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SECTION 1100 – PURPOSE AND INTENT

The purpose of this Article is to promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor advertising, outdoor advertising signs, and outdoor signs of all types. It is intended to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community and/or county, and preserve the scenic and natural beauty of designated areas. It is further intended to reduce sign and advertising distraction and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, provide more open space, and curb the deterioration of the natural environment and enhance community and/or county development.

SECTION 1101 – DEFINITIONS REFERENCED

The definitions of certain terms referenced in these sections are set forth in Article II, "Terms and Definitions" of this Zoning Regulation, as amended.

SECTION 1102 – SCOPE, AUTHORITY AND APPLICABILITY

A. Scope

This Article is adopted pursuant to KRS 100.

B. Authority

This Article regulates signs, as defined herein, when mounted, located, or displayed on property located within the incorporated limits of the City of Shelbyville, on land that is either private land or public land over which the City of Shelbyville has land use regulatory authority.

C. Applicability, General

This Article shall apply to all signs erected, placed, painted, installed or otherwise made visible on private or public property in the City of Shelbyville, except as otherwise provided herein. All signs displayed in the City of Shelbyville shall comply with all requirements of this Article and all other applicable laws. Permits shall be required for all signs in the City of Shelbyville, except as specified herein. No sign, outdoor advertising, structure, or display shall be erected, installed, located or maintained in any zoning district of the City of Shelbyville, except in conformity with these regulations. New signs, additional signs, relocations or structural alterations of existing signs also require sign permits.

D. Compliance Required

It shall be unlawful and a violation of this Article for any person to fasten, place, paint, or attach in any way: any sign, handbill, poster, advertisement, or notice of any kind, or cause the same to be done in or upon any curb-stone, lamp post, utility pole, hydrant, bridge, culvert, public drinking fountain, public trash container, courtesy benches, rest room, tree, or in or upon any portion of any public sidewalk, street, or sign, except as specifically allowed within this Article.

SECTION 1103 – POLICIES AND PRINCIPLES

The policies and principles stated in this section apply to all signs within the regulatory scope of this Article, and to all procedures set forth in, or invoked by, this Chapter. These policies are to prevail over any other provision to the contrary, even if more specific.

A. Enforcement

The Zoning Administrator is authorized and directed to enforce and administrate the provisions of this Article.

B. Permits

All signs displayed shall comply with all requirements of this Article and all other applicable laws. Permits shall be required for all signs, except those specifically exempted.

C. Discretionary Review

When one or more signs are part of a project or development, or a variance or conditional use permit is sought for sign(s), which requires discretionary review, then the sign shall be reviewed without regard to the graphic design or visual image on the display face of the sign, and discretion shall be restricted to structural, location and other non-communicative aspects of the sign. This provision does not override the billboard policy.

D. Initial Review

Unless a given sign is exempt from the permit requirement, all sign permit applications shall be reviewed by the Zoning Administrator, and approved or denied on the basis of whether the proposed sign satisfies all requirements of this Article, and all other applicable law, rules and regulations. If it does, then the permit shall be issued. If it does not, then the denial notice shall specify the point(s) of noncompliance. Decisions on sign permit applications must be made in writing by the Zoning Administrator, and are subject to the appeal procedures provided herein. When applicable, permits under the safety codes (building, electrical, etc.) are also required; sign permits may be approved subject to compliance with safety permit requirements.

E. Message Neutrality

It is the city's policy to regulate signs in a constitutional manner.

F. Onsite/Offsite Distinction

Within this Article, the distinction between onsite (or on-premise or point-of-sale) and offsite (or off-premise or non-point-of-sale) applies only to commercial speech messages.

G. Message Substitution

Subject to the property owner's consent, a noncommercial message of any type may be substituted in whole or in part for the message displayed on any sign for which the sign structure or mounting device is legal without consideration of message content. Such substitution of message 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 message over any other noncommercial message. In addition, any onsite commercial message may be substituted, in whole or in part, for any other onsite commercial message, provided that the sign structure or mounting device is legal without consideration of message content. This provision does not create a right to increase the total amount of signage on a parcel, lot or land use; does not affect the requirement that a sign structure or mounting device be properly permitted; does not allow a change in the physical structure of a sign or its mounting device; and does not allow the substitution of an off-site commercial message in place of an on-site commercial message or a noncommercial message.

H. Regulatory Interpretations

All regulatory interpretations of this Article are to be exercised in light of the city's message neutrality and message substitution policies. Where a particular type of sign is proposed in a permit application, and the type is neither expressly allowed nor prohibited by this Article, or whenever a sign does not qualify as a "structure" as defined herein or by other applicable codes, regulations or ordinances, then the Zoning Administrator shall approve, conditionally approve or disapprove the application based on the most similar sign type that is expressly regulated by this Article, in light of the policies stated in this section.

I. Appeals

All appeals from initial decisions on sign permit applications and all other sign-related decisions of the Zoning Administrator shall be appealed first to the Board of Adjustment, and thereafter to the Shelby County Circuit Court. Details of the appeals process are stated within KRS 100.261 and 100.347.

J. Non-communicative Aspects

All rules and regulations concerning the non-communicative aspects of signs, such as location, size, height, illumination, spacing, orientation, etc., stand enforceable independently of any permit or approval process.

K. Billboard Policy

Billboards, as defined, are prohibited. The city completely prohibits the construction, erection or use of any billboards, other than those which legally exist in the city. No permit shall be issued for any billboard which violates this policy, and the city will take immediate enforcement or abatement action against any billboard constructed or maintained in violation of this policy. In adopting this provision, the city affirmatively declares that it would have adopted this billboard policy even if it were the only provision in this Article. The city intends for this billboard policy to be severable and separately enforceable even if other provision(s) of this Article may be declared, by a court of competent jurisdiction, to be unconstitutional, invalid or unenforceable. This provision does not prohibit agreements to relocate presently existing, legal billboards, so long as such agreements are not contrary to state or federal law.

L. Mixed Use Zones or Overlay Districts

In any zone where both residential and nonresidential uses are allowed, the sign-related rights and responsibilities applicable to any particular parcel or land use shall be determined as follows: residential uses shall be treated as if they were located in a zone where a use of that type would be allowed as a matter of right, and nonresidential uses shall be treated as if they were located in a zone where that particular use would be allowed, either as a matter of right or subject to a conditional use permit or similar discretionary process.

M. Property Owner's Consent

No sign shall be displayed without the consent of the legal owner(s) of the property on which the sign is mounted or displayed. For purposes of this policy, "owner" means the holder of the legal title to the property and all parties and persons holding a present right to possession, control or use of the property.

N. Legal Nature of Sign Rights

As to all signs attached to real property, the signage rights, duties and obligations arising from this Article attach to and travel with the land or other property on which a sign is mounted or displayed. This provision does not modify or affect the law of fixtures, sign-related provisions in private leases regarding signs (so long as they are not in conflict with this Article or other laws), or the ownership of sign structures. This provision does not apply to hand held signs or other images which are aspects of personal appearance.

O. Sign Programs, Etc.

Sign programs for specific developments, as well as special sign districts or special sign overlay zones, when approved by the approving authority, may modify the rules stated herein as to sign size, height, illumination, spacing, orientation or other non-communicative aspects of signs, but may not override or modify any of the Basic Policies stated in this section. All the provisions of this section shall automatically apply to and be deemed a part of any sign program approved after the date on which this provision is initially adopted.

P. Severance

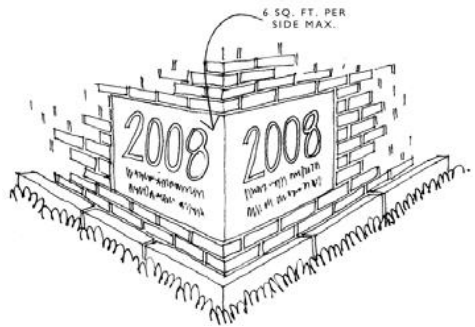
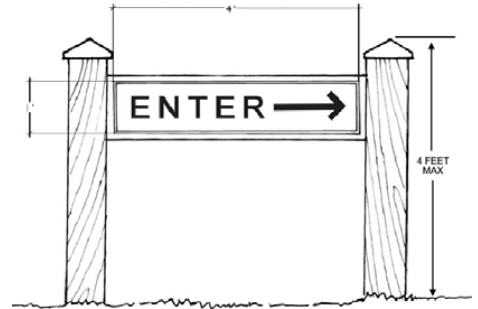
If any section, sentence, clause, phrase, word, portion or provision of this Article is held invalid, unconstitutional, or unenforceable, by any court of competent jurisdiction, such holding shall not affect, impair, or invalidate any other section, sentence, clause, phrase, word, portion, or provision of this Article which can be given effect without the invalid portion. In adopting this Article, the city affirmatively declares that it would have approved and adopted the Article even without any portion which may be held invalid or unenforceable.

SECTION 1104 – SIGNS ALLOWED WITHOUT A PERMIT

The following signs or sign-like devices are allowed in all zoning districts without a sign permit and are not to be included in determination of the allowable numbers, type and area of a sign that requires a sign permit. If a sign

otherwise falling under this Section is electrified, it will require an electrical permit. Signs subject to this Section shall conform to the requirements specified.

- A. Address Numbers used for the purpose of identifying the address of any building shall not be counted toward allowed sign area.
- B. Detached signs smaller than four square feet in area and less than four feet in height, and containing no commercial message or logo (e.g., "Enter" or "Exit" signs).
- C. Wall signs containing no commercial message or logo and not larger than four square feet in area.
- D. Cornerstones, foundation stones and memorial signs or tablets displaying the names of buildings and date of erection, when cut into any masonry surface or inlaid so as to be part of the building or when constructed of bronze or other incombustible material, provided that no such sign shall exceed six (6) square feet in area nor shall any such sign be separately illuminated.
- E. Symbols that do not bear or include any commercial message and that are integrated into the architecture of a building.
- F. Historic markers.
- G. Graphic images which are visible only from aircraft flying above.
- H. On site residential real estate signs smaller than four (4) square feet in area and on site nonresidential real estate signs smaller than thirty-two (32) square feet in area, including auction signs. On site real estate signs in the Agricultural zoning district for properties containing less than fifteen (15) acres shall comply with the residential standards above and for properties containing fifteen (15) acres or more shall comply with the nonresidential standards above. One sign shall be allowed per road frontage.
- I. Political signs placed outside a public right-of-way on private property and in compliance with regulations regarding visibility at intersections. Under no circumstances shall political signs be posted on utility poles.
- J. Government signs, including but not limited to traffic signs and traffic control signs.
- K. Any sign installed in a building or enclosed space and not legible from the public right-of-way or from private or public property other than the property on which it is located.
- L. Signs on vehicles which are regularly used in the operation of a business; signs on vehicles which are parked for long periods of time, which are not operational and/or which are not regularly used in the operation of a business at the same location where the vehicle is most frequently parked shall be considered detached signs and subject to regulation under this Article. For purposes of this subsection, a "long period of time" shall be a continuous period of 30 days or separate periods that total 40 days or more out of any 60-day period.
- M. Signs installed by public utilities in their rights-of-way or on their facilities and bearing no commercial message other than such message is necessary to identify the use.
- N. Signs required by a state or federal statute.
- O. Signs required by an order of a court of competent jurisdiction.



- P. Temporary construction/subdivision project signs not over thirty-two (32) square feet in area and a maximum height of eight (8) feet. May be installed when the last permit necessary before the construction may begin and removed not more than ten (10) calendar days once construction project is completed. Temporary subdivision project sign shall be removed upon:
1. Installation of a permanent business/subdivision entrance monument sign; or
 2. A period of two (2) years from the date of installation.

SECTION 1105 – OTHER ACTIONS ALLOWED WITHOUT A PERMIT

The following actions related to signs shall be exempt from the permit requirements of this Article, but shall be subject to all other standards of this Article:

- A. Changing of the advertising copy or message on an existing painted or printed sign, marquee, changeable copy sign or a similar compliant sign, whether electrical, illuminated, electronic message center or non-illuminated painted message, provided that the copy on an electronic message board shall not change more frequently than allowed under Section 1112;
- B. Painting, repainting, cleaning or other normal maintenance and repair of a sign not involving structural alterations; and
- C. Installation of permanent signs smaller than four (4) square feet where such signs are allowed by this Article, contain no commercial message and involve no electrical installation.

SECTION 1106 – PRODUCT DISPLAYS, SALES DEVICES, MENU BOARDS

- A. Nothing in this Article shall prohibit or limit the outdoor display of products where allowed under the zoning regulations, although a particular product may be a thing which would be prohibited by this Article if used as a sign and although one or more such products may have on them permanent labels that might otherwise fall under this Article. This Article shall, however, apply to any sign, banner, pennant, or other attention-attracting device affixed to a product displayed outdoors. For example, the label "Chevrolet" on an automobile or "John Deere" on a tractor shall not be considered a sign for purposes of this Article, but a separate sign attached to such a product shall be considered a sign and subject to regulation.
- B. Signs on gasoline pumps, vending machines, news racks and similar machines and devices used for the sale or dispensing of products shall be allowed without a sign permit if they do not flash and if they are either not legible from any public right-of-way, public property or private property other than the site on which the sign is located; or they consist entirely of letters, numerals or symbols that are less than four inches in height. All other signs on vending machines, gas pumps, news racks and similar machines and devices shall be considered "signs" and shall be subject to all of the regulations of this Article.
- C. In districts where drive-through and drive-up facilities are allowed, menu boards or other instructional or informational devices related to the drive-through or drive-up facilities shall be allowed without a sign permit, provided that such device is less than twelve (12) square feet in size, less than eight (8) feet in height, and that the only words, numerals, symbols or pictures on such device are not legible from any location other than the site on which it is located, and shall not include a commercial message or logo but shall simply identify the device as a "menu," "directory," "instructions," "information" or something similar.

SECTION 1107 – PROHIBITED SIGN TYPES

Unless specifically authorized by another section of this Article, or by other law, the following sign types are prohibited at all times and in all zones:

A. New Billboards;

B. Portable signs, including folding portable signs and flashing portable signs;

C. Mobile signs or trailer signs;

D. Pennants, banners, streamers, balloons, and similar devices;

E. Animated, projecting, revolving, and moving signs, including those which create the appearance of animation, projection, revolving or other movement, or utilize flashing or intermittent lights, or lights of changing degrees of intensity; automatic changeable copy signs that conform with Section 1112 are not subject to this limitation;

F. Obstructing: Signs located at or near an intersection of two or more streets in such a manner as to hinder or obstruct free and clear vision, including signs on the inside of a curve of a street which causes any interference to sight distance;

G. Confusing: Signs which are not traffic control or safety signals, but by their shape, color, or manner of mounting or display, appear to be traffic control or safety signals, and thus create confusion for drivers and pedestrians, as well as signs which create or constitute traffic hazards;

H. Vacant lots: Signs on vacant lots, other than real estate signs or signs displaying non-commercial speech messages;

I. Offsite: Signs displaying off-site commercial messages;

J. Roof: Signs for which a separate structure is mounted on a roof or parapet; this provision does not prevent signs which are integral to the building;

K. Annoyances: Signs which are or which have become nuisances by virtue of light reflection or diffraction, glare, focus, noise, smoke, fumes, animation, flashing, intensity of illumination when any such feature, without regard to the message displayed on the sign, is unduly disturbing to surrounding properties or to the public generally;

L. Clearance: Signs located nearer than eight (8) feet vertically, or four (4) feet horizontally from any overhead electric wires or conductors;

M. Blocking: Sign which constricts the flow of air through any window or door, or which hinder or prevent free ingress and egress from any door, window, fire escape or pedestrian exit;

N. Encroachments: Signs which are mounted or displayed on public property or the public right-of-way, or which project over, into or above the public right-of-way; and

O. Setback: Signs mounted so that any portion of the physical structure encroaches the required setback.



SECTION 1108 – COMPUTATIONS

The following principles shall control the computation of sign area and sign height.

A. Computation of Area

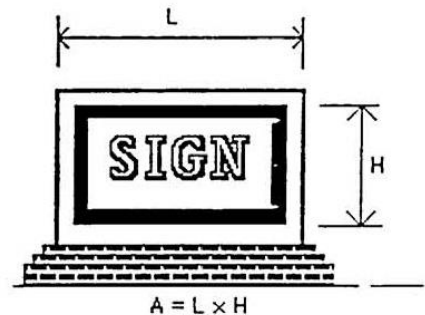
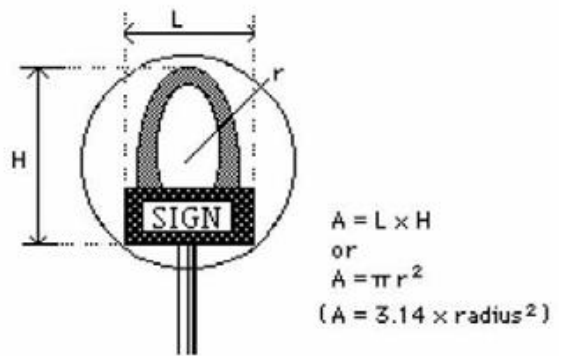
1. Freestanding/Monument Signs

The area of a freestanding/monument sign shall mean and shall be computed as the entire area within a continuous perimeter enclosing the limits of writing, representation, emblem, or any figure or similar character, with any frame, other material, open space, or color forming an integral part of the display or used to differentiate such signs from the background upon which it is placed. The supports of structure upon which a freestanding/monument sign is supported shall not be included in determining the sign area unless such supports are designed in such a manner as to form an integral part of the display.



2. Other Signs

The area of a sign other than a freestanding/monument sign shall mean and shall be computed as the entire area within a continuous perimeter enclosing the limits of writing, representation, emblem, or any figure or similar character, with any frame, other material, open space, or color forming an integral part of the display or used to differentiate such sign from the background upon which it is placed. If the sign is composed of individual letters or symbols using the wall as the background with no added decoration, color or embellishment, the total sign area shall be calculated by measuring the area within the perimeter of each symbol or letter. The combined area of the individual letters or symbols shall be considered the total sign area.



B. Computation of Area of Multi-Faced Signs

The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such faces are part of the same sign structure and are not more than twenty-four (24) inches apart from any point of the sign and the angle of separation does not exceed ten (10) degrees, the sign area shall be computed by the measurement of one of the faces.

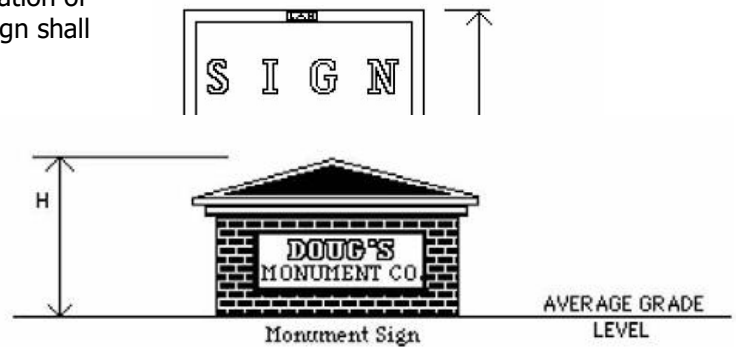
C. Computation of Height of Sign

The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. Where the sign is

located on a mound or berm, the average elevation of the land twenty (20) feet to each side of the sign shall be used as a basis for measuring height.

D. Computation of Maximum Total Permitted Sign Area for a Zoned Lot

The permitted sum of the area of all individual signs on a zoned lot shall be computed by applying the standards contained in the zoning district in which the lot is located. Lots fronting on two or more streets are allowed the permitted sign area for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one (1) street frontage.



SECTION 1109 – DESIGN, CONSTRUCTION, AND MAINTENANCE

All signs shall be designed, constructed, and maintained in accordance with the following standards:

- A. All signs shall comply with the applicable provisions of the most current Kentucky Building Code;
- B. Except for banners, temporary signs, and window signs conforming in all respects with the requirements of this Article, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure;
- C. All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with these regulations, at all times;
- D. No sign shall be constructed in such a manner which will hinder vehicle traffic or pedestrians or block any entrances or exits from any sidewalk or building or any windows, doors, or fire escapes;
- E. No sign shall be constructed with any type of material, finish letters, characters or surface that will reflect sunlight or any other type of light of such an intensity to hinder vehicle traffic or in any way create a nuisance to the surrounding area;
- F. A sign containing wood in its structure, face or frame or any part thereof shall be painted or stained;
- G. All signs shall be constructed in such a manner and fastened in such a way to prevent movement by wind action;
- H. No sign shall give off light which glares, blinds or has any adverse effect on traffic or adjacent properties. The light from an illuminated sign shall be established in such a way that adjacent properties and roadways are not adversely affected and that no direct light is cast upon adjacent properties and locations;
- I. No sign shall cover wholly or partially any wall opening, nor project beyond the ends or top of the wall to which it is attached;
- J. All banners and temporary signs shall be securely installed;
- K. All incidental signs shall be placed on private property and may not be placed within the public right-of-way; and

- L. All signs shall be maintained in good condition at all times and the Zoning Administrator shall have the authority to order the repair, repainting, alteration or removal of any sign which is a nuisance to the community by reason of dilapidation, obsolescence or inadequate maintenance.

SECTION 1110 – SIGNS IN THE PUBLIC RIGHT-OF-WAY

Signs allowed in the public right-of-way shall be placed behind the curb or sidewalk if present. Any sign installed or placed on public property, except in conformance with the requirements of this Article, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the City shall have the right to recover from the owner or person placing or maintaining such a sign the full costs of removal and disposal of such sign.

SECTION 1111 – TEMPORARY SIGNS

One temporary sign will be permitted on each lot in a non-residential zone and institutional uses approved in the residential zones subject to the following standards and conditions:

- A. No temporary sign shall be placed without first receiving a permit;
- B. It shall not exceed thirty-two (32) square feet in area;
- C. It shall be attached at all four corners or otherwise firmly affixed to a wall of the principal or accessory building or it may be freestanding;
- D. If it is freestanding, it shall be supported by one or more posts or similar devices in the ground and shall not exceed six (6) feet in height;
- E. In no case shall such a sign be affixed to a tree or other natural feature, a utility pole, or a fixture or structure on the property other than the principal building;
- F. If freestanding, it shall be setback a minimum of five (5) feet from any property line;
- G. It shall not be separately illuminated;
- H. Permits shall be for a period not to exceed forty-five (45) consecutive days and for a cumulative period not to exceed one hundred eighty days (180) days in a calendar year;
- I. Immediately upon expiration of the permit the temporary sign shall be removed; and
- J. The permit for the temporary sign shall be kept on the premises authorizing the temporary sign and shall be available for inspection.

SECTION 1112 – FLASHING SIGNS, TRAVELING SIGNS, ANIMATED SIGNS, MOVING SIGNS, AND CHANGEABLE COPY SIGNS

- A. General Rule
 - 1. Signs that move, flash or simulate movement are prohibited except as allowed under this Section. A changeable copy sign is considered a different classification of sign under this Article; conversion of an existing sign to a changeable copy sign or to add changeable copy elements to it is allowed only if the

modified sign will conform with all standards in this Section and with all other applicable standards related to the location, height, size and other characteristics of the sign.

B. Rules for Changeable Copy Signs Allowed under this Article

1. Automatic changeable copy signs shall be allowed only in those districts in which "changeable copy sign" is listed as a permitted sign type and shall be subject to the following additional restrictions:
 - a. Such technology shall be programmed so that the message or image on the sign changes no more often than every eight seconds;
 - b. There shall be no effects of movement, flashing, scintillation, or similar effects in the individual images;
 - c. Changes of images shall be substantially instantaneous as seen by the human eye and shall not use fading, rolling, window shading, dissolving or similar effects as part of the change;
 - d. Video technology in signs shall use automatic level controls to reduce light levels at night and under cloudy or other darkened conditions, in accordance with the following standards:
 - 1) All electronic or digital display unit message boards shall have installed ambient light monitors, and shall at all times allow such monitors to automatically adjust the brightness level of the electronic board based on ambient light conditions.
 - 2) Maximum brightness levels for electronic or digital display boards shall not exceed 5,000 nits when measured from the billboard's face at its maximum brightness, during daylight hours and 500 nits when measured from the board face at its maximum brightness between dusk and dawn, i.e., the time of day between sunset and sunrise.
 - e. Any sign using electronic or electro-mechanical technology for changeable copy message boards, which malfunctions, fails, or ceases to operate in its usual or normal programmed manner causing therein motion, movement, flashing or any other similar effects, shall be repaired or disconnected within 48 hours by the owner or operator of such sign.
 - f. The area of a sign consisting of electronic or electro-mechanical message board elements shall not constitute more than thirty (30) percent of the allowed sign area or for the modifications of an existing non-conforming sign.
 - g. The following limitations shall apply to the location of signs using electronic or electro-mechanical technology for a message board:
 - 1) A sign on which the electronic or electro-mechanical message board includes 100 or more square feet of sign area shall not be erected within 500 feet of property falling in one of the City of Shelbyville's agricultural or residential zoning districts, although this restriction shall not apply to mixed use districts and commercial districts allowing residential uses.
 - 2) A sign on which the electronic or electro-mechanical message board includes twenty (20) or more square feet of sign area but less than 100 or more square feet of sign area shall not be erected within 200 feet of property falling in one of the City of Shelbyville's agricultural or residential zoning districts, although this restriction shall not apply to mixed use districts and commercial districts allowing residential uses.

- 3) A sign on which the electronic or electro-mechanical message board includes less than twenty (20) square feet of sign area shall not be erected within 100 feet of property zoned and used exclusively for single-family uses; it is the express intent of this provision to allow the use of such technology on signs for institutional uses located in agricultural or residential districts, provided that the required separation is maintained between the sign and any property zoned and exclusively used for single-family use.

SECTION 1113 – PERMIT REQUIREMENTS AND PROCEDURES

Unless a particular sign is exempt from the permit requirement under an explicit provision of this Article or other applicable law, then a permit for such sign is required.

A. Replacements

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. Maintenance

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. Relocation of Signs

If any sign is removed from one location and erected at a new location, a new permit shall be obtained.

D. Alteration

Alteration or enlargement of any sign shall require a permit the same as for a new sign.

E. Application

No permit shall be granted until and after an application has been filed with the designated Zoning Administrator, showing the plans and specifications, including dimensions, materials, and details of construction of proposed structure and meeting all provisions of this Article.

F. Application Form

The Zoning Administrator shall prepare and provide a form to be used as an application for a sign permit. The same form may constitute a permit, when duly approved. Multiple signs may be listed on a single permit only when they are all on the same lot or parcel.

G. Information on Application

The sign application form may call for disclosure of any of the following information, but not limited to:

1. Name and contact information for the applicant, and if separate, the name, address and consent of the property owner.
2. Street address and Assessor's parcel number of the site.
3. A site plan and/or building elevations showing the location of the proposed sign(s) on the lot and/or building, including setbacks.
4. Detailed sign information including type of construction, method of illumination, dimensions, copy, method of mounting and/or erecting and other similar information (Note: The content of the message

or speech displayed on the sign shall not be considered when approving or denying a sign permit. However, the content must be submitted to evaluate the sign copy area.

H. Incompleteness

Initial review of an application will be for the purpose of determining if the application is complete. If the application is found incomplete, written notice thereof will be given within fifteen working days of submission, detailing the points of incompleteness, provided contact information has been provided. Notice is deemed effective when mailed or personally delivered. After notice of incompleteness, the applicant shall have thirty (30) calendar days in which to resubmit the application, with all noticed items of incompleteness cured. Upon timely resubmission, a new application fee is not required. If no notice of incompleteness is timely provided, the application shall be deemed complete as of the last day on which the notice of incompleteness could have been given.

I. Time for Decision

The Zoning Administrator shall render a decision on each complete sign permit application within thirty (30) working days of when the application was complete.

J. Noncompliance with Permit

All signs must conform to the requirements of the permit, and all other applicable laws. Any sign not erected or constructed as represented on the application upon which the permit 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 Article, and the owner or agent shall be given a two (2) week notice to remove said sign or correct the error. Any noncomplying sign which is not removed or corrected within the required time shall be deemed public nuisances and a violation of the zoning regulations, and may be abated in the same manner as any public nuisance or zoning regulation violation.

SECTION 1114 – VIOLATIONS

Any of the following shall be a violation of this Article and shall be subject to the enforcement remedies and penalties provided in Article III, Section 350 of these regulations. Penalties shall be those provided for in KRS 100.991.

- A. To install, create, or erect any sign requiring a sign permit without such a permit;
- B. To install, create, or erect any sign in a way that is inconsistent with any plan or permit governing such sign or the zoned lot on which the sign is located;
- C. To fail to remove any sign that is installed, created, or erected in violation of this Article, or for which the sign permit for such sign has lapsed; or
- D. To continue any such violation. Each such day of a continued violation shall be considered a separate violation when applying the penalty portions of this Article.

SECTION 1115 – NONCONFORMING SIGNS

Signs which, on the date of adoption of this Article, were approved and legally erected under previous sign restrictions, and which became or have become nonconforming with respect to the requirements of this revised and restated sign regulations, may continue in existence subject to the following restrictions:

- A. In all districts, signs which, on the effective date of this Article, become nonconforming with respect to the requirements set forth herein may continue in existence provided that the size of the sign is not increased beyond that existing as of the effective date of this Article.
- B. A nonconforming sign shall not be replaced by another nonconforming sign, except that the substitution or interchanging of poster panels, painted boards or demountable material on nonconforming signs shall be permitted; except where changed conditions beyond the control of the owner render the sign nonconforming or warrant the sign's repair; and except where the sign or portion thereof may be altered to decrease its degree of nonconformity.
- C. A nonconforming off-premise sign shall not be converted to a changeable copy sign.

SECTION 1116 – SIGNS PERMITTED IN THE AGRICULTURAL DISTRICT (A ZONE)

A. Fascia Signs

- 1. One (1) non-illuminated fascia sign, not to exceed two (2) square feet in area attached to the main dwelling is permitted for a lawful home occupation and bed and breakfast.
- 2. One (1) externally or non-illuminated fascia sign, not to exceed 1.5 square feet of sign area per lineal foot of building width on which the sign is located for any institutional use allowed in the Agricultural zoning district, veterinarian clinics, recreational facility, agricultural community farm and the production and storage of distilled spirits for human consumption use. In no instance shall the fascia sign exceed 75 square feet in area.

B. Freestanding/Monument Signs

- 1. One (1) externally or non-illuminated freestanding/monument sign for the agricultural use of the property including agricultural community farms and bed and breakfasts, not exceeding thirty-two (32) square feet in area and six (6) feet in height, which denotes the location and/or nature of the agricultural or horticultural activity and/or products for sale on the property. Sign shall be setback a minimum of five (5) feet from all property lines.
- 2. One (1) freestanding/monument sign illuminated or non-illuminated for any institutional use allowed in the Agricultural zoning district, veterinarian clinics, recreational facility, agricultural community farm and the production and storage of distilled spirits for human consumption use, not exceeding thirty-two (32) square feet in area and six (6) feet in height. Sign shall be setback a minimum of five (5) feet from all property lines. May include changeable copy signs, not to exceed thirty (30) percent of the sign area.

C. Subdivision Entrance Monument Signs

- 1. Subdivision entrance monument signs, either externally illuminated or non-illuminated, are allowed. Such signs may include a masonry wall, landscaping or other similar materials or features. Such signs shall only be located at the main entrances for identifying the subdivision. There shall be a maximum of one (1) sign on either side of the entrance consisting of no more than thirty-two (32) square feet in area per side of the entrance. The maximum height shall not exceed six (6) feet in height, setback a minimum five (5) feet from the right-of-way, and placed in an acceptable easement authorized for signage and associated materials and features. Information conveyed on such signs shall be limited to the name of the development and the name of the owner, builder, or developer of the project.

SECTION 1117 – SIGNS PERMITTED IN THE SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL DISTRICTS (RE, R-1, R-2, R-2A, RES AND RRD ZONES)

A. Fascia Signs

1. One (1) non-illuminated fascia sign, not to exceed two (2) square feet in area attached to the main dwelling is permitted for a lawful home occupation and bed and breakfast.
2. One (1) externally or non-illuminated fascia sign, not to exceed 1.5 square feet of sign area per lineal foot of building width on which the sign is located for institutional uses permitted and conditional permitted uses. In no instance shall the fascia sign exceed 75 square feet in area.

B. Freestanding/Monument Signs

1. One (1) externally or non-illuminated freestanding/monument sign for bed and breakfasts, not to exceed thirty-two (32) square feet in area and six (6) feet in height. Sign shall be setback a minimum of five (5) feet from all property lines.
2. One (1) freestanding/monument sign illuminated or non-illuminated for institutional uses not to exceed thirty-two (32) square feet in area and six (6) feet in height. Sign shall be setback a minimum of five (5) feet from all property lines. Sign may include changeable copy signs, not to exceed thirty (30) percent of the sign area.

C. Subdivision Entrance Monument Signs

1. Subdivision entrance monument signs, either externally illuminated or non-illuminated, are allowed. Such signs may include a masonry wall, landscaping or other similar materials or features. Such signs shall only be located at the main entrances for identifying the subdivision. There shall be a maximum of one (1) sign on either side of the entrance consisting of no more than thirty-two (32) square feet in area per side of the entrance. The maximum height shall not exceed six (6) feet in height, setback a minimum five (5) feet from the right-of-way, and placed in an acceptable easement authorized for signage and associated materials and features. Information conveyed on such signs shall be limited to the name of the development and the name of the owner, builder, or developer of the project.

SECTION 1118 – SIGNS PERMITTED IN THE MULTI-FAMILY RESIDENTIAL DISTRICTS (R, R-3, AND R-4 ZONES)

A. Fascia Signs

1. One (1) non-illuminated fascia sign, not to exceed two (2) square feet in area attached to the main dwelling is permitted for a lawful home occupation and bed and breakfast.
2. One (1) externally or non-illuminated fascia sign, not to exceed 1.5 square feet of sign area per lineal foot of building width on which sign is located for institutional uses permitted and conditional permitted uses. In no instance shall the fascia sign exceed 75 square feet in area.

B. Freestanding/Monument Signs

1. One (1) externally or non-illuminated freestanding/monument sign for bed and breakfasts, not to exceed thirty-two (32) square feet in area and six (6) feet in height. Sign shall be setback a minimum of five (5) feet from all property lines.

2. One (1) freestanding/monument sign illuminated or non-illuminated for institutional uses not to exceed thirty-two (32) square feet in area. Sign shall be setback a minimum of five (5) feet from all property lines. Sign may include changeable copy signs, not to exceed thirty (30) percent of the sign area.

C. Subdivision Entrance Monument Signs

1. Subdivision entrance monument signs, either externally illuminated or non-illuminated, are allowed. Such signs may include a masonry wall, landscaping or other similar materials or features. Such signs shall only be located at the main entrances for identifying the subdivision. There shall be a maximum of one (1) sign on either side of the entrance consisting of no more than thirty-two (32) square feet in area per side of the entrance. The maximum height shall not exceed six (6) feet in height, setback a minimum five (5) feet from the right-of-way, and placed in an acceptable easement authorized for signage and associated materials and features. Information conveyed on such signs shall be limited to the name of the development and the name of the owner, builder, or developer of the project.

D. Multi-family Developments

1. Multi-family developments that contain twenty (20) or more dwelling units may have an entrance sign, either externally illuminated or non-illuminated. Such signs may include a masonry wall, landscaping or other similar materials or features. Such signs shall only be located at the main entrance(s) for identifying the multi-family development. There shall be a maximum of one (1) sign on either side of the entrance consisting of no more than thirty-two (32) square feet in area per side of the entrance. The maximum height shall not exceed six (6) feet in height, and setback a minimum five (5) feet from the right-of-way. Information conveyed on such signs shall be limited to the name of the development and the name of the owner, builder, or developer of the project.

SECTION 1119 – SIGNS PERMITTED IN THE BUSINESS AND COMMERCIAL DISTRICTS (C, C-1, C-2, C-3, AND C-4 ZONES)

A. Fascia Signs

1. 1.5 square feet of sign area per lineal foot of building width for each side of the building on which the sign(age) is located. In no instance shall the fascia sign exceed 100 square feet in area in the C-1 and C-2 zones, and 150 square feet in area in the C, C-3 and C-4 zones.

B. Freestanding/Monument Signs

1. One (1) per street frontage;
2. One (1) additional freestanding/monument sign per 200 feet of street frontage with a minimum 100 feet between each sign;
3. Sign shall not exceed seventy-two (72) square feet in area;
4. Sign shall not exceed twenty-five (25) feet in height;
5. Sign shall be setback a minimum of five (5) feet from all property lines, except a minimum of fifty (50) feet from the nearest residential district; and
6. Changeable copy signs may cover up to thirty (30) percent of the allowed sign area.

C. Shopping Center Signs

1. One (1) shopping center sign per street frontage with a minimum of three (3) acres and a minimum of five (5) tenant spaces located in a unified building or a group of buildings on a single lot of record;
2. Sign shall not exceed three hundred (300) square feet in area;
3. Sign shall not exceed thirty-five (35) feet in height;
4. Sign shall be setback a minimum of ten (10) feet from all property lines, except a minimum of seventy-five (75) feet from the nearest residential district;
5. Sign shall incorporate the name of the shopping center (minimum fifteen (15) percent of the allowed sign area) and the businesses located in the shopping center; and
6. Changeable copy signs may cover up to fifteen (15) percent of the allowed sign area.

D. Freestanding Canopy Signs

1. One (1) canopy sign on no more than three (3) elevations of the canopy (gasoline or other detached canopies);
2. Sign shall not exceed twenty-five (25) percent of the area of the fascia on which they are mounted; and
3. Shall not extend above or below the fascia of the canopy.

E. Subdivision Entrance Monument Signs

1. Subdivision entrance monument signs, either externally illuminated or non-illuminated, are allowed. Such signs may include a masonry wall, landscaping or other similar materials or features. Such signs shall only be located at the main entrances for identifying the commercial subdivision. There shall be a maximum of one (1) sign on either side of the entrance consisting of no more than fifty (50) square feet in area per side of the entrance. The maximum height shall not exceed eight (8) feet in height, setback a minimum five (5) feet from the right-of-way, and placed in an acceptable easement authorized for signage and associated materials and features. Information conveyed on such signs shall be limited to the name of the development and the name of the owner, builder, or developer of the project.

SECTION 1120 – SIGNS PERMITTED IN THE PROFESSIONAL OFFICE DISTRICTS (P-1 AND P-2 ZONES)

A. Fascia Signs

1. One (1) fascia sign per street frontage, not to exceed 1.5 square feet of sign area per lineal foot of building width on which the sign is located. In no instance shall the fascia sign exceed 100 square feet in area.

B. Freestanding/Monument Signs

1. One (1) freestanding/monument sign per street frontage;

2. Sign shall not exceed seventy-two (72) square feet in area;
3. Sign shall not exceed fifteen (15) feet in height; and
4. Sign shall be setback a minimum of five (5) feet from all property lines, except a minimum of fifty (50) feet from the nearest residential district.

C. Office Park Signs

1. One (1) office park sign per street frontage with a minimum of three (3) acres and a minimum of five (5) tenant spaces located in a unified building or a group of buildings on a single lot of record;
2. Sign shall not exceed one hundred (100) square feet in area;
3. Sign shall not exceed twenty (20) feet in height;
4. Sign shall be setback a minimum of ten (10) feet from all property lines, except a minimum of fifty (50) feet from the nearest residential district if internally illuminated; and
5. Sign shall incorporate the name of the office park (minimum fifteen (15) percent of the allowed sign area) and the businesses located in the office park.

D. Subdivision Entrance Monument Signs

1. Subdivision entrance monument signs, either externally illuminated or non-illuminated, are allowed. Such signs may include a masonry wall, landscaping or other similar materials or features. Such signs shall only be located at the main entrances for identifying the subdivision. There shall be a maximum of one (1) sign on either side of the entrance consisting of no more than fifty (50) square feet in area per side of the entrance. The maximum height shall not exceed eight (8) feet in height, setback a minimum five (5) feet from the right-of-way, and placed in an acceptable easement authorized for signage and associated materials and features. Information conveyed on such signs shall be limited to the name of the development and the name of the owner, builder, or developer of the project.

SECTION 1121 – SIGNS PERMITTED IN THE INTERCHANGE DISTRICTS (IC, X-1, AND X-2 ZONES)

A. Fascia Signs

1. 1.5 square feet of sign area per lineal foot of building width for each side of the building on which the sign(age) is located. In no instance shall the fascia sign exceed 150 square feet in area.

B. Freestanding/Monument Signs

1. One (1) per street frontage;
2. One (1) additional freestanding/monument sign per 200 feet of street frontage with a minimum 100 feet between each sign;
3. Sign shall not exceed seventy-two (72) square feet in area;
4. Sign shall not exceed twenty-five (25) feet in height;

5. Sign shall be setback a minimum of five (5) feet from all property lines, except a minimum of fifty (50) feet from the nearest residential district; and
6. Changeable copy signs may cover up to thirty (30) percent of the allowed sign area.

C. Shopping Center Signs

1. One (1) shopping center sign per street frontage with a minimum of three (3) acres and a minimum of five (5) tenant spaces located in a unified building or a group of buildings on a single lot of record;
2. Sign shall not exceed three hundred (300) square feet in area;
3. Sign shall not exceed thirty-five (35) feet in height;
4. Sign shall be setback a minimum of ten (10) feet from all property lines, except a minimum of seventy-five (75) feet from the nearest residential district;
5. Sign shall incorporate the name of the shopping center (minimum fifteen (15) percent of the allowed sign area) and the businesses located in the shopping center; and
6. Changeable copy signs may cover up to fifteen (15) percent of the allowed sign area.

D. Hi-Rise Pylon Signs

1. One (1) hi-rise pylon sign per lot of record within one thousand five hundred (1,500) feet from the center of the right-of-way of Interstate 64;
2. Sign shall not exceed three hundred fifty (350) square feet in area;
3. Sign shall not exceed one hundred twenty-five (125) feet in height;
4. Sign shall be setback a minimum of fifty (50) feet from all property lines;
5. Sign shall incorporate the name of the business or shopping center (minimum fifteen (15) percent of the allowed sign area); and
6. Changeable copy signs may cover up to twenty-five (25) percent of the allowed hi-rise pylon sign area.

E. Freestanding Canopy Signs

1. One (1) canopy sign on no more than three (3) elevations of the canopy (gasoline or other detached canopies);
2. Sign shall not exceed twenty-five (25) percent of the area of the fascia on which they are mounted; and
3. Shall not extend above or below the fascia of the canopy.

F. Subdivision Entrance Monument Signs

1. Subdivision entrance monument signs, either externally illuminated or non-illuminated, are allowed. Such signs may include a masonry wall, landscaping or other similar materials or features. Such signs shall only be located at the main entrances for identifying the commercial subdivision. There shall be a maximum of one (1) sign on either side of the entrance consisting of no more than fifty (50) square feet in area per side of the entrance. The maximum height shall not exceed eight (8) feet in height, setback a minimum five (5) feet from the right-of-way, and placed in an acceptable easement authorized for signage and associated materials and features. Information conveyed on such signs shall be limited to the name of the development and the name of the owner, builder, or developer of the project.

SECTION 1122 – SIGNS PERMITTED IN THE INDUSTRIAL DISTRICTS (I-1 AND I-2 ZONES)

A. Fascia Signs

1. 1.5 square feet of sign area per lineal foot of building width for each side of the building on which the sign(age) is located. In no instance shall the fascia sign exceed 150 square feet in area.

B. Freestanding/Monument Signs

1. One (1) per street frontage;
2. One (1) additional freestanding/monument sign per 200 feet of street frontage with a minimum 100 feet between each sign;
3. Sign shall not exceed seventy-two (72) square feet in area;
4. Sign shall not exceed twenty-five (25) feet in height; and
5. Sign shall be setback a minimum of five (5) feet from all property lines, except a minimum of fifty (50) feet from the nearest residential district.

C. Directional Signs

1. One (1) directional sign per entrance;
2. Sign shall not exceed twenty-five (25) square feet in area;
3. Sign shall not exceed six (6) feet in height;
4. Sign shall be setback a minimum of five (5) feet from all property lines; and
5. Sign may contain the name and/or logo of the business and shall contain the directional nature of the message.

D. Subdivision Entrance Monument Signs

1. Subdivision entrance monument signs, either externally illuminated or non-illuminated, are allowed. Such signs may include a masonry wall, landscaping or other similar materials or features. Such signs shall only be located at the main entrances for identifying the commercial subdivision. There shall be a

maximum of one (1) sign on either side of the entrance consisting of no more than fifty (50) square feet in area per side of the entrance. The maximum height shall not exceed eight (8) feet in height, setback a minimum five (5) feet from the right-of-way, and placed in an acceptable easement authorized for signage and associated materials and features. Information conveyed on such signs shall be limited to the name of the development and the name of the owner, builder, or developer of the project.

SECTION 1123 – SIGNS PERMITTED IN THE DOWNTOWN DISTRICTS (CBD, D_C, L_H, A_C, CIV AND WH ZONES)

A. Fascia and Window Signs

1. Fascia and window signs are allowed for each nonresidential use in these districts, subject to the following limits. No fascia sign shall extend above the top of the wall of the building, including parapets and architectural extensions. No cabinet-type (internally illuminated) signs are permitted.

	Window	Wall	Total
Maximum Size	30 percent of window area on that building wall	See total	1.5 square feet of sign area per lineal foot of building width on the side of building on which sign is located
Maximum number	Area limit only	One per street frontage	N/A
Permitted illumination	No separate illumination	Illumination from a concealed source only	N/A
Changeable copy	Not allowed	Not Allowed	N/A

2. Signs on canopies, awnings, and galleries are permitted subject to the following standards:
 - a. One canopy, awning, or gallery sign is permitted per business;
 - b. The sign must be at least 8 feet above grade;
 - c. The sign must not exceed 1.5 square feet of sign area per lineal foot of building width on the side of the building that the sign is located;
 - d. If a canopy, awning, or gallery sign is used, then a separate wall sign for the same business is not permitted.

B. Pedestrian-Oriented (Projecting) Signs

1. In addition to permitted fascia signs, but as an alternative to a freestanding/monument sign, each business establishment with a ground-floor entrance in these zoning districts shall be allowed a projecting sign, subject to the following standards and limitations:

	Projecting
Maximum size	36 square feet or the maximum size possible in conformance with other standards in this Section, whichever is smaller; measurement is for one face, but sign may have two equal faces
Maximum number	One per business establishment with a ground-floor entrance
Maximum height of top of sign	16 feet above sidewalk, or bottom of second-floor window(s) or top of wall, whichever is less

Permitted illumination	Internal, external, direct, indirect, exposed or any combination
Changeable copy	Not permitted
Maximum projection from face of building	3 feet

a. Cumulative Area Limitation

The total area of any fascia and/or window signs and any projecting sign on one street frontage of a building shall not exceed 1.5 square feet of sign area per lineal foot of building frontage.

b. Other Limitations

Shall not be closer than 15 feet to another projecting sign, except on a corner lot, where a projecting sign may be placed at the corner of the building.

C. Freestanding/Monument Signs

1. Purpose: The downtown districts generally consists of buildings that are built at or near the sidewalk, leaving no space for a freestanding/monument sign. This section is intended to apply to those establishments that have lawfully been set back far enough from one or more right-of-way lines, thus making it more difficult for drivers and pedestrians to see fascia signs on the building.
2. Where Allowed: Any site on which the principal building is set back twenty (20) or more feet from a right-of-way line along the entire length of the building facing that right-of-way shall be allowed a freestanding/monument sign in accordance with this Section, except that no site may have both a principal ground sign and a projecting sign on the same street frontage.
3. One (1) freestanding/monument sign per street frontage;
4. Sign shall not exceed thirty-six (36) square feet in area;
5. Sign shall not exceed six (6) feet in height; and
6. Sign shall be setback a minimum of five (5) feet from all property lines, except a minimum of fifty (50) feet from the nearest residential district.