

## ARTICLE VII – DEFINITIONS

**ANIMATED.** The use of movement, lighting, or special ~~materials-effects~~ to depict action or create a ~~special effect to animate~~ the appearance of movement.

## ARTICLE XV - SIGN REGULATIONS

**SECTION 15.0** - SCOPE AND INTENT OF REGULATIONS: The regulations set forth herein shall apply and govern signs in all zones except as otherwise specifically provided within this ordinance.

This article codifies content-neutral sign standards that allow for signage for residential, professional office, business, hospitality, and industrial activities while promoting

- The vintage appeal of Bellevue’s historic districts for residents and visitors;
- Minimize visual pollution;
- Reduced distracted driving and traffic hazards that can cause wrecks and injuries
- A fair environment for sign advertisers.

**SECTION 15.1** GENERAL RULES, REGULATIONS, AND LIMITATIONS:

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

D. ~~Time Schedule for Compliance of Sign Regulations: Compliance with the provisions of this article of the ordinance shall be according to the following time schedule~~All new signs shall comply when erected or substantially improved.;

~~• All new signs shall comply when erected.~~

E. No sign constituting a nuisance, because of light, glare, focus, noise, animation, flashing, intensity of illumination as to unduly disturb the use of surrounding properties, as determined by the Zoning Administrator, or causing a traffic hazard, shall be erected, maintained, or continued in any zone.

F. No radio, phonograph, tape recorder, whistle, bell, gong, siren, or other sound or noise-making or transmitting device or instrument shall be permitted or continued in connection with any sign, or may ~~it~~ be used separately for the purpose of advertising ~~purposes~~ in any zone.

G. No sign shall be erected, maintained, or continued which constricts restricts the flow of air through any window or door.

~~H. No sign shall be erected, maintained, or continued which is misleading, fraudulent, obscene, immoral, indecent, or unsightly in character, as determined by the Zoning Administrator.~~

~~I. No advertising sign, except those of a governmental entity, shall be erected, maintained, or continued unless the name of the company or person owning, maintaining, or erecting said sign is plainly displayed thereon. Said provision shall go into effect ninety (90) consecutive calendar days after the effective date of this ordinance.~~

~~J.H.~~ No sign shall be erected, maintained, or continued over or into any street, public way, or alley right-of-way, unless specifically provided for in~~within~~ this Ordinance.

~~K.I.~~ It shall be unlawful and a violation of this Ordinance for any person to fasten, place, paint, or attach in any way, any sign, handbill, poster, advertisement, or notice of any kind, whether political or otherwise, or cause the same to be done in or upon any curb-stone, lamp post, telephone pole, telegraph pole, electric light or power pole, hydrant, bridge, culvert, public drinking fountain, public trash container, courtesy benches, rest station building, tree, or in or upon any portion of any public sidewalk, street or sign, except as specifically permitted under~~within~~ this Ordinance.

~~L.J.~~ No sign shall be erected, maintained, or continued upon the inside of a curve of a street or alley that causes any interference to sight distance in the opinion of the Zoning Administrator.

~~M.K.~~ No sign shall be erected, maintained, or continued displaying flashing or intermittent lights, or lights ~~of~~ changing degrees of intensity, with changes alternating on a not less than a ~~five-five-~~ second cycle.

~~N.L.~~ No sign shall be erected, maintained, or continued in any zone which does not comply fully with Section 15.0 of this ordinance, except as specifically permitted within this Ordinance.

~~O.~~ No sign shall be erected, maintained, or continued in any zone except as provided for in Section 15.1 (D), unless the sign complies with all of the following regulations:

- ~~1. Is erected and maintained to advertise a use specifically permitted in the zone in which the sign is located or for a nonconforming use subject to the limitations contained in Section 9.12 (E) of this ordinance, regarding nonconforming uses.~~
- ~~2. Is clearly incidental, customary to and commonly associated with the operation of the use being advertised.~~
- ~~3. Is established and controlled under and by the same ownership as the use being advertised.~~
- ~~4. Is limited in location to the premises on which the use being advertised is located.~~
- ~~5. Is limited in subject matter to the name, design, picture or phone number and address of owner, operator, builder, sales agent, managing agent, lessor, lessee, of the premises or of the activities (including merchandise handled or services rendered) on the premises on which such sign is located and does not include any general commercial advertising unrelated to or extending in substantial degrees beyond the specifically permitted subject.~~
- ~~6. Compliance with the exemptions listed in Section 15.2 of this article of the ordinance.~~

~~P.O.~~ When any sign becomes defective or dangerous, as determined by the Code Enforcement Officer, building department~~the City Administrator, or~~ the Zoning Administrator shall have ~~the power and~~ the authority to remove or cause to have removed such sign when the owner or agent has failed to comply with the order within the time specified by the City Administrator or Zoning Administrator to repair or make said sign safe or has failed to satisfy the ~~building department~~ Code Enforcement Officer that the sign is not defective or dangerous. The owner or agent of said sign shall bear the full costs of such removal and shall be billed accordingly. If the Code Enforcement Officer or City Administrator ~~building department~~ determines that said sign is of ~~possible~~ immediate danger to persons ~~or vehicles~~ or property, ~~which may be passing nearby,~~ the Code Enforcement Officer or City Administrator ~~Zoning Administrator~~ shall place or cause to have placed, signs and/ or barriers indicating such danger.

~~Q.P.~~ Whenever any sign, which does not comply with the provisions and regulations of this ordinance, collapses, burns, or if said sign is removed from its location, except for normal maintenance, said sign shall not be replaced or reconstructed, except in full compliance with all ~~of the~~ provisions and regulations of this ordinance.

~~R.Q.~~ The Zoning Administrator shall have the ~~power and~~ authority to remove or cause to have removed any and all signs which have been determined to be a traffic hazard, when the owner or agent responsible for the maintenance of said sign has failed to eliminate ~~such the~~ traffic ~~hazard~~ hazards within two (2) weeks from the date that ~~a~~ the written notice is ~~given. mailed by~~ the Zoning Administrator. Said owner or agent shall bear the full costs of such removal and shall be billed accordingly.

~~S.R.~~ Except as otherwise specified in this ordinance, signs shall be in conformance with the building code, where applicable, and shall be subject to the inspection and approval by the Code Enforcement Officer, the City Administrator, or the Zoning Administrator. ~~Building Inspector.~~

~~T.~~ ~~Off premise signs shall not be permitted.~~

**SECTION 15.2** - SPECIAL SIGNS: The following types of signs are permitted in any zone without a fee or an application for a sign permit, as provided in Section 15.4.

~~A.~~ ~~One (1) real estate sign per acre not exceeding twelve (12) square feet in outside area; single or double faced; maximum height of eight (8) feet, which advertises the sale, rental or lease of the premises on which said sign is located. Said sign shall not be animated; may be illuminated but only by a concealed light source, and only until 10:00 PM. Such signs shall be removed by owners or agent within ten (10) consecutive calendar days after the sale, rental, or lease of the premises.~~

~~B.~~ ~~Professional nameplates not exceeding one (1) square foot in outside area; single or double faced. Shall not be animated nor illuminated.~~

~~C.~~ ~~Bulletin boards not over twenty (20) square feet in outside area; single or double faced; maximum height of six (6) feet above grade, for public, charitable, or religious institutions when the same is located on the premises of said institution. Said sign shall not be animated; may be illuminated, but only by a concealed light source, and only until 10:00 PM.~~

~~D.~~ ~~Signs not over twenty (20) square feet in outside area; single or double faced; maximum height of eight (8) feet, denoting the person/firm, architect, engineer, or contractor, when placed upon the premises where construction work is being performed. Said sign shall be removed by owner~~

~~or agent within ten (10) consecutive calendar days after completion of project or that person/firm's part of the project.~~

~~E.A.~~ Memorial signs or tablets, ~~containing the name of the building and the date of erection~~ when built into the walls of the building and constructed of bronze, brass, marble, stone, or other ~~non-combustible~~incombustible materials.

~~F.B.~~ Traffic signs, provided that said signs are designed and located in accordance with the "Manual on Uniform Traffic Control Devices for Streets and Highways", U.S. Department of Transportation, Federal Highway Administration.

~~G.C.~~ Temporary signs, where permitted or required by the City Administrator or Zoning Administrator, to fulfill requirements of this ordinance or other resolutions or regulations imposed by a ~~government~~governmental entity.

~~H.D.~~ Repainting or cleaning of an advertising sign structure or the changing of the advertising copy or message thereon, unless a structural change is made.

~~I.~~ ~~Special event signs advertising activities of non profit organizations. Said signs shall not be up more than thirty (30) days prior to the event and shall be removed ten (10) days after the event. Permission for the use, size and location(s) of these signs shall be obtained from the city council.~~

~~J.~~ ~~Political signs for candidates for public office. Such signs, either single or double faced, cannot exceed ten (10) square feet and must be up only sixty (60) days prior to the election and must be removed ten (10) days after the election is held.~~

~~K.E.~~ Sandwich Board signs may be installed in accordance with Section 9.30. ~~(D)(1)(a).~~

~~L.~~ ~~Flat or ground / monument sign, single or double faced used for the temporary advertising of development, new construction, or the sale, lease, rental, remodeling and re-building of designated structures or a designated land area and shall be regulated according to the following:~~

~~1.~~ ~~Such signs cannot exceed twelve (12) square feet or the total area of all signs in a single designated land area shall not exceed in square feet the product of the number of acres, or fraction of acres, in the designated land area multiplied by twenty five (25), provided, however, that the aggregate area of any such sign or signs may have an area of at least six (6) square feet, and provided further, that no single sign shall have an area of more than thirty five (35) square feet on premises of already developed use or an area of not more than seventy five (75) square feet on premises not developed.~~

~~2. The sign shall be up a maximum of 182 consecutive calendar days and may be renewed for an additional 182 consecutive calendar days after completion of the project.~~

~~3.F.~~ The sign shall be located only on the premises of the property being advertised.

~~4. No part of the sign shall be closer than five (5) feet to any property line.~~

**SECTION 15.3** - SIGN PERMIT REQUIRED FOR ERECTION OF SIGNS: No sign shall be erected, except as exempted or specified within this ordinance, until all required fees have been paid to the proper authorities or their agents and a permit has been issued ~~for such by the building department.~~

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

**SECTION 15.4** - APPLICATION FOR A SIGN PERMIT

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

**SECTION 15.5 - SIGN PERMIT FEES:** The fee for a sign permit shall be as provided for in the building code or as otherwise established by [City Council](#)~~the legislative body~~.

**SECTION 15.6 - CLASSIFICATION OF SIGNS:** The following classification of signs shall be deemed to include all signs permitted in any zone unless other signs are specifically listed and provided for. ~~The Zoning Administrator shall determine the classification of all signs (Permitted use and location of signs—see Section 15.7).~~

- A. CLASS 1: Flat, ground / monument or pole / pylon sign; single or double faced.
1. MAXIMUM SIZE OF SIGN: Six (6) square feet.
  2. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN: Five (5) feet.
  3. LIMITATION ON NUMBER OF SIGNS: One (1) sign for each curb cut plus any number within the off-street parking areas.
  4. OTHER LIMITATIONS:
    - a. May be illuminated but only from a concealed light source and shall not be flashing, glaring, nor animated.
    - b. ~~Shall be limited in subject matter to off-street parking directions and instructions and shall have no advertisements, company emblems or company logos displayed.~~
- ~~c.b.~~ No part of any ground / monument or pole / pylon sign shall be closer than five (5) feet from any property line.
- B. CLASS 2: Individual letter sign; single faced only.
1. MAXIMUM SIZE OF SIGN:
    - a. One (1) square foot of area for each horizontal linear foot of building wall upon which the sign or signs are to be located.
    - b. Maximum size of letters shall be thirty-six (36) inches in height.
  2. MAXIMUM HEIGHT: Attached flat to building, but no part of the sign shall extend above the top or ends of the wall surface on which the sign is placed.

3. LIMITATIONS ON NUMBER OF SIGNS:

- a. Buildings containing one business tenant space: One (1) sign.
- b. Buildings containing multiple business tenants with a common entrance: One (1) sign.
- c. Buildings containing multiple business tenants with a separate entrance for each tenant space: One (1) sign per tenant space.

4. OTHER LIMITATIONS:

- a. Shall be neither flashing, nor animated.
- a. May be illuminated, but only from a concealed light source.
- b. Shall not extend outward from the building wall more than twelve (12) inches.

C. CLASS 3: Flat sign; single faced only.

- 1. MAXIMUM SIZE OF SIGN: One (1) square foot of area for each horizontal linear foot of building wall upon which the sign or signs are to be located;
- 2. MAXIMUM HEIGHT: Attached to building, but no part of the sign shall extend above the top or ends of the wall surface on which the sign is placed.

3. LIMITATIONS ON NUMBER OF SIGNS:

- a. Buildings containing one business tenant space: One (1) sign.
- b. Buildings containing multiple business tenants with a common entrance: One (1) sign.
- c. Buildings containing multiple business tenants with a separate entrance for each tenant space: One (1) sign per tenant space.

4. OTHER LIMITATIONS:

- a. Shall be neither flashing nor animated.
- b. May be illuminated, but only from a concealed light source.
- c. Shall not extend outward from the building wall more than twelve (12) inches.



D. CLASS 4: Flat, painted, awning or projecting sign; single or double faced.

1. MAXIMUM SIZE AND NUMBER OF SIGNS:

- a. Buildings containing one business tenant space: One (1) sign per street frontage equal to one (1) square foot per linear foot of building wall not to exceed twenty (20) square feet.
- b. Buildings containing multiple business tenants with a common entrance – one (1) sign per street frontage equal to one (1) square foot per linear foot of building wall not to exceed thirty (30) square feet.
- c. Buildings containing multiple business tenants with a separate entrance for each tenant space: One (1) sign per tenant space equal to one (1) square foot per linear foot of building wall not to exceed twenty (20) square feet.

2. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN: Attached to building, but no part of the sign shall extend above the top or ends of the wall surface on which the sign is placed. Projecting or awning signs shall be a minimum of eight (8) feet above any public sidewalk and may extend into the public right-of-way over the sidewalk up to one-half of the width of the sidewalk.

3. OTHER LIMITATIONS:

- a. Shall be neither flashing nor animated.
- b. May be illuminated.
- c. Shall not have removable or interchangeable letters.

E. CLASS 5: Ground / Monument sign; single or double faced.

1. MAXIMUM SIZE OF SIGN: Thirty (30) square feet.

2. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN: Ten (10) feet.

3. LIMITATIONS ON NUMBER OF SIGNS:

- a. One (1) sign may be erected for each street frontage of the lot or building site on which the primary permitted use is located.
- b. ~~One (1) sign may be erected for identification purposes of a residential development for each major entrance.~~

4. OTHER LIMITATIONS:

- a. Shall be neither flashing nor animated;
- b. May only be illuminated from a concealed light source;
- c. No part of the sign shall be closer than five (5) feet from any property line.

F. CLASS 6: Pole / Pylon sign; single or double faced.

- 1. MAXIMUM SIZE OF SIGN: One hundred fifty (150) square feet.
- 2. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN: Thirty (30) feet.
- 3. LIMITATION ON NUMBER OF SIGNS:
  - a. One (1) sign may be erected on each abutting major street identifying a shopping complex of three (3) or more businesses located in a unified building or an attached group of buildings.

4. OTHER LIMITATIONS:

- a. Shall be neither flashing nor animated.
- b. May only be illuminated from a concealed light source.
- c. No part of the sign shall be closer than five (5) feet from any property line.

G. CLASS 7: Canopy sign.

- 1. MAXIMUM SIZE OF SIGN: One hundred and fifty (150) square feet.
- 2. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN: Thirty (30) feet.
- 3. OTHER LIMITATIONS:
  - a. May be illuminated.
  - b. May extend over the sidewalk within the public right-of-way provided that structure does not extend beyond the edge of the sidewalk over the street pavement.

- c. The sign shall be attached flat to the surface of the canopy and shall not extend above or below the surface of the canopy.

H. CLASS 8: Reader Board / Marquee sign.

1. LIMITATIONS:

- a. Only one (1) reader board / marquee sign shall be permitted.
- b. Shall be attached to and made a part of the class 5 or class 6 signage permitted within the zone.
- c. The reader board / marquee shall consist of up to a maximum of 50% of the total allowable square footage of the class 5 sign.
- d. The reader board / marquee shall consist of up to a maximum of 25% of the total allowable square footage of the class 6 sign.

**SECTION 15.7 - PERMITTED USE AND LOCATION OF SIGNS:** The following classes of signs may be erected and maintained in the following zones, unless otherwise specifically provided for within this Ordinance only one (1) sign per class is permitted:

- A. Conservation Zone (CO): Class 2 and Class 3 Off-street parking areas: Class 1
- B. Residential Zones (R-1A, R-1B, R-1C, R-1H, R-2, R-3): Nameplate Sign
- C. Neighborhood Commercial Zones (NC-1\*, NC-2\*): Class 4, Class 5, and Class 7 Off-street parking areas: Class 1
- D. Neighborhood Commercial Zone (NC-3): Class 4, Class 5, Class 7 and Class 8 Off-street parking areas: Class 1
- E. Commercial – One Zone (C-1): Class 2 or Class 3; and Class 5 and Class 8 Off-street parking areas: Class 1
- F. Shopping Center Zone (SC): Class 2 or Class 3; and Class 5, Class 6, and Class 8 Off-street parking areas: Class 1
- G. Industrial Zone (I): Class 2 or 3; and Class 6 Off-street parking areas: Class 1

\* Signs within NC (HP) zones shall receive a Certificate of Appropriateness per the Taylor's Daughters/Fairfield Avenue Design Review Guidelines.

## **SECTION 15.8 - TEMPORARY ADVERTISING DISPLAY PERMITS:**

Temporary devices ~~utilized~~ for advertising or attracting attention to a permitted use in ~~at~~ the Mixed Land Use (MLU) Zoning district, Industrial-One (I-1) Zoning district, Neighborhood Commercial -Three (NC-3) Zoning district or Shopping Center (SC) Zoning district, Commercial One (C-1) Zoning district, T5 ~~of~~ T5.5 Zoning district, when not part of a sign, shall be permitted in accordance with the following regulations. EXCEPTION: Grand Openings-

1. A Temporary Advertising Display Permit shall be obtained prior to the outdoor placement of any combination of balloons, banners, pennants, flags, ribbons, streamers, spinners or other devices intended to attract attention to the use advertised. ~~The Temporary Advertising Display Permit shall contain the dates the advertising devices will be utilized.~~
2. Temporary Advertising Displays shall not exceed the height limitation as specified in Section 10.16 (C)(7) for location in the Industrial-One (I-1) zone, Section 10.12 (D)(6) for location in the Neighborhood Commercial-Three (NC3) zone and Section 10.13 (D)(3) for location in the Shopping Center (SC) zone and Section 10.17 (D)(4) for location in the Commercial-One (C)(1) zone.
3. Posters, pennants or similar devices shall not exceed fifteen (15) square feet.
4. Balloons or similar devices shall not exceed 545 cubic feet.
5. Banners shall be regulated as follows:
  - a. Buildings containing one business tenant space or buildings containing multiple business tenant spaces with a common entrance: One (1) banner shall be permitted.
  - b. Buildings containing multiple business tenants with a separate entrance for each tenant space: ~~One (1) banner shall be permitted per tenant space.~~
  - c. Shall not exceed twenty (20) square feet.
  - d. Shall not be illuminated.
  - e. Shall not extend over the public right-of-way, including public sidewalks.
  - f. Shall be attached parallel to the façade of the building and shall not extend over the roof or sides of the building.

- g. In addition to the zoning districts listed in Section 15.8 above, banners may also be located in the Neighborhood Commercial-One (NC-1) and Neighborhood Commercial-Two (NC-2) zones.
- 6. A Temporary Advertising Display Permit shall allow for the use of temporary advertising devices for a maximum of fifteen (15) days. An establishment shall be allowed four (4) Temporary Advertising Displays in any one calendar year.
- 7. Temporary Advertising Displays shall not be permitted in any public right-of-way and shall meet safety and performance requirements as specified by the Zoning Administrator.
- 8. Any time a Temporary Advertising Display becomes dilapidated, in the opinion of the Zoning Administrator, the Zoning Administrator shall require the display to be immediately repaired or removed.
- a. The fee for a Temporary Advertising Display Permit shall be as provided for in the adopted fee schedule.