

ORDINANCE NO. 90-5

AN ORDINANCE AMENDING ORDINANCE NO. 84-4, the "ZONING ORDINANCE OF THE CITY OF RUSSELLVILLE, KENTUCKY" BY MAKING VARIOUS CHANGES REGARDING THE REGULATION OF SIGNS WITHIN THE CITY; WITH REPEALER AND SEVERABILITY CLAUSES; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of Russellville, Kentucky has previously enacted Ordinance No. 84-4, the "Zoning Ordinance of the City of Russellville, Kentucky", and said ordinance provided in part for the regulation of signs within the City;

AND WHEREAS, the Joint Cities-County Planning Commission has conducted a public hearing regarding proposed changes in that ordinance relating to sign regulation and that Commission has recommended the adoption of these proposed changes;

AND WHEREAS, the City Council has agreed with that recommendation and has determined that said changes are needed and in the best interest of the City;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF RUSSELLVILLE THAT:

1. Section 3.0241 subparagraphs B, C and D are hereby amended so that it shall read as follows:

B. BUSINESS AND COMMERCIAL DISTRICTS

IN THE CENTRAL BUSINESS DISTRICT ADVERTISING SIGNS ARE PERMITTED. BUT CARE MUST BE TAKEN TO PRESERVE THE HISTORICAL NATURE OF THE DISTRICT. THE USE OF LIGHTING IS PERMITTED, BUT SIGNS AND ADVERTISING DEVICES SHALL BE PLACED ON BUILDINGS IN A FLAT MANNER AND SHALL NOT EXTEND MORE THAN TWELVE INCHES FROM THE BUILDING. HOWEVER, THIS PROVISION MAY BE WAIVED IF IT IS DETERMINED THAT A PROPOSED SIGN WILL BE IN KEEPING WITH THE HISTORIC NATURE OF THE AREA AND WILL NOT DETRACT OR INTERFERE WITH ANY SURROUNDING BUILDINGS, WITH SAID DETERMINATION BEING MADE BY A THREE PERSON COMMITTEE CONSISTING OF THE MAYOR, THE ZONING ADMINISTRATOR AND A CITY

COUNCIL MEMBER APPOINTED BY THE MAYOR. NO FLASHING LIGHTS OF ANY KIND SHALL BE PERMITTED.

OUTSIDE OF THE CENTRAL BUSINESS DISTRICT, INDIVIDUAL ESTABLISHMENTS IN A COMMERCIAL DISTRICT WHICH ARE NOT WITHIN A SHOPPING CENTER OR A PLANNED COMMERCIAL DISTRICT MAY CHOOSE TO DISPLAY EITHER A FREE-STANDING SIGN, OR TO HANG A SIGN PERPENDICULAR TO THE FRONT OF THE ESTABLISHMENT. SUCH SIGNS MUST NOT EXCEED ONE HUNDRED (100) SQUARE FEET IN AREA, AND THE OUTERMOST EDGE OF THE SIGN MUST BE AT LEAST TEN (10) FEET FROM THE PROPERTY LINE. THESE SIGNS MAY BE LIT SO LONG AS THEY ARE NOT ILLUMINATED IN SUCH A WAY AS TO CONSTITUTE A HAZARD INHIBITING THE VISION OF VEHICLE OPERATIONS. RETAIL GASOLINE SALES ESTABLISHMENTS MAY ALSO HAVE ONE ADDITIONAL SIGN TO DISPLAY ITS PRICES AND SAID SIGN SHALL NOT EXCEED FIFTY (50) SQUARE FEET. THE COMMITTEE ESTABLISHED PURSUANT TO SECTION 3.0241(B) ABOVE SHALL ALSO HAVE THE AUTHORITY TO APPROVE NON-CONFORMING SIGNS OUTSIDE OF THE CENTRAL BUSINESS DISTRICT IF IT IS DETERMINED THAT SAID SIGN WILL NOT DETRACT FROM OR INTERFERE WITH ANY SURROUNDING BUILDINGS AND WILL COMPLY WITH THE GENERAL PLANNING FOR THE AREA.

C. SHOPPING CENTERS

FOR THE PURPOSES OF THIS ORDINANCE, A SHOPPING CENTER IS DEFINED AS TWO OR MORE COMMERCIAL ESTABLISHMENTS WHICH SHARE A COMMON PLACE NAME SUCH AS "SHOPPING CENTER", "MARKET PLACE", OR SIMILAR IDENTIFICATION.

A SHOPPING CENTER MAY HAVE ONE (1) FREE-STANDING SIGN NOT EXCEEDING ONE HUNDRED (100) SQUARE FEET IN AREA ~~ENCLOSURE-OF~~ AND A DIRECTORY OF OCCUPANTS NOT EXCEEDING ONE HUNDRED (100) SQUARE FEET. SIGNS ON STORES OR SERVICE ESTABLISHMENTS WITHIN THE CENTER SHALL BE PLACED ON BUILDINGS IN A FLAT MANNER, EXTENDING NO MORE THAN TWELVE (12) INCHES OUTWARD FROM THE BUILDINGS.

D. PLANNED COMMERCIAL DEVELOPMENTS

EACH PLANNED COMMERCIAL DEVELOPMENT SHALL BE PERMITTED TWO (2) FREE-STANDING SIGNS NOT OVER TWENTY-FIVE (25) FEET IN HEIGHT, OR MORE THAN ONE HUNDRED FIFTY (150) SQUARE FEET IN AREA, AND ~~EXCLUSIVE-OF-ANY~~ DIRECTORY OF FIRMS NOT EXCEEDING ONE HUNDRED SQUARE FEET. OTHER SIGNS IN THE DEVELOPMENT SHALL BE ATTACHED TO THE BUILDINGS IN A FLAT MANNER AND SHALL NOT EXTEND FROM THE BUILDINGS MORE THAN TWELVE (12) INCHES.

2. Section 3.0243 is hereby amended so that it shall read as follows:

3.0243 PORTABLE SIGNS

IN LOCATIONS OTHER THAN PLANNED COMMERCIAL DEVELOPMENTS, OR SHOPPING CENTERS, MOBILE, PORTABLE SIGNS SHALL BE PERMITTED FOR PERIODS OF THIRTY (30) DAYS FOR THE PURPOSE OF ADVERTISING SPECIAL EVENTS OR SALE SPECIALS WHICH MAY BE OFFERED BY AN ENTERPRISE. SUCH SIGNS MUST BE PLACED SO AS NOT TO OBSTRUCT THE MOTORIST'S VIEW OF THE RIGHT OF WAY, AND MUST BE SET BACK AT LEAST TO THE MID POINT OF THE REQUIRED SETBACK LINE AND THE TRAVELLED PORTION OF THE ROADWAY. IN NO INSTANCE SHALL SUCH SIGN BE CLOSER THAN TEN (10) FEET TO THE ROADWAY.

A PERMIT FOR THE PLACEMENT OF THE PORTABLE SIGNS MUST BE OBTAINED FROM THE ZONING ADMINISTRATOR. PERMITS WILL BE VALID FOR A PERIOD OF THIRTY (30) DAYS FROM THE DATE OF ISSUE, ~~AND ARE NOT RENEWABLE. A PERIOD OF THIRTY (30) DAY MUST ELAPSE BEFORE A PORTABLE SIGN MAY BE DISPLAYED ON THE SAME LOT.~~

THE FEE FOR THE ISSUANCE OF A PORTABLE SIGN PERMIT SHALL BE ~~FIVE~~ FIFTEEN DOLLARS ~~(\$5.00)~~ (\$15.00) FOR EACH THIRTY DAY PERIOD.

3. Section 3.0245 is hereby amended so that it shall read as follows:

3.0245 PERMITS FOR SIGN CONSTRUCTION OR ERECTION

APPLICATIONS FOR THE CONSTRUCTION OR ERECTION OF NEW PERMANENT SIGNS, OR FOR MODIFICATION OF EXISTING BILLBOARDS AND SIGNS, SHALL BE MADE TO THE ZONING ADMINISTRATOR ON FORMS TO BE PROVIDED BY HIM.

A FEE IN THE AMOUNT OF ONE DOLLAR (\$1.00) PER SQUARE FOOT SUBJECT TO A MINIMUM FEE OF TWENTY-FIVE (\$25) SHALL ACCOMPANY THE APPLICATION TO DEFRAY THE COST OF ISSUING A PERMIT AND FOR THE INSPECTION OF THE SIGN AFTER ITS INSTALLATION.

4. In the event any provision of this Ordinance is invalid for any reason, such invalidity shall not affect the validity of any other provision.


5. All portions of any section of any ordinance or rule or regulation in conflict herewith are hereby repealed to the extent of the conflict only.

6. This Ordinance shall be effective upon its passage and publication according to law.

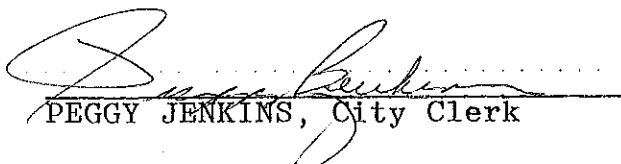
FIRST READING CONDUCTED on May 22nd, 1990.

SECOND READING CONDUCTED AND PASSAGE by roll call vote this 5th day of Junw, 1990.

AYES:	NAYES:	ABSTAINING:	ABSENT:
<u>Willie Hampton</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Pat Basham</u>			
<u>Russell Jones</u>			
<u>Jean Hankins</u>			
<u>Howard Wren</u>			
<u>Jackie Dunlap</u>			

  
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KEN SMITH, Mayor

ATTEST:

  
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PEGGY JENKINS, City Clerk