CITY OF ST. MATTHEWS
ORDINANCE 14-04

AN ORDINANCE REPEALING AND REENACTING ARTICLE 11 OF THE DEVELOPMENT CODE OF THE CITY OFST. MATTHEWS PERTAINING TO SIGN REGULATIONS

(Repeals old Article 11)

A Definitions
B. General Regulations
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Effective Date

SECTION 1. Article 11 of the Development Code for the City of St. Matthews is hereby repealed and re-enacted as follows:

A. Definitions. The terms in this section shall have the meaning hereinafter given unless the context shall clearly indicate otherwise and the singular shall include the plural.

1. "Sign" is any display to public view of letters, words, numerals, figures, statutes, devices, emblems, pictures, or any parts or combinations thereof designed to inform or advertise or draw attention to or promote merchandise, services, or activities except for the following:

a. Non-illuminated names of buildings, dates of erection, monument citations, commemorative tablets and the like when carved into stone, concrete, metal, or any other permanent type of construction and made an integral part of an allowed structure or made flush to the ground.

b. Signs required by law or signs of a duly constituted governmental body.

c. Signs placed by a public utility for the safety, welfare, or convenience of the public, including, but not limited to signs identifying high voltage, public telephone, or underground cables.

d. Signs upon a vehicle, provided that any such vehicle with a sign face of over two square feet is not conspicuously parked so as to constitute a sign; nothing herein prevents such a vehicle from being used for bona fide delivery and other vehicular purposes.

e. Temporary holiday decorations.

f. Numerals displayed on and denoting the address of a building or property which are not part of an otherwise existing attached or freestanding sign.

g. Signs placed within the interior of a building which are attached to a window or a door provided the aggregate of all signs attached to a window occupies no more than 25% of the total square footage of the window to which they are affixed, and, for a door, provided the aggregate of all signs attached to a door do not exceed six (6) square feet in area.

h. Signs within a ballpark, field, or diamond which indicate sponsorship of the teams or league or activities that occur therein. These signs shall be the oriented toward the field or diamond.

i. Signs used to identify local landmark/ National Register historic properties.

2. A "Community Facility Identification Sign" is a sign identifying a church, school or other institution of learning, library, museum, community center or similar institution on site.

3. A "Multi-family Residential Identification Sign" is a sign used to identify a multi-family development on site.

4. An "Office Identification Sign" is a sign used to identify an office building on a site or the occupants of the building or site.

5. A "Subdivision Identification Sign" is a sign used to identify a subdivision on site.

6. A "Construction Sign" is a sign used to identify the persons or businesses engaged in the construction of a building on site.

7. A "Rent/Sale Sign" is a sign used to advertise the premises on site or a portion thereof for sale or lease.

8. A "Club Identification Sign" is a sign used to identify a club, lodge, fraternity or sorority.

9. A "Single Family Residential Occupant Sign" is a sign used to identify the individual or individuals occupying a single family residence.

10. An "Outdoor Advertising Sign" commonly known as a "billboard" or an "off-premises sign" is a sign used to display, advertise or otherwise direct attention to any business enterprise, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

11. Metropolitan Area - An area within Jefferson County, Kentucky as shown on the attached map which is incorporated herein and said area being more particularly described as follows:

Beginning at a point in the centerline of Dixie Highway, said point being 2,000 feet Northeast of the centerline of the Snyder Freeway; thence with a line parallel to the centerline of the Snyder Freeway, if extended, North 64 degrees 32 minutes 19 seconds West crossing the Ohio River to the Kentucky State Line; thence Northeast with said state line to a point, said point being 2,000 feet South of the centerline of the Snyder Freeway if extended from its terminus at US Highway 42; thence with a line crossing the Ohio River and parallel to the centerline of the Snyder Freeway South 64 degrees 16 minutes 47 seconds East to a point in the east line of US 42, said point being 2,000 feet Southwest of the centerline of the Snyder Freeway; thence with a line 2,000 feet from the centerline of the Snyder Freeway, and parallel to same, southeast, south, southwest, west, southwest and west to the point of beginning.

12. Non-Metropolitan Area - All the area within Jefferson County, Kentucky not described as a Metropolitan area.

13. "Business Sign" commonly known as an "on-premises sign", is a sign used to identify a business, profession, trade or occupation on the site and/or the generic or brand name products or services available at the site, and shall include an attached sign, freestanding sign, projecting sign, and freestanding directional sign all as more specifically described in and allowed by Section D hereof, and a small freestanding sign as more specifically described in and allowed by Section F hereof.

14. "Director" shall mean the Director or Department executive or other person(s) appointed by chief executives of jurisdictions having zoning authority.

15. A "Shared Business Sign" is a business sign that advertises two or more businesses in separate premises, which utilize common off-street parking and/or shared access. Multiple businesses in a shopping center, whether on the same or separate lots, qualify for a shared business sign. A shared business sign is not considered an outdoor advertising sign by this Article. (NOTE: One or more businesses occupying the same space, such as a filling station with a convenience store that may include a fast food service area, would not be eligible for a shared business sign.)

16. A "Changeable Copy Sign" is an on-premises sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face of the sign. An LED sign may be used as a changeable copy sign provided the display complies with all regulations regarding timing and method of display change and regarding illumination.

17. A "Window" is the combined area of the windowpane or glass, the header, the jamb, the sill, and any muentins or mullions within a single wall opening.

18. A "Window Sign" is any sign or combination of signs attached or affixed to a window, which sign or signs, in the aggregate, occupy more than 25% of the area of the single wall opening. Retail store window displays of merchandise, freestanding three-dimensional promotional items (with or without proprietary words or symbols solely describing the merchandise and/or merchandise that is sold in the store), and/or display fixtures or backdrops not affixed to a window shall NOT be considered a window sign.

19. A "Door Sign" is a sign or combination of signs attached or affixed to a door in any manner.

B. General Regulations

1. No sign shall be placed in a manner visible from any public street, alley, right-of-way, sidewalk or other public easement except as provided herein nor shall any sign be placed in or extend over any required yard in any district or be placed in or extend over any street, right-of-way, roadway, sidewalk, public or private utility or access or other easement, or alley except as provided herein or in Article 15. Editor's note: Sign size cannot be increased by obtaining a variance; refer to Section 3.C.8.

2. All signs allowed hereunder shall be constructed and placed so as not to interfere with vehicular traffic by obstructing sight lines for streets, pedestrian rights-of-way and driveways.

3. No sign shall be allowed to be illuminated except as expressly provided herein. Signs which are otherwise allowed to be illuminated are not allowed if the Director shall find that the lighting causes glare or otherwise interferes with the vision of persons operating motor vehicles. All illuminated signs shall be non-flashing and shall be constant in intensity and color, except that portion of a sign which displays the time and temperature may have only the time and temperature change. An LED changeable copy sign may be allowed provided that the LED portion of the sign shall have a static display that changes instantaneously no more frequently than once every five (5) minutes.

4. No sign shall be allowed if the Director finds that the sign is constructed or designed in a manner which may cause the sign to be confused with a traffic sign or other traffic control device.

5. The maximum allowed area for all signs other than freestanding business signs shall be determined by drawing four or fewer straight lines encompassing the extremities of the sign within the smallest possible area, except that outdoor advertising signs are allowed extensions and embellishments beyond the rectangular sign as more specifically provided in Section E.5.

6. The maximum allowed area for freestanding business signs shall be measured by drawing eight (8) or fewer straight lines encompassing the extremities of the sign within the smallest possible area, provided, however, that the area of a freestanding sign shall not include poles, supports or other structures which are solely for support and which do not contain any advertising and, the area of a freestanding sign shall not include the space between the business identification portion of a freestanding business sign and the reader board portion, provided that these portions are separated by a distance of more than two (2) feet and no small freestanding sign is located on lot.**

***Editors Note. This area of a monument style sign is measured from the bottom of text/message upward; area below the message is considered "structure solely for support." See Illustrations Attached.*

7. Signs which revolve, rotate or move in any way shall be allowed in the C-N, C-1, C-2, C-3, C-M, M-1, M-2 and M-3 zones only and no such sign shall move faster than one cycle every ten (10) seconds.

8. No sign shall have more than four faces.

9. One freestanding rent/sale sign per site not exceeding twelve (12) square feet in area shall be allowed in any district. For lots abutting more than one street, one such rent/sale sign shall be allowed for each abutting street. In the C-N, EZ-1, C-1, C-2, C-3, C-M, M-1, M-2, M-3, PRO, and PEC Districts freestanding or attached rent/sale signs not exceeding thirty (30) square feet shall be allowed. Such signs shall be removed not later than ten (10) days after closing of sale or consummation of lease.

10. One or more signs identifying persons or business firms engaged in the construction of a building on site, are allowed, provided that each such sign not exceed twelve (12) square feet in area or fifteen (15) feet above ground in height. In the alternative, one sign identifying all persons or business firms engaged in construction of a building on site is allowed, provided the sign shall not exceed thirty (30) square feet in area or fifteen (15) feet above ground in height. All such signs must be removed within twenty (20) days following issuance of a certificate of occupancy for the building.

11. A composite group of signs integrated into one framed unit or compact structure constitutes one sign.

12. A back-to-back or V-shaped sign constitutes one sign if it has a common set of supports. If the interior angle between the two sign faces is less than 120 degrees, the sign area is of one face only. If the angle between the two faces is greater than or equal to 120 degrees, the sign area is the sum of the areas of the two sign faces.

13. Roof signs shall be prohibited.

14. The use of pennants, balloons, streamers, "sail" banners, or any inflatable or air filled figure shall be prohibited.

15. This regulation shall be in addition to the requirements of KRS 177.830 - 177.890.

C. Residential/Office Signs

1. One single family residential occupant sign not exceeding one (1) square foot shall allowed anywhere on the premises of each residence.

2. One freestanding subdivision identification sign not exceeding sixty (60) square feet in area or fifteen (15) square feet in height shall be allowed at each dedicated street entrance within the building lines of the subdivision during construction, for not more than sixty (60) days prior to the commencement of construction, and after construction until such time as eighty percent (80%) of the lots are sold. Thereafter, one subdivision identification sign not exceeding fifteen (15) square feet in area or 15 feet in height shall be allowed at each dedicated street entrance within the building lines.

3. One freestanding or attached community facility identification sign not to exceed sixty-four (64) square feet in area and not exceeding ten (10) feet in height facing each bordering street is allowed on the premises of any community center, church, school, library, museum or similar institution. A church sign may be illuminated if the illuminated portion of

the sign is less than thirty-two (32) square feet in area and less than eight (8) feet in height, provided that if the church is located in a district for which a larger business sign would be allowed, then the size of the sign may be the size allowed in that district.

4. One exceptional residential use sign or club identification sign facing each bordering street not to exceed six (6) square feet in area is allowed on each site on which an exceptional residential use or club, lodge, fraternity or sorority is located. Any such sign if freestanding must not exceed six (6) feet in height. If the club, lodge, fraternity, or sorority is located in a district for which a larger business sign would be allowed, then the size of the sign may be the size allowed in that district.

5. One illuminated or non-illuminated multi-family residential identification sign attached flat on the face of the building and extending no more than twelve (12) inches from the surface of such building is allowed to face each street bordering on the site on which a multi-family dwelling is located in the R-5A, R-6, R-7, R-8A, OR-1, OR-2, OR-3, or OTF Districts. Said signs may not exceed twelve (12) square feet in area if the site is in the R-5A, R-6, R-7, R-8A or OR-1 Districts and may not exceed fifty (50) square feet in area if the site is in the OR-2, OR-3, OTF, W-1 or W-2 Districts. In no event shall an attached sign be located more than three feet above the ceiling of the first floor of the building. In the alternative one freestanding sign which shall not extend into any required yard is allowed to face each street bordering the site provided that such freestanding signs if located in the R-5A, R-6, R-7, R-8A or OR-1 Districts shall not exceed a height of six (6) feet above ground nor exceed an area of six (6) square feet and if located in the OR-2, OR-3, OTF, W-1 or W-2 Districts shall not exceed a height of ten (10) feet above ground nor exceed an area of thirty (30) square feet.

***Editor's note:** *See paragraph D.6. below for permitted hotel/motel signs.*

6. One illuminated or non-illuminated office identification sign is allowed to face each street bordering the site on which an office building is located in the OR, OR-1, OR-2, OR-3, OTF, W-1 or W-2 districts. An attached sign may not extend more than twelve (12) inches from the surface of each building. Said signs may not exceed in square feet the area listed below for the District and type of sign and may not exceed the height above grade listed for the type of sign;

District	Attached	Freestanding
OR	10 Sq. Ft. in area; no more than 3 feet above the highest point of the ceiling of the first floor the building	6 Sq. Ft in area; 6 ft. in height
OR-1	64 Sq. Ft. in area; 25 ft. in height	36 Sq. Ft. in area; 10 ft. in height
OR-2	64 Sq. Ft. in area; 25 ft. in height	36 Sq. Ft. in area; 10 ft. in height
OR-3	100 Sq. Ft. in area; 25 ft. in height	64 Sq. Ft. in area; 10 ft. in height
OTF	100 Sq. Ft. in area; 25 ft. in height	64 Sq. Ft. in area; 10 ft. in height
W-1	50 Sq. Ft. in area; 25 ft. in height	30 Sq. Ft. in area; 10 ft. in height
W-2	50 Sq. Ft. in area; 25 ft. in height	30 Sq. Ft. in area; 10 ft. in height

In addition, an office building not exceeding two and one half stories in height and located in the OR-1, OR-2, OR-3, or OTF District may have, for each occupant, one additional attached sign attached to that occupant's portion of the facade containing the primary exterior entry door for that occupant. Such an attached sign shall only identify the occupant of that portion of the building and shall not exceed 6 square feet in area or 20 feet in height above grade.

D. Business Signs

1. Illuminated or non-illuminated business signs are allowed in the C-N, C-1, C-2, C-3, C-M, EZ-1, M-1, M-2 and M-3 Districts subject to the restrictions set forth in Sections D. 2 through D. 5.

2. Attached Signs. An attached sign for the purpose of this Section D. shall mean a business sign painted on or mounted on and parallel to the facade of a building. The facade of a building shall be that two dimensional elevation of a building that includes its width and its height to the bottom of the eave or the top of the parapet.

a. There shall be not more than three (3) attached signs on any one facade of a building, subject to the total maximum sign area requirement set forth below, except that multiple use buildings may have one sign per facade and each business therein may have a maximum total of three (3) attached signs, subject to the total maximum area requirement set forth in b. below. Any business therein which has more than one facade may still have a maximum of only three (3) attached signs total for that use, and the maximum allowed sign area shall be calculated per facade according to the parameters set forth in b. below.

b. The total area encompassed by all attached signs on any one facade of the building shall not exceed:

Area of Facade of Building	Maximum Sign Area
Less than 500 square feet	20% of Building Facade Area
Greater than or equal to 500 but less than 1,000 square feet	100 square feet plus 15% of the amount by which Building Facade Area exceeds 500 square feet
Greater than or equal to 1000 but less than 3,500 square feet	175 square feet plus 5% of the amount by which Building Façade Area exceeds 1,000 square feet
Greater than or equal to 3,500 square feet	300 square feet

c. An attached sign mounted to the exterior walls of a building may project up to eighteen (18) inches from the surface to which it is mounted. In the instance of a building on the property line, an attached sign constructed flat on the face of such building may extend into the right-of-way no further than 18 inches from the surface of such building. An attached sign mounted to a slanted (inclined) exterior surface may be mounted in the vertical upright position as long as the sign does not project beyond eighteen (18) inches at the point of attachment. No such sign shall extend more than five (5) feet above the highest point of the exterior wall to which it is attached. No such sign shall be mounted on any roof. No such sign shall extend to a height greater than twenty-five (25) feet above ground, except that buildings located in the C-3 District and hospitals may have an attached sign of any height.

d. In addition to the permanent attached signs allowed herein, a temporary attached banner (cloth, plastic or other soft material) is allowed in the C-N, C-1, C-2, C-3, C-M, EZ-1, M-1, M-2 and M-3 Districts upon the issuance of a permit by the Director. Only one such temporary banner shall be allowed on any business premises. The area of such a banner shall not exceed fifty percent (50%) of the sign area permitted for permanent attached business signs on the building facade to which the banner is affixed pursuant to paragraph b. of this Subsection D. 2. No person shall affix a temporary banner to a building on property owned by him or on property upon which he owns or operates a business, profession, trade or occupation without having applied for the permit required hereby. Said permit shall be issued for a period not to exceed thirty (30) consecutive days and for cumulative periods not to exceed ninety (90) days in any calendar year. Immediately upon expiration of the permit, said temporary banner shall be removed. At all time while the banner is in public view, the permit application and after issuance thereof, the permit, shall be kept on the business premises and shall be available for inspection by any City officer or official.

3. Freestanding Signs. In addition to the attached signs allowed above, illuminated or non-illuminated freestanding signs are permitted subject to the following restrictions:

a. No freestanding sign shall be located in or project over or into the right-of-way or into any adjoining property.

b. No sign shall be higher than thirty-five (35) feet in the C-N and C-1 Districts, nor higher than forty (40) feet in the C-2, C-M, EZ-1, M-1, M-2 and M-3 Districts unless specifically exempted elsewhere in this section.

c. No freestanding sign shall encroach into a required yard.

d. When a freestanding sign is allowed at the front or street side property line, such sign shall not exceed 20 feet in height. For each 1.5 feet setback from the front or street side property line, whichever is nearest to the sign, the maximum height may increase six (6) inches. However, no portion of a sign within five (5) feet of the front or street side property line may be closer than ten (10) feet to the ground, except for directional signs of the dimensions allowed in these regulations. In no case shall a freestanding sign exceed 35 feet in height, except as noted in b. above.

***Editor's note:** *Sign location is measured from the leading edge of the sign, not the location of the pole.*

e. The maximum area of one face of any freestanding sign shall not exceed in square feet the following percentage of the square of the maximum sign height:

(1) 12% in the C-N Neighborhood Commercial District.
(2) 16% in the C-1, C-2 and C-M Commercial Districts.
(3) 20% in the EZ-1, M-1, M-2 and M-3 Industrial Districts.

(Example: Maximum area of a sign ten (10) feet from the front property line in a C-2 zone is 16% x 23 x 23).

f. No sign shall have more than four (4) faces.

g. A lot fronting only on one street shall not have more than one freestanding sign except as allowed by Paragraph (i) below.

h. A lot fronting on two public streets shall be permitted to have two freestanding signs. If two signs are to be used the total maximum combined area of the two signs shall not exceed the maximum sign area of the one freestanding sign allowed on lots fronting on only one public street.

i. The maximum area of each face of a freestanding sign as calculated by paragraph e. hereof may be increased by twenty percent (20%) if the sign is located on a lot with more than three hundred (300) feet of frontage on a public street, by thirty five percent (35%) if the sign is located on a lot with more than four hundred fifty (450) feet of frontage on a public street and by fifty percent (50%) if the sign is located on a lot with more than six hundred (600) feet of frontage on a public street. In the alternative a lot with more than four hundred fifty (450) feet of public street frontage shall be allowed to have one additional freestanding sign, but if such additional sign is placed on the lot the maximum area of each freestanding sign shall be calculated as provided by paragraph e. and the maximum area of each such sign shall not be embellished by the foregoing provisions of this paragraph i.

j. An outdoor advertising sign shall not be counted in determining compliance with g., h., and i. above.

k. No lot shall have a freestanding sign unless the building situated on that lot is set back at least fifteen (15) feet from the front and street side property line.

4. Freestanding Directional Signs. Freestanding directional signs, i.e., signs used primarily to direct on premise vehicular or pedestrian circulation or traffic, are allowed to a maximum height of five (5) feet, with a maximum area of five (5) square feet. A logo or the name of the business only may be on a directional sign provided an arrow, the word "enter" or "exit" is the predominant feature of the directional sign. "Clearance", "drive-thru", "order here", "pay here", "pick up here", "welcome", and similar signs may be located at a height greater than 5 feet if the sign does not exceed 5 square feet in area. Such signs shall not be counted toward the number of freestanding signs allowed on a lot. One single faced "Menu Board" type sign is allowed for a "drive through" facility and shall not be counted toward the number of freestanding signs allowed, provided such sign is no larger than forty (40) square feet and limited to one such Menu Board per each drive-thru lane.

5. Projecting Signs. Buildings on lots which contain no freestanding sign (other than a freestanding directional sign) may not have more than one sign which projects perpendicularly from the facade (but not the roof) of the building providing that the sign does not exceed thirty-two (32) square feet in area, does not extend below nine (9) feet above the ground or sidewalk, or more than seven (7) feet from the facade of the building, or closer than two (2) feet to the abutting roadway.

6. Illuminated or non-illuminated business signs are allowed in the OTF District subject to the following restrictions:

a. One freestanding sign is permitted for each motel or hotel, which sign shall not exceed thirty (30) square feet in area and shall not exceed a height of ten (10) feet above ground. In addition, one attached sign per facade is allowed, which sign shall not exceed fifty (50) square feet in area and twenty-five (25) feet above the ground.

b. In addition, freestanding directional signs subject to the requirements of Subsection D.4. are allowed.

7. Signs erected in the PRO and PEC Districts shall be subject to the following regulations:

a. Individual business signs facing each bordering street shall be limited in total surface area to three (3) square feet for each linear foot of street frontage of the lot, provided that such sign shall not exceed a maximum of three hundred (300) square feet. Directional signs may be erected in the required front yard but shall not exceed six (6) square feet in area.

b. One Industrial Park identification sign shall be allowed on each street on which the Industrial Park fronts and shall not exceed a maximum of three hundred (300) square feet in area.

c. Advertising signs are prohibited.

d. No sign in the PRO and PEC Districts shall have flashing or intermittent illumination.

8. One business sign for each business site located in the W-3 District is allowed provided that such sign shall not exceed three hundred (300) square feet in area or thirty-five (35) feet in height and shall be made a part of the architectural design of the building on the landscape development of the site. In addition, freestanding directional signs subject to the requirements of Subsection D.4. are allowed.

9. Special Provisions. A single use building may have one attached sign furnishing emergency telephone numbers or other such emergency information. Such a sign shall not be counted toward the number of attached signs allowed provided it does not exceed one square foot in area. Multiple use buildings may have one such emergency sign for each independent use. A sign in a gasoline service station identifying a self service and/or full service pump island may be attached to canopy supports or light standards over a pump island at a height greater than the five (5) feet allowed for other directional signs, provided the area of such a sign does not exceed five (5) square feet.

E. Outdoor Advertising Signs

1. An unilluminated outdoor advertising sign of less than seventy two (72) square feet shall be allowed if:

a. Located in a C-N, C-1, C-2, C-M, M-1, M-2, or M-3 District;

b. Set back at least fifteen (15) feet from the front or street side property lines if in a C-N, C-1, C-2, or C-M Districts;

c. Located not less than four hundred fifty (450) feet from any existing billboard of any size on the same side of the same street, and not less than nine hundred (900) feet from any existing billboard of any size on the same side of a controlled access highway or designated parkway;

d. Located not less than two hundred twenty-five (225) feet from any existing billboard of any size on the opposite side of the same street (measured from the point of intersection on the same side of the street with the line from the existing sign perpendicular to the roadway), and not less than four hundred fifty (450) feet from any existing billboard of any size on the opposite side of the same controlled access highway or designated parkway (as so measured);

a. Located not less than seventy-five (75) feet from the centerline of an intersecting roadway;

b. In a C-N District, located not less than two hundred (200) feet measured radially from the nearest edge of a residentially zoned or residentially developed lot in the metropolitan area, in a C-1 through M-3 district, located not less than one hundred fifty (150) feet measured radially from the nearest edge of a residentially zoned or residentially developed lot in the metropolitan area, and located not less than six hundred (600) feet measured radially between the sign and the nearest edge of a residentially zoned or residentially developed lot in the non-metropolitan area;

c. Located not less than seventy five (75) feet from the nearest edge of the right-of-way of a controlled access highway or designated parkway passing through the metropolitan area and not less than six hundred sixty (660) feet from the nearest edge of a controlled access highway or designated parkway passing through the non-metropolitan area;

d. Placed so that the highest point of the advertising sign does not exceed sixteen (16) feet above ground;

e. Located not less than two hundred fifty (250) feet measured radially from any public park or any designated parkway or any landmark property or historic district designated as such by the Louisville Landmark's Commission or the Jefferson County Preservation Commission or from any property listed in the National Register of Historic Places.

2. An illuminated or non-illuminated outdoor advertising sign of less than three hundred thirty (330) square feet shall be allowed if:

a. Located in a C-1, C-2, C-M, M-1, M-2, M-3 District;

b. Set back at least thirty (30) feet from the front or street side property lines if located in a C-1, C-2, or C-M District;

c. Located along major or minor arterial highway as designated in the Comprehensive Plan;

d. Located not less than six hundred (600) feet from any existing billboard of any size on the same side of the same major or minor arterial highway and not less than twelve hundred (1,200) feet from any existing billboard of any size on the same side of a controlled access highway or designated parkway;

e. Located not less than three hundred (300) feet from any existing billboard of any size on the opposite side of the same major or minor arterial highway (measured from the point of intersection on the same side of the major or minor arterial highway with the line from the existing sign perpendicular to the roadway), and not less than six hundred (600) feet from any existing billboard of any size on the opposite side of the same controlled access highway or designated parkway (as so measured);

f. Located not less than seventy-five (75) feet from the centerline of an intersecting roadway;

g. Located not less than three hundred (300) feet (measured radially) between the sign and the nearest edge of a residentially zoned or residentially developed lot in the metropolitan area and not less than six hundred (600) feet measured radially between the sign and the nearest edge of a residentially zoned or residentially developed lot in the non-metropolitan area;

h. Located not less than one hundred fifty (150) feet from the nearest edge of the right-of-way of a controlled access highway or designated parkway passing through the metropolitan area and not less than six hundred sixty (660) feet from the nearest edge of the right-of-way of a controlled access highway or designated parkway passing through the non-metropolitan area;

i. Constructed so the highest point of the sign (including embellishments) shall not exceed forty (40) feet above the ground, except that for signs located in the C-1 District the highest point of the sign (including embellishments) shall not exceed thirty-five (35) feet above the ground;

j. Located not less than five hundred (500) feet measured radially from any public park or any designated parkway or any landmark property or historic district designated as such by the Louisville Landmark's Commission or the Jefferson County Preservation Commission or from any property listed in the National Register of Historic Places;

k. Notwithstanding the provisions of subparagraph i. hereof the highest point of an outdoor advertising sign (including embellishments) located along an elevated section of a controlled access highway may be fifty (50) feet above the ground, provided that the lowest point of the sign shall be not less than ten (10) feet above the grade of the elevated controlled access highway;

3. An illuminated or non-illuminated outdoor advertising sign of greater than or equal to three hundred thirty (330) square feet but less than seven hundred fifty (750) square feet shall be allowed if:

a. Located in a C-2, C-M, M-1, M-2, M-3 Districts;

b. Set back at least sixty (60) feet from the front or street side property lines if in a C-2 or C-M District;

c. Located along a major or minor arterial highway as designated in the Comprehensive Plan;

d. Located not less than twelve hundred (1,200) feet from any existing billboard of any size on the same side of the same major or minor arterial highway and not less than fifteen hundred (1,500) feet from any existing billboard of any size on the same side of a controlled access highway or designated parkway;

e. Located not less than six hundred (600) feet from any existing billboard of any size on the opposite side of the same major or minor arterial highway (measured from the point of intersection on the same side of the major or minor arterial highway with the line from the existing sign perpendicular to the roadway), and not less than nine hundred (900) feet from any existing billboard of any size on the opposite side of the same controlled access highway or designated parkway (as so measured);

f. Located not less than seventy-five (75) feet from the center line of an intersecting roadway;

g. Located not less than four hundred (400) feet (measured radially) between the sign and the nearest edge of a residentially zoned or residentially developed lot in the metropolitan area and not less than six hundred (600) feet measured radially between the sign and the nearest edge of a residentially zoned or residentially developed lot in the non-metropolitan area;

h. Located not less than one hundred fifty (150) feet from the nearest edge of the right-of-way of a controlled access highway or designated parkway passing through the metropolitan area and not less than six hundred sixty (660) feet from the nearest edge of the right-or-way of a

controlled access highway or designated parkway passing through the non-metropolitan area;

i. Constructed so the highest point of the sign (including embellishments) does not exceed forty (40) feet above the ground;

j. Located not less than five hundred (500) feet measured radially from any public park or any designated parkway or any landmark property or historic district designated as such by the Louisville Landmark's Commission or the Jefferson County Preservation Commission or from any property listed in the National Register of Historic Places;

k. Notwithstanding the provisions of subparagraph i. hereof the highest point of an outdoor advertising sign (including embellishments) located along an elevated section of a controlled access highway may be fifty (50) feet above the ground, provided that the lowest point of the sign shall be not less than ten (10) feet above the grade of the elevated controlled access highway;

4. No outdoor advertising sign greater than seven hundred fifty (750) square feet shall be allowed in any district.

5. Outdoor advertising signs of all sizes shall be rectangular in shape except that extensions are allowed if such extensions are not greater than five (5) feet at the top, two (2) feet at the sides and/or eighteen (18) inches at the bottom of the sign and comprise in the aggregate an area not more than 12.5% as great as the basic rectangular shape to which such extensions are attached. Such embellishments are included in the calculation of the sign area restrictions.

No attached outdoor advertising sign shall extend past the exterior wall of the building to which it is affixed.

Double-faced, V-type or back to back outdoor advertising signs shall be considered as one sign for spacing purposes.

F. Portable Signs.

In addition to the freestanding signs permitted under Section D.3. hereof, one portable sign, such as a small freestanding business sign, sandwich board sign, "A" frame sign, or temporary banner shall be allowed on each lot located in the C-1, C-2 and C-M Districts, subject to the following conditions and restrictions. (Lots with more than one business are required to allocate the use of a small freestanding sign among the business uses on a time share basis). For purpose of KRS 100.253 portable signs shall be regarded as personal property unattached to the real property on which they are placed and such signs are not structures and no non-conforming land use rights shall attach to them.

1. The portable sign shall not exceed thirty-two (32) square feet of surface area per face and there shall be no more than two (2) faces. The sign shall not extend more than nine (9) feet above the ground on which it is placed.

2. The portable sign shall advertise only the business, profession, trade or occupation lawfully practiced on site and/or the generic or brand name products or services lawfully available on site, or religious, charitable or eleemosynary messages.

3. A portable sign may not be illuminated or contain any electrical component unless UL approved and unless connected to a ground fault interrupter. Any illuminated portable sign shall be non-flashing and any illumination shall be constant in intensity and color. All components of a portable sign shall be non-moving and stationary.

4. No portable sign shall be allowed within the public right-of-way or public easement.

5. No portable sign shall be constructed and placed so as to interfere with vehicular traffic by obstructing sight lines for streets, pedestrian rights-of-way and driveways.

6. All portable signs shall be kept in good repair and in a proper state of preservation.

7. Every portable sign and the premises immediately surrounding the sign shall be maintained by the owner or person in charge thereof in a clean, sanitary and inoffensive condition, and free and clear of all obnoxious substances, rubbish and weeds.

8. A cloth, plastic or other soft material banner secured so that there is no movement or flapping with the wind may be used as a portable sign (e.g., for a grand opening) provided that all other applicable provisions of this Section shall remain effective. No pennants, streamers, or other devices made of soft materials such that movement or flapping with the wind can occur shall be allowed.

9. Any code enforcement officer or peace officer who finds a portable sign so placed on private property that the sign as located causes an obstruction to pedestrian or vehicular traffic or restricts the vision of drivers of vehicles on abutting streets or on the subject property may cause the sign to be removed to a safe location on the subject property. Any code enforcement officer or peace officer may remove any sign located on the public right-of-way and dispose of same.

10. No portable sign shall be located less than five (5) feet from a front or a street side property line. On corner lots no sign shall be allowed within the triangle whose legs are formed by measuring along each right-of-way line twenty-five (25) feet from the intersection of the right-of-way lines.

Editor's Note: *City of St. Matthews Ordinance No. _____ regulates signage along the designated parkways as follows:*

Outdoor advertising signs and business signs. No outdoor advertising signs shall be located within two thousand (2,000) feet of the nearest right-of-way line. No freestanding business signs shall be located within two hundred (200) feet of the nearest right-of-way line. No freestanding signs shall exceed twenty (20) feet in height when located between two hundred (200) and five hundred (500) feet of the nearest right-of-way line nor exceed eighty (80) square feet in area. Signs shall meet limitations of the zoning district in which they are located.

No portable sign or banners (permanent or temporary) shall be located within two hundred (200) feet of the nearest right-of-way line.

Attached business signs. No sign attached to a building or structure within two hundred (200) feet of any parkway right-of-way line shall exceed eighty (80) square feet in area on any facade visible from the parkway at any angle or view nor exceed the size limitation of the district in which it is located, or as required by Article 11 of the Development Code.

SECTION 2. This ordinance shall take effect upon its adoption by the City Council and publication as required by law.

Introduced and First Reading June 10, 2014.

Adopted at a regular meeting of the City Council held on August 12, 2014.

Bernard Bowling

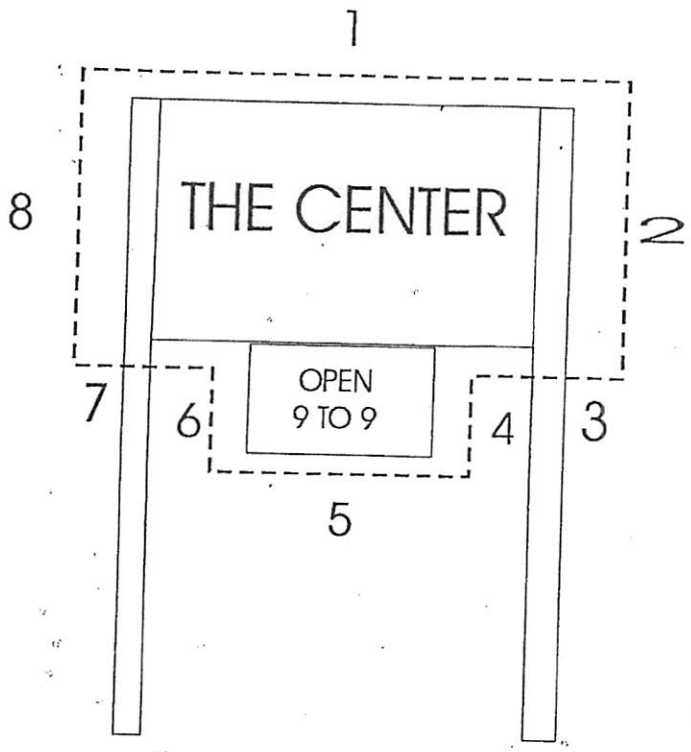
Bernard F. Bowling, Mayor

ATTEST:

Susan Clark

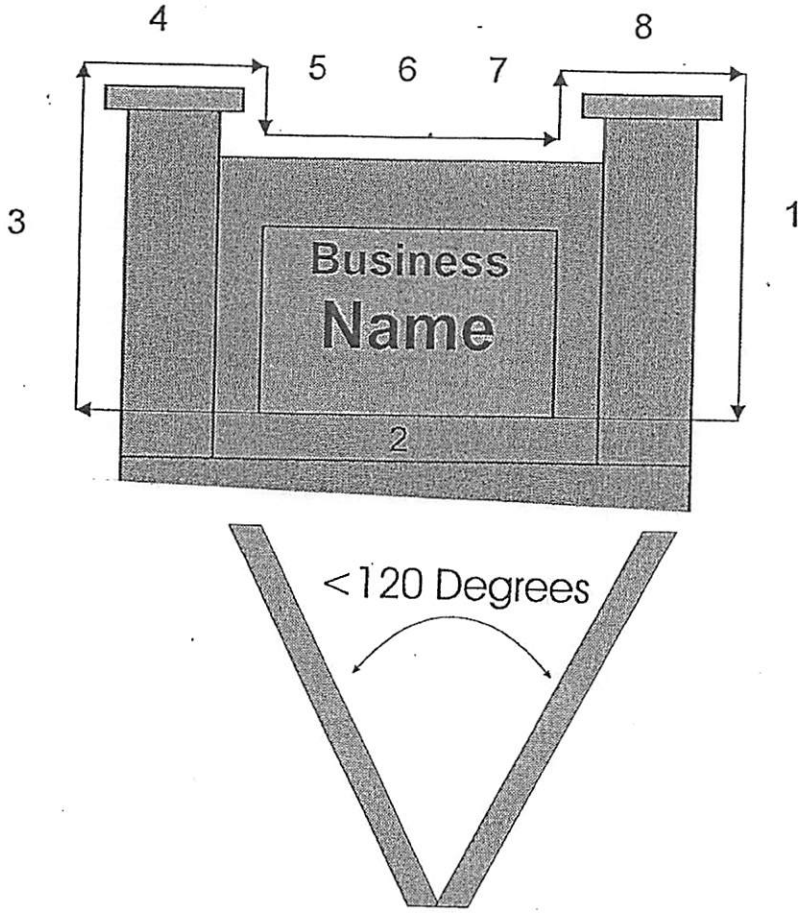
Susan Clark, City Clerk

Illustration 8.1.13 Measurement of Freestanding Signs



Note: To calçulate the area of a freestanding sign, calculate the area of the polygon created by drawing the eight lines around the extremities of the sign face. The area of a monument style sign is measured from the bottom of text/message upward; area below the message is considered "structure solely for support."

Illustration 8.1.14 Measurement of a Freestanding Monument Style Sign



Note: The area of a monument style sign is measured from the bottom of the text/message upward; area below the message is considered "structure solely for support".