candidate may have up to six (6) political signs that have a total of thirty-two (32) square feet in size per sign.

NOTE: Article XIV, Section 14.2, Paragraph J, Item 3, Amended by Ordinance 2012-20.

- K. Signs advertising special events for public, charitable, or religious institutions when the sign is located on the premises of said institution, and not exceeding thirty-two (32) square feet in size. Signs advertising special events may be permitted not more than two weeks prior to the date of the beginning of the event, and must be removed not more than three days after the event ends.
- L. Banners erected by the City of Williamstown within street rights-of-way advertising special events for public, charitable, or religious institutions when the banner is secured to the City's utility poles.
- M. Signs erected by the City of Williamstown, or other governmental agencies, or chamber of commerce(s) within street rights-of-way or on private property for the purpose of directing traffic to particular commercial or nonprofit establishments. Signs shall not interfere with vehicular sight distances. Signs in State right-of-ways shall be subject to approval by the Kentucky Department of Transportation Bureau of Highways, District Office Number 6.
- N. Signs erected at the entrance of single or multi-family residential developments for the purpose of denoting the name of the development or subdivision.
- O. Signs located within the interior of a building, including signs in window.
- P. Temporary signs will be permitted on each lot in a non-residential zone, subject to the following standards and conditions:
 - 1. The total square footage for temporary signs posted on a building lot in a non-residential zone, in the aggregate, shall not exceed thirteen (13) square feet, with no individual sign exceeding six (6) square feet.
 - 2. A temporary sign shall be designed to be stable under all weather conditions, including high winds.
 - 3. No temporary sign shall be illuminated or painted with light-reflecting paint.
 - 4. In no case shall such a sign be affixed to a tree, other natural feature or utility pole.
 - 5. It shall not be separately illuminated;
 - 6. If the message relates to an event or special sales promotion, such sign may be permitted not more than two weeks prior to the date of the beginning of the event, and must be removed not more than three days after the event ends. The sign

shall not remain erected for more than a total of three weeks for any event or special sales promotion.

7. Such a sign may bear any noncommercial message or a commercial message related to a commercial activity lawfully conducted on the lot where the sign is located; the sale or lease of the premises shall be considered a lawful use of any premises for purposes of this regulation.

Q. One banner will be permitted on each lot in a non-residential zone, subject to the following standards and conditions:

1. It shall not exceed 18 square feet in area;
2. It shall be attached at all four corners or otherwise firmly affixed to a wall of the principal building or it may be freestanding;
3. If it is freestanding, it shall be supported by two or more posts or similar devices in the ground and shall not exceed six (6) feet in height;
4. In no case shall a banner be affixed to a tree, other natural feature, or utility pole;
5. It shall not be separately illuminated;
6. If the message relates to an event or special sales promotion, such banner may be permitted not more than two weeks prior to the date of the beginning of the event, and must be removed not more than three days after the event ends. The banner shall not remain erected for more than a total of three weeks for any event or special sales promotion and shall not exceed 30 square feet.
7. Such a banner may bear any noncommercial message or a commercial message related to commercial activity lawfully conducted on the lot where the banner is located; the sale or lease of the premises shall be considered a lawful use of any premises for purposes of this regulation

NOTE: Article XIV, Section 14.2, Items P & Q Amended by Ordinance 2012-20.

R. Temporary signs will be permitted on each lot in the Central Business District, subject to the following standards and conditions:

1. The total square footage for temporary signs posted on a Central Business District lot, in the aggregate, shall not exceed fifteen (15) square feet. No more than one (1) temporary sign shall be permitted for any business.
2. The temporary sign shall be portable having a height not greater than five (5) feet and a width not greater than three (3) feet. The sign shall be an "A" frame style or similar.

3. The temporary sign shall be located not more than five (5) feet from the door of the business it serves and shall not extend into the pathway of the walking public on the sidewalk or into the street.

4. The temporary sign shall be displayed only during the hours the business is open and removed at all other times.

SECTION 14.3 SIGN PERMIT REQUIRED FOR ERECTION OF SIGNS: No sign shall be erected, except as exempted or specified within this ordinance, until all required fees have been paid to the proper authorities or their agents and a permit has been issued for such by the building department.

- A. If any sign is removed and any new sign is erected in its place, a permit shall be obtained the same as if a new sign were erected at a new location subject to all requirements enumerated herein.
- B. If any sign is removed for maintenance and replaced on the same supports, a new permit will not be deemed necessary if the size or type of sign is not changed.
- C. If any sign is removed from one location and erected at a new location, a new permit shall be obtained.
- D. Enlargement of any sign shall require a permit the same as for a new sign.
- E. No permit shall be granted until and after an application has been filed with the building inspector showing the plans and specifications, including dimensions, materials, and details of construction of proposed structure nor until all provisions herein have been met.

SECTION 14.4 APPLICATION FOR A SIGN PERMIT:

- A. Application for a sign permit shall be made and submitted at the office of the zoning administrator on the appropriate forms furnished by said administrator.
- B. If any required information is left off of the application or if any of the submitted information is misrepresented on the application, the permit shall be denied or shall become null and void if already issued, regardless of actual construction being started or completed.
- C. Any sign not erected or constructed as represented on the application upon which the permits was issued shall not be construed as a hardship case, but shall be construed as a misrepresentation of facts on the application and a violation of this ordinance and the owner or agent shall be given a two (2) week notice to remove said sign or correct the error.

SECTION 14.5 SIGN PERMIT FEE: The fee for a sign permit shall be as provided for in the building code or as otherwise established by the legislative body.

SECTION 14.6 CLASSIFICATION OF SIGNS: The following classification of signs shall be deemed to include all signs permitted in any zone unless other signs are specifically listed and provided for. The classification of all signs shall be determined by the zoning administrator. (Permitted use and location of signs – see Section 14.7)

A. Class 1: The following signs meeting the following specifications shall constitute Class 1 and shall be only business or identification signs, as defined herein:

1. STRUCTURAL TYPE – Flat or window sign; single faced only.
2. MAXIMUM SIZE OF SIGN – One (1) square foot.
3. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN – Attached directly to building parallel to wall face.
4. LIMITATIONS ON NUMBER OF SIGNS – One (1) sign for each separate use that is a permitted use.
5. OTHER LIMITATIONS – Shall be neither animated nor illuminated.

B. Class 2: The following signs meeting the following specifications shall constitute Class 2 and shall be only business or identification signs, as defined herein:

1. STRUCTURAL TYPE – Only one of the following type signs are permitted in Class 2 per each individual use: Flat, window, or projecting sign; single or double-faced.
2. MAXIMUM SIZE OF SINGLE SIGN – Two (2) square feet.
3. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN – Attached to building and projecting no more than eighteen (18) inches from the wall face of the building.
4. LIMITATIONS ON NUMBER OF SIGNS – One (1) sign for each separate use that is a permitted use.
5. OTHER LIMITATIONS – Shall be neither animated nor illuminated.

C. Class 3: The following signs meeting the following specifications shall constitute Class 3 and shall be only business or identification signs, as defined herein:

1. STRUCTURAL TYPE – Flat, ground or pole sign; single or double faced.
2. MAXIMUM SIZE OF SINGLE SIGN – Six (6) square feet in outside area.

3. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN – Twelve (12) feet.
 4. LIMITATIONS ON NUMBER OF SIGNS – One (1) sign for each curb cut plus any number within the off-street parking areas.
 5. OTHER LIMITATIONS –
 - a. May be illuminated but only from a concealed light source and shall not be flashing, glaring, nor animated.
 - b. Shall be limited in subject matter to off-street parking directions and instructions and shall have no merchandise, manufacturing, or service advertising.
 - c. No part of any ground or pole sign shall be closer than five (5) feet from any property line or right-of-way line.
- D. Class 4: The following signs meeting the following specifications shall constitute Class 4 and shall be only business or identification signs, as defined herein:
1. STRUCTURAL TYPE – Only one (1) of the following signs are permitted in this class per each individual use: Flat, projecting, window, or ground sign; single or double faced, in addition one (1) marquee sign is allowed per use.
 2. MAXIMUM SIZE OF SINGLE SIGN - Twenty-five (25) square feet in outside area, except as specified in Paragraph D Part (4) of this section.
 3. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN – twenty (20) feet.
 4. LIMITATIONS ON NUMBER OF TOTAL AREAS OF SIGNS – The total area of all signs in a single designated land area shall not exceed in square feet the product of the number of acres, or fraction of acres, in the designated land area multiplied by twenty-five (25), provided, however, that the aggregate area of any such sign or signs may have an area of at least twenty-five (25) square feet, and provided further, that no single sign shall have an area of more than thirty-five (35) square feet on premises of already developed use or an area of not more than seventy-five (75) square feet on premises not developed.
 5. OTHER LIMITATIONS –
 - a. Shall not be animated; may be illuminated, but only from a concealed light source and only until 10:00 PM.
 - b. Shall be temporary only; for advertising development, new construction, or the sale, lease, rental, remodeling, and rebuilding of designated structures or a designated land area. Permits shall be temporary, and shall be valid for a period not exceeding one hundred eighty-two (182) consecutive calendar days, but are renewable one (1) time only for an

additional one hundred eighty-two (182) consecutive calendar days. Such signs shall be removed within ten (10) consecutive calendar days after the completion of the project.

- c. Shall be located only on the premises of the property being referred to.
- d. No part of any ground sign shall be closer than five (5) feet from any property line or right-of-way line.

E. Class 5: The following signs meeting the following specifications shall constitute Class 5 and shall be only business or identification signs, as defined herein:

- 1. STRUCTURAL TYPE – Individual letters only; single faced only
- 2. MAXIMUM SIZE OF SINGLE SIGN –
 - a. Two (2) square foot of area for each horizontal linear foot of building wall upon which the sign or signs are located.
 - b. The total size for individual letter signs shall be computed by taking the area enclosed within a rectangle that is needed to completely encompass each letter or insignia of the sign.

NOTE: Article XIV, Section 14.6, Paragraph (E), Items (a and b), Amended by Ordinance 2013-16.

- 3. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN – Attached flat to building, but shall not extend above the top or ends of the wall surface on which the sign is placed.
- 4. LIMITATIONS ON NUMBER OF SIGNS – One (1) sign for each street frontage of the lot on which the primary permitted use is located, except that where a complex of buildings is an attached shopping complex or an attached group of buildings, only one (1) such sign shall be permitted for each individual separate business building. Separate business building shall be construed to mean space allotted to the operation of one (1) firm, company, or incorporation having separate ownership, or separate rental or lease. A professional office building within such complex if permitted within the zone under consideration, shall not be considered as containing separate businesses for this purpose, but shall have only one (1) such sign regardless of how many firms, companies, or incorporations having separate ownership, rental or lease within said office building.
- 5. OTHER LIMITATIONS –
 - a. Shall be neither flashing, nor animated.

- b. May be illuminated, but only from a concealed light source.
- c. Shall not extend outward from the building wall more than twelve (12) inches except that if the sign is illuminated the reflectors may project not more than four (4) feet beyond the face of the sign.

F. Class 6: The following signs meeting the following specifications shall constitute Class 2 and shall be only business or identification signs, as defined herein:

- 1. STRUCTURAL TYPE – Flat sign; single faced only
- 2. MAXIMUM SIZE OF SINGLE SIGN – Two (2) square foot of area for each horizontal linear foot of building wall upon which the sign or signs are to be located.
- 3. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN – Attached to building, but shall not extend above the top or ends of the wall surface on which the sign is placed.
- 4. LIMITATIONS ON NUMBER OF SIGNS – One (1) sign for each street frontage of the lot on which the primary permitted use is located except that where a complex of buildings are so constructed and maintained that said complex of buildings is an attached shopping complex or an attached group of buildings, only one (1) such sign shall be permitted for each individual separate business building. Separate business building shall be construed to mean space allotted to the operation of one (1) firm, company, or incorporation having separate ownership, or separate rental or lease. A professional office building within such a complex, if permitted within the zone under consideration, shall not be considered as containing separate businesses for this purpose, but shall have only one (1) such sign regardless of how many firms, companies, or incorporations having separate ownership, rental, or lease within said office buildings.

NOTE: Article XIV, Section 14.6, Paragraph (F), Item 2, Amended by Ordinance 2013-16.

- 5. OTHER LIMITATIONS –
 - a. Shall be neither flashing nor animated;
 - b. May be illuminated, but only from a concealed light source;
 - c. Shall not extend outward from the building wall more than twelve (12) inches except that if the sign is illuminated the reflectors may project not more than four (4) feet beyond the face of the sign.

G. Class 7: The following signs meeting the following specifications shall constitute Class 7 and shall be only business or identification signs, as defined herein:

- 1. STRUCTURAL TYPE – Pole sign or ground sign, single or double faced.

2. MAXIMUM SIZE OF SINGLE SIGN – Sixty (60) square feet.
3. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN – Pole: twenty (20) feet; ground: ten (10) feet.
4. LIMITATIONS ON NUMBER OF SIGNS – One (1) sign may be erected for each street frontage of the lot or building site on which the primary permitted use is located.
5. OTHER LIMITATIONS –
 - a. Such sign shall be neither flashing nor animated.
 - b. No part of any ground or pole sign shall be set back closer than five (5) feet from any property line or right-of-way line.
 - c. All signs shall be located in such a manner that they are wholly visible from the centerline of the abutting street which sign faces from a minimum distance of 250 feet. No sign shall be located in such a manner that it partially or wholly obstructs adjacent signs as viewed from the centerline of the abutting street from a minimum distance of 250 feet.

H. Class 8: The following signs meeting the following specifications shall constitute Class 8 and shall be only business or identification signs, as defined herein:

1. STRUCTURAL TYPE – Ground sign; single or double faced.
2. MAXIMUM SIZE OF SINGLE SIGN – Twenty-five (25) square feet.
3. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN – Ten (10) feet
4. LIMITATIONS –
 - a. One (1) sign may be erected for each street frontage of the lot or building site on which the primary permitted use is located
 - b. One (1) sign may be erected for identification purposes of a residential development for each major entrance.
5. OTHER LIMITATIONS –
 - a. Shall be neither flashing nor animated;
 - b. May only be illuminated from a concealed light source;
 - c. No part of any ground sign shall be closer than five (5) feet from any property line or right-of-way line.

I. Class 9: The following signs meeting the following specifications shall constitute Class 9 and shall be only business or identification signs, as defined herein:

1. STRUCTURAL TYPE – Pole or ground signs; single or double faced.
2. MAXIMUM SIZE OF SINGLE SIGN – Two hundred (200) square feet. Unless approved by the Board of Adjustment.
3. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN – Thirty (30) feet.
4. LIMITATION –
 - a. One (1) sign may be erected on each abutting major street identifying a shopping complex.
 - b. One (1) sign may be erected along each abutting arterial street entrance into an Industrial Zone for the purposes of identifying an industrial development.
5. OTHER LIMITATIONS –
 - a. Shall be neither flashing nor animated;
 - b. May only be illuminated from a concealed light source;
 - c. No part of any ground or pole sign shall be closer than five (5) feet from any property line or right-of-way line.

J. Class 10 Sign: The following signs meeting the following specifications shall constitute Class 10 and shall only advertising signs, as defined herein:

1. STRUCTURAL TYPE – Ground sign; single or double faced, and single or double stacked.
2. MAXIMUM SIZE OF SINGLE SIGN – Three hundred fifty (350) square feet.
3. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN – One hundred (100) feet.
4. LIMITATION ON NUMBER OF SIGNS – No sign shall be located closer than two hundred (200) feet from any residential zone as measured along both sides of the street on which the sign abuts;
 - a. A conditional use must be obtained for any Class 10 sign;
 - b. The sign must be a maximum distance of seven hundred fifty (750) feet from the point of ingress/egress of an interstate;
 - c. Signs must be on the site of the existing business which the sign identifies or advertises

- d. Only one (1) pole for a Class 10 sign may be erected on any lot, providing that such sign shall meet the minimum requirements of lot area, lot width, front, side and rear setbacks for the particular zone where such signs are permitted;
 - e. Advertising signs shall be located that the entire sign display area is visible at a minimum viewing distance of two hundred and fifty (250) feet, as measured along the centerline of the street on which said sign is facing.
5. OTHER LIMITATIONS –
- a. No ground sign shall exceed thirty (30) feet in length, except when adjoining such other ground sign at an acute angle.

NOTE: Article XIV, Section 14.6, Paragraph (J) Amended by Ordinance 1995-21.

- K. Class 11 sign: The following signs meeting the following specifications shall constitute Class 11 and shall be only advertising signs as defined herein:
- 1. STRUCTURAL TYPE – Outdoor advertising, single faced;
 - 2. MAXIMUM SIZE OF SINGLE SIGN – Twelve hundred (1,200) square feet;
 - 3. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN – Fifty (50) feet;
 - 4. Shall be neither flashing or animated;
 - 5. May be illuminated from a concealed light source;
 - 6. LIMITATION ON NUMBER OF SIGNS – One sign may be located on any Industrial-One (I-1) zoned property:
 - a. A conditional use must be obtained for any Class 11 sign;
 - b. Class 11 signs must advertise an existing business on an off-premise property;
 - c.
 - d. Only one (1) sign may be erected on any I-1 lot and said sign shall meet the minimum requirements for lot area, lot width, front, side, and rear yard setbacks for the particular zone where such signs are permitted.
 - 7. OTHER LIMITATIONS:

- a. No ground sign shall exceed fifty (50) feet in length
- b. May only be allowed as a conditional use in Industrial-One (I-1) zone.

NOTE: Article XIV, Section 14.6, Paragraph (K) Amended by Ordinance 2004-04.

L. Class 12 sign: The following signs meeting the following specifications shall constitute Class 12 and shall be only advertising signs as defined herein:

- 1. STRUCTURAL TYPE – Barn Sign, flat single faced;
- 2. MAXIMUM SIZE OF SINGLE SIGN –Four (4) square feet of sign area for each horizontal linear foot of barn wall upon which the sign or signs are to be located;
- 3. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN – Attached or painted on the barn, but shall not extend above the top of the wall surface on which the sign is placed;
- 4. Shall be neither flashing or animated;
- 5. May be illuminated from a concealed light source;
- 6. LIMITATION ON NUMBER OF SIGNS –
 - a. One sign may be located on a barn that is located on any property meeting the definition of an agricultural use as defined by KRS 100.111 (2); and,
 - b. A conditional use permit shall be obtained for any Class 12 sign prior to installation of said sign.

NOTE: Article XIV, Section 14.6, Paragraph (L) Amended by Ordinance 2004-31.

M. Class 13 sign: The following signs meeting the following specifications shall constitute Class 13 and shall be only off-premise signs as defined herein:

- 1. STRUCTURAL TYPE – Flat, double faced;
- 2. MAXIMUM SIZE OF SINGLE SIGN –Six (6) square feet
- 3. HEIGHT ABOVE GRADE– Sign shall be either not less than Ten (10) feet (measured from the bottom of the sign), or more than Three (3) feet (measured from the top of the sign) above the grade of the point of intersection of the two centerlines of the streets where the sign is located.
- 4. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN – Three (3) feet
- 5. LIMITATION ON NUMBER OF SIGNS –

- a. One off-premise sign per property, not to exceed one off-premise sign per each street intersecting the major arterial street.

6. OTHER LIMITATIONS –

- a. Sign shall be placed so that it does not obscure the sight distance of a mid-size automobile operator from being able to observe a motor vehicle 200 feet away in either direction, or interfere with the visibility of vehicles entering streets.
- b. Limit of one (1) sign per each intersecting street (ie: one sign for a tee intersection, two signs for a full street intersection).
- c. The sign must be contiguous to the street on which the sign the business being advertised is located.
- d. The off-premise sign owner must have the written permission of the property owner on which the sign is located.
- e. Shall be allowed on properties adjacent to major arterial roads only (ie: Highways 25, 22, and 36).
- f. Shall be placed on private property only, five feet from the street right-of-ways, or if the street right-of-way is not established, then not closer than thirty-five feet from the centerline of that street.
- g. Off-premise signs shall be limited to the name and address of the organization or business, and shall not advertise products, commodities, or services sold.
- h. Off-premise signs shall be limited to an organization or business that is located on the cross street at which the sign is located.
- i. Shall not interfere with, or be placed in an off-street parking area.
- j. Shall be neither animated nor illuminated.

NOTE: Article XIV, Section 14.6, Paragraph (M) Amended by Ordinance 2008-02, and Ordinance 2009-02.

N. Class 14 sign: The following signs meeting the following specifications shall constitute Class 14 signs and shall be utilized as detached signs to improve wayfinding where the signs are not legible from the right-of-way, as described herein:

1. STRUCTURAL TYPE - Pole sign or ground sign; single or double-faced
2. MAXIMUM SIZE OF SINGLE SIGN –

- a. Directional/wayfinding: One hundred five (105) square feet
 - b. Business Identification: Ninety (90) square feet
3. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN –
- a. Directional/wayfinding: Twenty (20) feet
 - b. Business Identification: Ten (10) feet
4. LIMITATION ON NUMBER OF SIGNS –
- a. A conditional use must be obtained for any Class 14 sign;
 - b. One (1) directional/wayfinding sign may be erected for each street frontage of the lot or building site on which the primary permitted use is located;
 - c. One (1) business identification sign may be erected for the primary permitted use on the primary street frontage of the lot or building site
5. OTHER LIMITATIONS –
- a. Shall be neither flashing or animated;
 - b. May be illuminated, but only from a concealed light source;
 - c. No part of any pole or ground sign shall be set back closer than five (5) feet from any property line nor set within the public right-of-way

NOTE: Article XIV, Section 14.6, Paragraph (N) Added by Ordinance 2013-28.

O. Class 15: The following signs meeting the following specifications shall constitute Class 15 and shall be only business or identification signs, as defined herein:

- 1. STRUCTURAL TYPE – Pole sign or ground sign, single or double faced.
- 2. MAXIMUM SIZE OF SINGLE SIGN – Seventy-five (75) square feet.
- 3. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN – Pole: twenty (20) feet; ground: ten (10) feet.
- 4. LIMITATIONS ON NUMBER OF SIGNS – One (1) sign may be erected for each street frontage of the lot or building site on which the primary permitted use is located.
- 5. OTHER LIMITATIONS –
 - a. Such sign shall be neither flashing nor animated;
 - b. May only be illuminated from a concealed light source; and
 - c. No part of any ground or pole sign shall be set back closer than five (5) feet from any property line or right-of-way line.

P. Class 16: The following signs meeting the following specifications shall constitute Class 16 and shall be only business or identification signs for the primary usage for properties bordering or along the interstate, as defined herein:

1. STRUCTURAL TYPE – Pole sign, single or double faced;
2. MAXIMUM SIZE OF SINGLE SIGN – five hundred (500) square feet;
3. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN – 200 feet;
4. LIMITATIONS ON NUMBER OF SIGNS – One sign may be located on any Highway-Commercial (HC) zoned property bordering or along the interstate:
 - a. A Conditional use must be obtained for any Class 16 sign;
 - b. The sign must be a maximum distance of seven hundred fifty (750) feet from the point of ingress/egress of an interstate; and
 - c. Only one (1) pole for a Class 16 sign may be erected on the Highway-Commercial lot, providing that such sign shall meet the minimum requirements of lot area, lot width, front, side and rear setbacks for the zone
5. OTHER LIMITATIONS –
 - a. Such sign shall be neither flashing nor animated;
 - b. May only be illuminated from a concealed light source; and

SECTION 14.7 PERMITTED USE AND LOCATION OF SIGNS: The following classes of signs may be erected and maintained in the following zones. Any sign class that is enclosed with parentheses may be permitted as an alternative to the sign class preceding it, however, in the instance where:

ZONES	USES	PERMITTED SIGN CLASSES
A-1	(1) Any use permitted in this zone	4
	(2) In addition to sign classes permitted in (1):	
	(a) Signs for greenhouses, nurseries where permitted herein and other products produced on premises;	8
	(b) Conditional uses permitted in these zones	5 & 8 or 6 & 8
R-1, R-1B R-2, R-3,	(1) Any use permitted in these zones	4
	(2) In addition to sign classes permitted in (1):	

R-4, R-5 RMHP	(a) Conditional uses permitted in these zones	5 & 8 or 6 & 8
	(b) Off-street parking areas for conditionally permitted uses	3
	(c) Signs for identification of a residential subdivision	8
R-6	(1) Any use permitted in this zone	4
	(2) In addition to sign classes permitted in (1):	
	(a) Off-street parking areas	3
	(b) Conditional uses permitted in these zones	5 & 8 or 6 & 8
	(c) Signs for identification of a multi-family residential development	8
CBD	(1) Any permitted or conditionally permitted use in these zones	1,2, & 4,
	(2) In addition to sign classes permitted in (1):	
	(a) Off-street parking areas	3
	(b) And all other uses permitted in these zones	5 or 6*
	(c) Signs for identification of shopping complex	9
NSC, HC MP	(1) Any permitted or conditionally permitted use in these zones	1,2,4, & 7 <u>or 15</u>
	(2) In addition to sign classes permitted in (1):	
	(a) Off-street parking areas	3
	(b) And all other uses permitted in these zones	5 or 6*
	(c) Signs for identification of shopping complex	9

Class 10 and Class 16 signs are permitted as a conditional use in the Highway Commercial Zone.

Class 14 signs are permitted as a conditional use in the Highway-Commercial and Medical-Professional Zone.

PUD	(1) Any residential use permitted in this zone	4
	(2) In addition to sign classes permitted in (1):	
	(a) Signs for identification of a multi-family residential development	8
PUD	(1) Any commercial development permitted uses, parks/playgrounds and theme park permitted uses, or conditionally permitted uses in this zone	1, 2, 4, & 7 <u>or 15</u>
	(2) In addition to sign classes permitted in (1):	
	(a) Off-street parking areas	3
	(b) And all other uses permitted in (1) of this zone	5 or 6*
	(c) Signs for identification of shopping complex	9

Class 10 signs are permitted as a conditional use for commercial uses within the PUD Zone.

As an alternative to the sign requirements listed above for commercial uses within a PUD Zone, landowners of projects over ten (10) acres may apply to the Williamstown Board of Adjustment for a public hearing in which a sign plan shall be considered for said commercial property. Signs shall be considered in relation to the scope and impact of the proposed use, and must adhere to the standards for signs contained in Article XIV, Section 14.1, of this ordinance.

I-1	(1) Any permitted or conditionally permitted use in 1,2 & 4 these zones	
I-2	(2) In addition to sign classes permitted in (1):	
	(a) Off-street parking areas	3
	(b) And all other uses permitted in these zones	5 & 7 or 6 & 7*
	I Signs for identification of an industrial development or park	9

Class 11 signs are permitted as a conditional use in the Industrial-One (I-1) Zone only.

* A combination of classes 5 and 6 signs may be used provided that the combined total number of square feet of sign area uses shall not exceed two (2) square foot of area for each horizontal linear foot of building wall upon which the sign or signs are to be located.

NOTE: Article XIV Amended by Ordinance 1995-21, 1998-06, and 2004-05; Article XIV, Section 14.7, Amended by Ordinance 2013-03, 2013-16, and 2013-28.

SECTION III

This text amendment is subject to terms and conditions established by the Grant County Joint Planning Commission in its approval of the subject application in recommending the text amendment to the City Council of Williamstown, Kentucky.

SECTION IV

The provisions of this ordinance are severable; and the invalidity of any provision of this ordinance shall not affect the validity of any other provision thereof; and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

SECTION V

All ordinance or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION VI

This ordinance shall be effective as soon as possible according to law.

SECTION VII

This ordinance shall be published in summary pursuant to K.R.S. 83A.060(9).

Rick Skinner, Mayor
City of Williamstown, Kentucky

ATTEST:

Vivian Link, City Clerk/Treasurer

2016-19

First Reading: 05/02/16

Second Reading: 05/17/16

Publication: 05/26/16