

## ARTICLE 13. SIGNS AND STREET GRAPHICS

### Table of Contents

	<u>Page</u>
Section 13.010. Statement of Purpose .....	13-1
Section 13.020. Applicability .....	13-1
Section 13.030. Permits .....	13-1
Section 13.040. Height.....	13-1
Section 13.050. Signs in residential zone districts not requiring a permit .....	13-2
Section 13.060. Signs in residential zone districts requiring a permit .....	13-2
Section 13.070. General standards for street graphics.....	13-3
Section 13.075. Definitions .....	13-3
Section 13.080. On-premise street graphics in non-residential zone districts.....	13-8
Section 13.090. Off-premise street graphics permitted in non-residential zone districts.....	13-9
Section 13.100. Billboards.....	13-10
Section 13.110. Noncommercial signs and messages.....	13-11
Section 13.120. Reserved.....	13-11
Section 13.130. Ground graphics.....	13-12
Section 13.140. Wall and roof graphics.....	13-13
Section 13.150. Projecting graphics .....	13-14
Section 13.160. Awnings .....	13-15
Section 13.170. Special street graphics .....	13-15
Section 13.180. Illumination and movement .....	13-16
Section 13.190. Items of information allowance .....	13-17
Section 13.200. Areas of Special Character .....	13-17
Section 13.210. Programs for graphics .....	13-18
Section 13.220. Street graphics prohibited .....	13-19
Section 13.230. Street graphics exempt.....	13-20
Section 13.240. Variances .....	13-20
Section 13.250. Nonconforming street graphics.....	13-20
Section 13.260. Permits .....	13-22
Section 13.270. Enforcement.....	13-24

## Article 13. Signs and Street Graphics

### **Section 13.010. Statement of Purpose**

The purpose of this Article is to create the legal framework for a comprehensive and balanced system of signs and street graphics that will preserve the right of free speech and expression, provide an easy and pleasant communication between people and their environment, and avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance.

With these purposes in mind, it is the intent of this Article to authorize the use of signs and street graphics that are:

- A. Compatible with their surroundings;
- B. Appropriate to the activity that displays them;
- C. Expressive of the identity of individual activities and the community as a whole; and
- D. Legible in the circumstances in which they are seen.

### **Section 13.020. Applicability**

This Article contains regulations governing the size, type, number, placement, height, and width of signs and street graphics permitted by zone district in this UDO. "Sign" regulations pertain to graphics in residential zone districts and generally "street graphics" regulations pertain to graphics in nonresidential zone districts that are visible from a right-of-way providing access to the public

### **Section 13.030. Permits**

Unless exempt from these regulations no sign or street graphic shall be erected, constructed, structurally altered, or relocated until a sign permit has been issued by the Planning Division and a building permit has been issued by the Building Division.

### **Section 13.040. Height**

Signs and street graphics shall not exceed the maximum height requirement of the zone district in which the graphics is placed. Height is determined by measuring from the highest point of the sign or street graphics to the natural grade, which is the grade unaffected by construction, grading, fill or landscaping.

## Article 13. Signs and Street Graphics

### **Section 13.050. Signs in residential zone districts not requiring a permit**

The following signs are allowed as indicated in the RA5, LR2, R40, R20, R10, R-7, PR1, and PR2 districts and do not require the issuance of a permit from the County:

- A. Temporary signs that advertise the sale, rent, or lease of real estate located on or off of said real estate that do not exceed twelve (12) square feet in area. Such signs shall be removed within thirty (30) days of the sale, rent, or lease of the property.
- B. A nameplate not exceeding two (2) square feet in area identifying a private residence. The nameplate may only be lighted with non-intermittent light.
- C. Official and directional signs.
- D. Yard and garage sale signs that do not exceed twelve (12) square feet in area. Such signs shall not be erected prior to sunrise of the first day of the event and shall be removed no later than sunset of the second day of the event.
- E. Public signs and notices that are posted by or at the direction of a unit of government.
- F. Political signs, provided that the signs do not exceed thirty-two (32) square feet in area (except along State lettered or numbered roads where political signs shall not exceed ninety-six (96) square feet in area), are not erected more than ninety (90) days prior to the election, and are removed no later than fifteen (15) days after the election.
- G. Signs for home occupations provided that they are non-illuminated and do not exceed five (5) square feet in area.

### **Section 13.060. Signs in residential zone districts requiring a permit**

The following signs are permitted as indicated in the RA5, LR2, R40, R20, R10, R-7, PR1, and PR2 districts and require the issuance of a permit from the County:

- A. Church, school, public, charitable, institutional, or semi-public bulletin boards or signs not exceeding 150 square feet in area and located on the premises of said institution.
- B. Signs announcing a proposed development of property provided that they are temporary, non-illuminated, and 150 square feet or less in area. The signs shall be placed on said property and located outside of the required yard setback. The signs shall also be subject to the temporary use provisions of this UDO.
- C. Off-premise signs providing directions to a development of property provided that the sign is thirty-two (32) square feet or less in area. The signs shall also be subject to the temporary use provisions of this UDO.

## Article 13. Signs and Street Graphics

- D. Permanent signs for identification of a development provided that the signs are 100 square feet or less in area. Architectural features/treatments are exempt from the square footage calculation.

### **Section 13.070. General standards for signs and street graphics**

The following standards shall apply to all signs or street graphics located within unincorporated Jefferson County, except those exempted by this Article:

- A. Graphics or devices, that by color, placement, or design resemble or conflict with traffic control signs, are prohibited.
- B. No sign or street graphic shall contain flashing lights (except State or County road projects), intermittent lights, animators, or mechanical movements of any kind, except clocks. On-premise programmable electronic message boards are permitted, but may display a steady message type only. Within the steady message the following modes of operation are permitted: down scroll; up scroll; melt; grow; write-on; and, reverse. The use of fonts and pictorials within the steady message is permitted, but animators are prohibited. Off-premise static street graphics are permitted to have electronic message boards for time, temperature, and pricing.
- C. Signs and street graphics including supports shall be set back from any right of way or access easement at least ten (10) feet. If a sign or street graphic is located on a corner of an intersection it must be located a minimum of thirty (30) feet from the right of way or street easement at the intersection and at least ten (10) feet from any right of way or access easement, whichever is greater. Where the actual paved travel way is located at the opposite edge of the right of way, the County may permit the sign or street graphic to locate at the ten (10) foot setback line.

### **Section 13.075. Definitions**

- A. *Above-roof graphic* - A street graphic displayed above the peak or parapet of a building.
- B. *Activity* - An individual tenant, business, or other establishment.
- C. *Animation or animated (See also changeable copy and movement)* - The movement or the optical illusion of movement of any part of the street graphic structure, design, or pictorial segment, including the movement of any illumination or the flashing or varying of light intensity; the automatic changing of all or any part of the facing of a street graphic.
- D. *Architectural detail (See also signable area, wall and roof graphics)* - Any projection, relief, cornice, column, change of building material, window, or door opening on any building.

## Article 13. Signs and Street Graphics

- E. *Architectural, historic, or scenic area* - An area that contains unique architectural, historic, or scenic characteristics that require special regulations to ensure that signs and street graphics displayed within the area enhance its visual character and are compatible with it.
- F. *Awning* - A cloth, plastic, or other nonstructural covering that either is permanently attached to a building or can be raised or retracted to a position against the building when not in use.
- G. *Banner* - A graphic composed of a logo or design on a lightweight material either enclosed or not enclosed in a rigid frame and secured or mounted to allow motion caused by the atmosphere.
- H. *Bare-bulb illumination* - A light source that consists of light bulbs with a 20-watt maximum wattage for each bulb.
- I. *Billboard* - A permanent off-premise street graphic exceeding thirty-two (32) square feet in size. A billboard includes wall graphics, pole graphics on separate parcels, street graphics affixed to parked or placed vehicles or equipment, and other street graphics otherwise attached to structures or supported by braces on the ground.
- J. *Building* - A structure having a roof supported by columns or walls.
- K. *Canopy* - A structure other than an awning made of cloth, metal, or other material with frames affixed to a building and carried by a frame that is supported by the ground.
- L. *Changeable copy* - Copy that changes at intervals of more than once every six seconds.
- M. *Development* - Any land division or construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure or excavation, land disturbance or any use or extension of the use of land.
- N. *Directional sign* - A small sign or street graphic at the exit or entrance of a premises having two or more driveways. It designates the entrance, exit or other directional information.
- O. *External illumination* - Illumination of a sign or street graphic that is affected by an artificial source of light not contained within the sign or graphic itself.
- P. *Facade (See also signable area)* - The side of a building below the eaves.
- Q. *Facade, blank* - The side of a building below the eaves that is blank and does not have windows or architectural detail.

## Article 13. Signs and Street Graphics

- R. *Flashing illumination* - Illumination in which the artificial source of light is not maintained stationary or constant in intensity and color at all times when a street graphic is illuminated.
- S. *Graphic* - A street graphic or special street graphic, as defined by this Article.
- T. *Grand opening graphic* - A banner displayed on a premises on which a grand opening is in progress.
- U. *Ground graphic* - A street graphic supported by one or more uprights, posts, or bases placed upon or affixed in the ground and not attached to any part of a building. It includes a pole graphic and a monument graphic.
- V. *Height* - The vertical distance measured from grade at the edge of the adjacent right-of-way to the highest point of the street graphic. The height of any monument sign base or other structure erected to support or adorn the sign is measured as part of the sign height.
- W. *Illumination or illuminated* - A source of any artificial or reflected light, either directly from a source of light incorporated in, or indirectly from an artificial source, so shielded that no direct illumination from it is visible elsewhere than on and in the immediate vicinity of the street graphic.
- X. *Indirect illumination* - A source of external illumination, located away from the sign, that lights the sign, but which is itself not visible to persons viewing the sign from any street, sidewalk or adjacent property.
- Y. *Internal illumination* - A light source that is concealed or contained within the street graphic and becomes visible in darkness through a translucent surface.
- Z. *Item of information* - A word, logo, abbreviation, symbol, or geometric shape.
- AA. *Marquee* - A permanent structure other than a roof attached to, supported by, and projecting from a building and providing protection from the elements.
- BB. *Monument graphic* - A ground graphic permanently affixed to the ground at its base, supported entirely by a base structure, and not mounted on a pole.
- CC. *Movement (See also animation)* - Physical movement or revolution up or down, around, or sideways that completes a cycle of change at intervals of less than six seconds.
- DD. *Multi-use building* - A building consisting of four or more separate commercial uses.
- EE. *Multitenant or multibuilding complex* - A grouping of two or more business establishments that either share common parking on the lot where they are located, or

## Article 13. Signs and Street Graphics

that occupy a single structure or separate structures that are physically or functionally related or attached.

- FF. *Neon tube illumination* - A source of light for externally lit street graphics supplied by a neon tube that is bent to form letters, symbols, or other shapes.
- GG. *Nonconforming street graphic* - A street graphic that was lawfully constructed or installed prior to the adoption or amendment of this Article and was in compliance with all of the provisions of this Article then in effect, but which does not presently comply with this Article. A street graphic is nonconforming only if its size, height, or setback exceeds the size, height, and setback regulations in this Article by more than 10 percent. If a premises has more street graphics than this Article allows, any street graphic in excess of that number is nonconforming. The owner of the premises shall register with the Planning Division the street graphics it designates as nonconforming.
- HH. *Nonresidential zone district* - Property zoned for any use other than residential.
- II. *Occupant* - A use located in a multi-use building or shopping center.
- JJ. *Peak* - The highest point on a roof or the highest point on another architectural element that blocks the rear view of a street graphic.
- KK. *Pole graphic* - A freestanding street graphic that is permanently supported in a fixed location by a structure of poles, uprights, or braces from the ground and not supported by a building or a base structure.
- LL. *Portable graphic* - A street graphic not permanently attached to the ground or a building or designed to be permanently attached to the ground or a building.
- MM. *Premises* - The lot or lots, plots, portions, or parcels of land considered as a unit for a single use or development, whether owned or leased, and not located in a shopping center or multi-use building.
- NN. *Projecting graphic* - A street graphic attached to and projecting from the wall of a building and not in the same plane as the wall.
- OO. *Residential zone district* - Property zoned for single-family residential use (RA5, LR2, R40, R20, R10, and PR1) in Article 5 of this UDO.
- PP. *Roof graphic (See also above-roof graphic)* A street graphic that is displayed above the eaves and under the peak of a building.
- QQ. *Shopping center* - A commercial development under unified control consisting of four or more separate commercial establishments sharing a common building, or which are in separate buildings that share a common entranceway or parking area.

## Article 13. Signs and Street Graphics

- RR. *Sign* - A lettered, numbered, symbolic, pictorial, or illuminated visual display designed to identify, announce, direct, or inform the public or segment thereof.
- SS. *Signable area for projecting graphics and awnings* - (1) One area enclosed by a box or outline, or (2) within a single continuous perimeter composed of a single rectangle, circle, triangle, or parallelogram enclosing the extreme limits of characters, lettering, illustrations, ornamentations, or other figures.
- TT. *Signable area for roof and wall graphics* - One area free of architectural details on the facade of a building or part of a building, which shall include the entire area (1) enclosed by a box or outline, or (2) within a single continuous perimeter composed of a single rectangle, circle, triangle, or parallelogram enclosing the extreme limits of characters, lettering, illustrations, ornamentations, or other figures. A “facade” is the side of a building below the eaves.
- UU. *Size* - The total area of the face used to display a street graphic, not including its supporting poles or structures. If a graphic has two faces that are parallel, not more than two feet apart, and supported by the same poles or structures, the size of the graphic is one-half the area of the two faces.
- VV. *Special street graphic* - A street graphic, other than a ground, roof, or wall graphic, regulated by Section 13.080 of this Article.
- WW. *Street graphic* - A sign that is visible from a right-of-way providing access to the public. The term “street graphic” includes banners, pennants, streamers, moving mechanisms, and lights. Exempted street graphics are presented in Section 13.230.
- XX. *Structure* - Anything built that requires a permanent location. This term includes a building.
- YY. *Temporary sign or street graphic* – A non-permanent advertising display that directs attention to a business, development, or event and is intended to be used for a short, usually fixed period of time.
- ZZ. *Temporary weekend street graphic* – A non-permanent street graphic that advertises the sale, rent or lease of real estate, on-premise or off-premise, that does not exceed twelve (12) square feet in area, which is placed no earlier than Friday and shall be removed no later than Monday, unless Friday or Monday is an observed federal holiday in which case the street graphic may be placed the day before the Friday holiday or removed the day after the Monday holiday.
- AAA. *Temporary window graphic* - A window graphic displayed for a limited period of time.
- BBB. *Town center* - The business district, major shopping area, or community center of a PC, a PB or a PI zoning district. An Area of Special Character.

## Article 13. Signs and Street Graphics

- CCC. *Uniform plan for street graphics* - A master plan for street graphics for a multi-use building, shopping center, multi-tenant building, or multi-building complex.
- DDD. *Wall graphic* - A street graphic painted on or attached to a wall of a structure and in the same plane as the wall.
- EEE. *Window graphic* - A street graphic applied, painted or affixed to or in the window of a building. A window graphic may be temporary or permanent.

### **Section 13.080. On-premise street graphics in non-residential zone districts**

The following general design standards apply to all on-premise street graphics located in non-residential zone districts:

- A. Maximum height of street graphics shall not exceed that stated in the height requirements of the zone district the graphic is located in.
- B. Exterior lighting of street graphics shall be arranged to ensure that no light is cast upon property located in a residential zone district.
- C. All street graphics with the exception of temporary street graphics shall be fixed and non-moving.

The following on-premise street graphics are permitted in the NC1 and CC2 zone districts:

- A. All of the signs permitted in residential districts subject to the conditions stated.
- B. Wall or projecting advertising street graphics provided that they are fifteen (15) feet or less in area per street facing.
- C. One ground or pole advertising street graphic for each thirty (30) feet of frontage for a structure occupied by a single business per street facing. The total area of signage for a structure occupied by a single business shall not exceed a total of 50 square feet in area.
  1. Where a group of structures or a single structure contains more than one business, ground graphics shall be grouped and placed on a set of sign supports. Ground graphics advertising multiple businesses shall not exceed 50 square feet.
  2. Signage permitted as ground or pole graphics may be placed on the wall in lieu of the ground or pole graphic.

The following on-premise street graphics are permitted in the PB, PC, PI, and PM zone districts:

- A. All of the signs permitted in residential districts subject to the conditions stated.
- B. Wall or projecting advertising graphics provided that they are thirty (30) feet or less in area per street facing.

## Article 13. Signs and Street Graphics

- C. One ground or pole advertising graphic for each fifty (50) feet of frontage for a structure occupied by a single business per street facing. The total area of signage for a structure occupied by a single business shall not exceed a total of 175 square feet in area.
  - 1. Where a group of structures or a single structure contains more than one business, ground signs shall be grouped and placed on a set of sign supports. Ground signs advertising multiple businesses shall not exceed 300 square feet.
  - 2. Signage permitted as ground or pole signs may be placed on the wall in lieu of the ground or pole sign.

### **Section 13.090. Off-premise street graphics permitted in non-residential zone districts**

The following general design standards apply to all off-premise street graphics located in non-residential zone districts:

- A. All off-premise street graphics must be erected not less than twenty-five (25) feet nor more than 100 feet of depth from the adjoining right of way of the property upon which the graphics is located.
- B. No such street graphics shall be erected within 1,400 feet of any existing off-premise street graphics that is located on the same side of the street.
- C. No street graphics shall be located in such a manner as to obstruct or otherwise physically interfere with the effectiveness of an official traffic sign, signal, or device nor obstruct or physically interfere with a motor vehicle operator's view of approaching, merging, or intersecting traffic.
- D. All off-premise street graphics must be a minimum of ten (10) feet from all non-residential structures and cannot extend over any such structure.

The following off-premise street graphics are permitted in the NC1 and CC2 zone districts:

- A. Off-premise street graphics giving direction to any proposed development of property, provided that the graphics does not exceed thirty-two (32) square feet in area. The graphics shall also be subject to the temporary use provisions of this Order.
- B. Off-Premise street graphics for seasonal uses provided that the graphics does not exceed thirty-two (32) square feet or less in area. These graphics shall be one-sided, without electricity and separated from any other graphics located on that lot by at least 150 feet. Street graphics shall not remain on-site for more than 180 consecutive days.

The following off-premise street graphics are permitted in the PC, PB, PI and PM zone districts:

## Article 13. Signs and Street Graphics

- A. Advertising street graphics provided that they do not exceed sixty four (64) square feet in area. No advertising street graphics shall have more than two sides. No street graphics shall be placed above another such graphics.

Advertising street graphics shall only be permitted along all State routes designated by letters, except new Highway M, and shall meet a one thousand four hundred (1,400) foot spacing requirement on the same side of the street.

- B. Off-premise street graphics giving direction to any proposed development project, provided that the graphics does not exceed thirty-two (32) square feet in area. The street graphics shall also be subject to the temporary use provisions of this Order.

### **Section 13.100. Billboards**

Billboards shall be allowed only if in compliance with the following standards and this UDO. The following billboards are permitted in the PC, PB, PI and PM zone districts.

- A. Billboards that do not exceed 672 square feet in area per side and twenty (20) feet in height and fifty (50) feet in length excluding the base, apron, supports, and other structural members. No billboard shall have more than two sides. No billboard shall be placed above another such billboard.
- B. Billboards may be placed back-to-back, double faced, or in a “V”, with no more than two (2) sides of facings. Such structures shall be considered as one (1). No new billboard shall be erected having more than one (1) viewable face that is directed toward the same lane(s) of traffic.
- C. Billboards may be located only on parcels contiguous to the rights-of-way of Interstate 55, US Highways 61 and 67, and State Highways 30, 141 and 231 in unincorporated Jefferson County.
- D. No billboard shall be erected within five hundred (500) feet of a residence or two hundred fifty (250) feet of a vacant residential zone district or within fifty (50) feet of a non-residential structure regardless of the zone district.
- E. Billboards shall not be erected within one thousand four hundred (1,400) feet of any existing billboard that is located on the same side of the street. Distance in feet shall be measured from a point on the centerline of the highway right-of-way perpendicular to the billboard or street graphic then lineally down the centerline of the highway right-of-way to a point perpendicular to the next billboard or street graphic.
- F. No billboard shall be attached to the roof or wall of any building.
- G. Billboards may be illuminated by electrical lighting of the billboard face. However, no flashing, blinking, or intermittent lighting on or of billboard faces shall be allowed.

## Article 13. Signs and Street Graphics

- H. A billboard is a structure for the purposes of this UDO and all intensity, setback and other zone district regulations shall apply to the structure. Construction, reconstruction, or structural repair of a billboard requires both a street graphics permit and a building permit.

### **Section 13.110. Noncommercial signs and messages**

Any street graphic that can be displayed under the provisions of this Article may contain a noncommercial message.

### **Section 13.120. Reserved**

## Article 13. Signs and Street Graphics

### Section 13.130. Ground graphics

#### A. Where permitted.

A premise may display one ground graphic on each street or highway on which it has frontage in the following zoning districts: NC-1, CC-2, PC, PB, PM and PI. No such ground graphics may be located along a street frontage that is adjacent to property designated as single family residential in Article 5.

#### B. Size, setback, and height regulations.

Ground graphics must comply with the following size regulations: 40 square feet in the NC-1 zone district; 80 square feet in the CC-1 and PB zone districts, and; 160 square feet in the PC, PM and PI zone districts. Ground graphics must comply with the setback and height regulations in the respective zoning district. A premises that displays a monument graphic as its only ground graphic may increase its size by up to 20 percent.

#### C. Shopping Centers.

A shopping center may display one ground graphic at each exit and entrance. A ground graphic displayed by a shopping center may exceed the area limitations for ground graphics by 50 percent. Occupants within a shopping center may not display ground graphics.

#### D. Multi-Use Buildings.

A multi-use building may have one ground graphic facing each street or highway on which the building has frontage if no ground graphics are displayed by the occupants of the multi-use building. The maximum size restriction for such ground graphic may be increased by up to 50 percent if three or more occupants share the same ground graphic.

#### E. Landscaping.

A landscaped area located around the base of the ground graphic equal to 2.5 square feet for each square foot of ground graphic area, is required for all ground graphics. The landscaped area shall contain living landscape material consisting of shrubs, perennial ground cover plants, or a combination of both, placed throughout the required landscape area having a spacing of not greater than three feet on center. Where appropriate, the planting of required deciduous or evergreen trees, installed in a manner that frames or accents the ground graphics structure is encouraged.

**Section 13.140. Wall and roof graphics**

A. Where permitted.

In the following zoning districts, a premises, and each occupant of a shopping center or multi-use building, may display wall or roof graphics, or a combination of both, on walls or roofs adjacent to each street or highway on which it has frontage: NC-1, CC-2, PC, PB, PM, PI.

B. Signable area designation.

The person displaying the street graphic shall select one signable area on each facade of the building that has frontage on a street or highway. As used in this subsection, a “signable area” is an area (1) enclosed by a box or outline, or (2) within a single continuous perimeter composed of a single rectangle, circle, triangle, or parallelogram enclosing the extreme limits of characters, lettering, illustrations, ornamentations, or other figures.

C. Sign structure or graphic display area allowed.

The aggregate area of the wall and roof graphics a premises displays shall not exceed the following percentages of the signable area: A sign structure or graphic display area of sixty (60) percent of the signable area for street frontages, and a sign structure or graphic display area of forty (40) percent of the signable area for businesses that are pedestrian-oriented.

D. How displayed.

The sign structure or graphic display area may be displayed as one (1) or divided among two (2) or more wall or roof graphics.

E. Additional limitations.

Wall graphics may be painted on or attached to or pinned away from the wall but must not project from the wall by more than twelve (12) inches and must not interrupt architectural details. Roof graphics must not be more than twenty (20) feet from the ground.

**Section 13.150. Projecting graphics**

A. Where permitted.

A premises, and each occupant of a shopping center or multi-use building, that does not display a ground graphic may display one (1) projecting graphic on each street or highway frontage in the following zoning districts: PC, PB, PM, PI. A premises may display both ground and projecting graphics if only one of these graphics are more than six (6) feet in area.

B. Size of projecting graphics.

Projecting graphics must comply with the following size regulations: forty (40) square feet in the NC-1 zone district; sixty (60) square feet in the CC-1 and PB zone districts, and; one hundred (100) square feet in the PC, PM and PI zone districts. Projecting and marquee signs shall not project above the roofline or eighteen (18) feet, whichever is lower.

C. Signable area.

Any signable area selected for display as a projecting graphic shall not exceed and shall be subtracted from the signable area allocated to wall and roof graphics permitted for each premises and each occupancy under Section 13.050.

D. Additional limitations.

The following additional limitations apply to projecting graphics:

1. Projecting graphics must clear sidewalks by at least eight feet and may project no more than four (4) feet from a building or one-third (1/3) the width of the sidewalk, whichever is less.
2. Projecting graphics must be pinned away from the wall at least six (6) inches and must project from the wall at an angle of ninety (90) degrees.
3. Angular projection from the corner of a building is prohibited.
4. Projecting graphics may not extend vertically above the windowsill of a second story. Projecting graphics displayed by activities that have a room or auditorium seating of 200 or more persons may extend vertically from eight feet above the sidewalk to the roofline. Activities featuring live entertainment on the premises are exempt from all height limitations on projecting graphics. Projecting signs may be non-illuminated or externally illuminated only by down-directed and shielded fixtures and incandescent bulbs.

## Article 13. Signs and Street Graphics

### Section 13.160. Awnings

#### A. Where permitted.

A premises, and each occupant of a shopping center or multi-use building, may display an awning on each street or highway frontage in the following zoning districts: NC-1, CC-2 and PM.

#### B. Signable area.

A street graphic may be displayed on one signable area selected for display on an awning. It shall not exceed forty (40) percent of the area of the principal face of the awning and shall be subtracted from the signable area selected for wall and roof graphics permitted for each premises and each occupancy under Section 13.050. A signable area:

1. Shall not project above, below, or beyond the edges of the face of the building wall or architectural element on which it is located, or beyond the edges of the awning on which it is displayed.
2. Shall not extend horizontally a distance greater than sixty (60) percent of the width of the awning on which it is displayed.

#### C. Height and width.

Awnings must clear sidewalks by at least eight (8) feet and may extend to within one (1) foot of the vertical plane formed by the curb or the right-of-way line. Awnings may be non-illuminated or externally illuminated only by down-directed and shielded fixtures and incandescent bulbs. See also Section 13.180 below.

### Section 13.170. Special street graphics

#### A. Grand opening graphics.

A premises, or an occupant of a shopping center or multi-use building, may display one grand opening graphic, not exceeding twenty (20) square feet in area or eight (8) feet in height, for no more than fourteen (14) days during any twelve (12) consecutive calendar months.

#### B. Window graphics.

A premises, or an occupant of a shopping center or multiuse building, may display permanent window graphics not to exceed fifteen (15) percent of the window area of the facade of the building; and temporary window graphics, not to exceed an additional fifteen (15) percent of the facade of the building, for no more than fourteen (14) days during any twelve (12) consecutive calendar months.

#### C. Directional graphics.

## Article 13. Signs and Street Graphics

A premises, or an occupant of a multi-use building, may display one (1) directional graphic at each entrance to or exit not more than two (2) square feet on two-lane streets or highways and on any highway with a posted travel speed less than 35 miles per hour, and not more than four (4) square feet on multi-lane roads and on any highway with a posted travel speed greater than 35 miles per hour.

### **Section 13.180. Illumination and movement**

#### **A. Illumination and movement prohibited.**

Generally a street graphic may not be animated or have changeable copy, and may not have exposed neon tube, bare-bulb or flashing illumination.

#### **B. Illumination and movement permitted.**

A street graphic may be animated and may have changeable copy, and may be illuminated with bare-bulb, neon tube, or flashing illumination in the following zoning districts: PC, PB, and PM.

#### **C. Illumination requirements.**

A permanent street graphic may be non-illuminated, illuminated by internal, internal indirect or external indirect illumination. Street graphics that are externally lit shall be illuminated only with steady, stationary, down-directed, and shielded light sources directed solely onto the sign.

#### **D. Glare.**

Any lighting fixture on a street graphic that is located within ten (10) feet of a property line of a residential zoning district or an existing residential use, or within ten (10) feet of a public right-of-way, except as permitted by this Article, shall be:

1. aimed away from the property line, residential use, or zoning district, or public right-of-way;
2. classified as IESNA (Illuminating Engineering Society of North America) Type III or Type IV lighting fixture; and
3. shielded on the side closest to the property line, residential use, zoning district, or public right-of-way.

The source of illuminance (lamp) from any fixture, including interior fixtures visible through windows, shall not create disability glare on adjacent properties.

## Article 13. Signs and Street Graphics

### **Section 13.190. Items of information allowance**

#### A. Items of information allowed.

Each street graphic displayed on a premises or by an occupant of shopping center or multi-use building may contain up to ten (10) items of information.

#### B. Exclusions.

The following do not count as items of information:

1. Letters three (3) inches or less in height.
2. Letters carved into or securely attached in such a way that they are:
  - a. not illuminated apart from the building, are not made of a reflecting material, and do not contrast sharply in color with the building; and
  - b. do not exceed two (2) inches in thickness.
3. Changeable copy

#### C. Supplementary Provision Allowing Additional Items of Information.

At the discretion of the Director, display of additional items of information may be allowed in the approval of a Program for Graphics or in Areas of Special Character.

### **Section 13.200. Areas of Special Character**

#### A. Designation.

This Article cannot adequately regulate all street graphics in an area as diverse as the County of Jefferson. The County Commission, after notice and hearing, may therefore designate any of the following areas as Areas of Special Character: architectural, historic or scenic areas; commercial areas or shopping centers; village development pattern centers, and; mixed use development pattern areas.

#### B. Zoning map.

The Planning Division shall maintain and continually revise the zoning maps of the County of Jefferson on which the Planning Division shall indicate the boundaries of all designated Areas of Special Character.

## Article 13. Signs and Street Graphics

### C. Special regulations.

The County Commission may adopt special regulations for street graphics in Areas of Special Character that shall be consistent with the spirit, personality, nature and charm of the Area of Special Character.

### D. Effect of special regulations.

Special regulations for Areas of Special Character shall supersede and may be either more or less restrictive than the regulations for street graphics contained in this Article. As an alternative to the adoption of special regulations, the Planning and Zoning Commission ("Planning Commission") may approve a graphics plan providing for a coordinated visual program for street graphics in an Area of Special Character.

### E. Graphics Plans for Areas of Special Character.

The Planning Commission may approve a street graphics plan for an Area of Special Character. The street graphics plan shall contain visual representations of the lettering, illumination, color, area and height of street graphics and may also indicate the areas and buildings where they may be placed and located. The street graphics plan may also contain special regulations authorizing the display of street graphics in the Area of Special Character. The special regulations may incorporate by reference the visual representation of street graphics in the street graphics plan. The Planning Commission may approve a street graphics plan if the street graphics illustrated in the plan and authorized by any special regulations included in the plan are consistent with the purposes of this Article and the character of the Area of Special Character. An approved street graphics plan shall supersede and may be either more or less restrictive than the regulations contained in this Article.

### F. Programs for Street Graphics.

The Planning Commission may approve a Program for Graphics in an Area of Special Character as authorized by Section 13.110.

## **Section 13.210. Programs for graphics**

### A. Purpose.

A Program for Graphics is a creative incentive for a unified visual statement that integrates the design of street graphics with the design of the building on which they will be displayed and with the surrounding area.

### B. When allowed.

The owners of one (1) or more adjacent premises, or one (1) or more occupants of a shopping center or multi-use building, not located in an Area of Special Character, may

## Article 13. Signs and Street Graphics

submit a Program for Graphics to the Planning Division that need not comply with some or all of the requirements of this Article. The Program for Graphics shall contain a visual representation of the lettering, illumination, color, size, height, placement, and location of the street graphics proposed for display.

### C. Standards for approval.

The Planning Division may approve a Program for Graphics if the street graphics visually represented in the Program are:

1. consistent with the purposes of this Article; and
2. compatible with the theme, visual quality, and overall character of the surrounding area or an Area of Special Character, if the street graphics included in the Program for Graphics are located in such an area; and
3. appropriately related in size, shape, materials, lettering, color, illumination, and character to the function and architectural character of the building or premises on which they will be displayed, and are compatible with existing adjacent activities.

### D. Display of street graphics.

A premises or occupancy for which the Planning Division has approved a Program for Graphics shall only display street graphics that comply with the approved program.

### **Section 13.220. Street graphics prohibited**

The following street graphics are prohibited:

- A. Graphics that by color, location, or design resemble or conflict with traffic control signs or signals.
- B. Street graphics attached to light poles or standards.
- C. Portable street graphics.
- D. Above-roof graphics.

### **Section 13.230. Street graphics exempt**

The following content-neutral street graphics are exempt from the regulations contained in this Article:

- A. Street graphics required by law.

## Article 13. Signs and Street Graphics

- B. Any graphic integrated into or on a coin-operated machine, vending machine, gasoline pump, or telephone booth.
- C. A street graphic that cannot be viewed from a street right-of-way.
- D. A street graphic carried by a person.

### **Section 13.240. Variances**

- A. Variance authorized.

The Board of Zoning Adjustment may grant variances from the regulations contained in this Article:

- 1. To permit a setback for a street graphic that is up to twenty five (25) percent less than the required setback, and
- 2. To permit the area or height of a street graphic to be increased by up to twenty five (25) percent more than the maximum height or area allowed.

- B. Approval standards.

The Board may grant a variance authorized by this Section if it finds the variance requested is required by special or unique hardship because of:

- 1. exceptional narrowness, shallowness, or shape of the premises on which a street graphic is located; or
- 2. exceptional topographic conditions or physical features uniquely affecting the premises on which a street graphic is located.

A showing that the display of a street graphic would be more profitable or the street graphic would be more valuable is not a special or unique hardship as required by this Section.

- C. Additional requirements.

The Board shall grant a variance only if it also finds that the variance is consistent with the Official Master Plan and there are no other reasonable alternatives for displaying a street graphic permitted by this Article if the variance is not granted. The Board shall not grant a variance solely because the display of a street graphic would be more profitable if the variance was granted.

### **Section 13.250. Nonconforming street graphics**

- A. Change and modification.

## Article 13. Signs and Street Graphics

A nonconforming street graphic or street graphic structure shall be brought into conformity with this Article if it is altered, reconstructed, replaced, or relocated. A change in copy is not an alteration or replacement for purposes of this subsection.

### B. Maintenance.

Nonconforming street graphics must be maintained in good condition in accordance with Article 15 of this UDO. Maintenance required by this Subsection shall include replacing or repairing of worn or damaged parts of a street graphic or street graphic structure in order to return it to its original state, and is not a change or modification prohibited by Section 13.130.

### C. Removal.

Removal of a nonconforming street graphic, or replacement of a nonconforming street graphic with a conforming street graphic is required when:

1. A nonconforming street graphic, or a substantial part of a nonconforming street graphic, is blown down, destroyed, or for any reason or by any means taken down, altered, or removed. As used in this subsection, "substantial" means fifty (50) percent or more of the entire street graphic structure; or
2. The condition of the nonconforming street graphic or nonconforming street graphic structure has deteriorated and the cost of restoration of the street graphic to its condition immediately prior to such deterioration exceeds fifty (50) percent of the value of the street graphic or street graphic structure prior to its deterioration; or
3. The use of the nonconforming street graphic, or the property on which it is located, has ceased, become vacant, or been unoccupied for a period of 180 consecutive days or more. An intent to abandon is not required as the basis for removal under this subsection; or
4. There is a change in tenant or change in ownership of the premises on which the nonconforming street graphic is located; or

### D. Street graphic permit.

Any permit issued for a street graphic under this Article shall require that any nonconforming street graphic displayed on the premises for which the permit is issued shall be modified or removed to conform to the provisions of this Article.

### E. Development permit.

## Article 13. Signs and Street Graphics

Any county permit that authorizes the development of a premises, any building addition, or any exterior structural remodeling of a building facade on which a nonconforming street graphic is located, shall require all nonconforming street graphics on the premises for which the permit is issued to be brought into conformity with the provisions of this Article.

### F. Separation.

No street graphic that is nonconforming solely because it violates a requirement for the spacing of ground graphics shall be required to eliminate that nonconformity if compliance with the spacing regulation on the premises is not possible.

### Section 13.260. Permits

#### A. Permit required.

No person shall erect or display a sign or street graphic unless the Planning Division has issued a permit for the sign or street graphic or this section exempts the sign or street graphic from the permit requirement.

#### B. Application.

A person proposing to erect or display a sign or street graphic shall file an application for a permit with the Planning Division. The application shall contain the following:

1. The name, address, and telephone number of sign contractor and the owner and occupant of the premises where the sign or street graphic is to be erected or displayed; the date on which it is to be erected or displayed; the zoning district and the Area of Special Character, if any, in which it is located; and any variance that has been approved.
2. A drawing to scale that shows:
  - a. all existing signs or street graphics displayed on the premises;
  - b. the location, height, and size of any proposed signs or street graphics;
  - c. the items of information proposed to be displayed; and
  - d. the percentage of the signable area covered by the proposed signs or street graphics.

This information is not required if a Program for Graphics has been approved for the premises or occupancy on which the street graphic will be erected or displayed if the approved Program for Graphics is attached to the application.

3. Specifications for the construction or display of the sign or street graphic and for its illumination and mechanical movement, if any, are to be provided.

## Article 13. Signs and Street Graphics

### C. Uniform plan for street graphics.

The plan must be approved by the Planning Division before any street graphics for the development may be erected on the premises. The plan shall govern the placement and design of all street graphics on the premises as to size, location, height, width, and setback. All tenants of the premises, whether an owner, lessee, subtenant, or other occupant, shall comply with the approved uniform plan for street graphics.

### D. Review and time limits.

The Director shall promptly review the application upon the receipt of a completed permit application and upon payment of the permit fee by the applicant. The Director shall grant or deny the permit application within twenty (20) days from the date the completed application and permit fee was filed with the Director.

### E. Approval or denial.

The Director shall approve a permit for the sign or street graphic if it complies with the building, electrical or other adopted codes of the County of Jefferson and with:

1. The regulations for signs or street graphics contained in this Article and any variance that has been granted from these regulations, and
2. Any special regulations that have been adopted for an Area of Special Character, and
3. Any Program for Graphics that has been approved under this Article.

If the Director does not approve a permit for the sign or street graphic, the Director shall state the reasons for the denial in writing and shall send said written reasons for denial to the address of the applicant stated on the application.

### F. Appeals.

Any applicant who is denied a permit for the display of a sign or street graphic may file a written appeal to the Board of Zoning Adjustment according to the procedures in Article 17.

### G. Fees.

The fees for permit applications are found in the “Jefferson County Schedule of Fees for Planning and Zoning Activities”.

### H. Exemptions.

The following street graphics are exempt from the permit requirement:

## Article 13. Signs and Street Graphics

1. A street graphic specifically exempted from the provisions of this Article.
2. A temporary window graphic.
3. A street graphic that is a permanent architectural detail of a building.
4. A temporary weekend street graphic.

### **Section 13.270. Enforcement**

With or without the initiation of criminal prosecution or any other legal remedies, the County may apply to the appropriate court for injunctive relief, which would require the correction of abatement of any violation of this Article. The initiation or exhaustion of one of these enforcement proceedings shall not be a prerequisite to the initiation of any other of these enforcement proceedings. Different types of enforcement proceedings may be pursued concurrently.