

ORDINANCE NO. 2023-12-8797

AN ORDINANCE AMENDING CHAPTER 126-76, SIGN REGULATIONS,
OF THE CODE OF ORDINANCES OF THE CITY OF PADUCAH
KENTUCKY

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That Section 126-76, "Sign Regulations," of Chapter 126, Zoning of the Code of Ordinances of the City of Paducah, Kentucky, is hereby amended to read as follows:

Sec. 126-76. – Sign regulations.

- (a) *Purpose.*
- (b) *Findings.*
- (c) *Applicability and message neutrality.*
 - (1) Applicability. Any sign erected, placed, established or created that is visible from a public right-of-way, adjacent property or outdoor area of public property shall be in conformance with the standards, procedures and requirements of this chapter. All signs that are not expressly allowed by this chapter or exempt hereunder are prohibited.
 - (2) Message neutrality. This chapter regulates signs in a manner consistent with the speech freedoms of both the United States and the Kentucky Revised Statutes and is content neutral. Notwithstanding any other provision of this chapter, no sign is subject to any limitation based on its content.
 - (3) Pursuant to *City of Austin, Texas v. Regan National Advertising of Austin, LLC*; any city official may read a sign to determine whether it is on-premise or off-premise as defined under *Advertising sign* below.
- (d) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them, except where the context clearly indicates a different meaning:
 - (1) Abandoned sign. A sign that:
 - (a) By reason of neglect, damage or deterioration requires repair; and
 - (b) The owner, or other party responsible for maintaining the sign, fails to undertake and complete the repairs within thirty (30) days after written notice to do so from the City.
 - (2) Advertising sign. A sign which directs attention to a business, product, service, activity or entertainment; sold or offered elsewhere than on the premises where such sign is located. Such sign includes signs include billboards and off-premises signs.
 - (3) Air-inflated sign. A sign which maintains shape by air pressurization.
 - (4) Animated sign. Any sign depicting action, motion, light or color changes through electrical or mechanical means.
 - (5) Area of sign.
 - (a) The area of a sign shall be considered to include all lettering, wording and accompanying designs and symbols, together with the background on which they are displayed, any frame around the sign and any "cutouts" or extensions, but shall not include any supporting structure or bracing.
 - (b) The area of a sign shall consist of individual letters or symbols attached to or painted on a surface, building, wall or window; and shall be considered to be that of the smallest rectangle which encompasses all elements of said sign.
 - (c) The area of a sign which is other than rectangular in shape shall be determined as the area of the smallest rectangle which encompasses all elements of said sign.
 - (d) The area of a sign which consists of a three-dimensional object shall be considered to be the area of the largest vertical cross-section of that object.
 - (e) Only one (1) side shall be counted in computing the area of a double-faced sign.
 - (6) Awning. A fabric overhead projection from a building façade intended to provide shelter from wind, sun or rain for passing pedestrians and window shoppers.

- (7) Banner. Any sign of lightweight fabric, vinyl or similar material. ~~Flags and pennants shall not be considered a banner.~~
- (8) Building marker. Any sign indicating only the name of a building, the date of construction or incidental information about its construction, which is cut into a masonry surface or made of a permanent material and permanently affixed to the building.
- (9) Campus sign. A sign which is located within a campus-style environment which consists of at least three (3) acres of real property, such as a school, college, religious institution, performance hall, convention center or other like environment as approved by the Planning Commission. Such signs may include electronic message signs.
- (10) Canopy sign. A sign that is part of, or customarily attached to; a gasoline canopy.
- (11) Directional sign. Any non-commercial sign of an instructional nature displayed for the convenience of the public.
- ~~(12) Drive-thru facilities sign. See "freestanding sign"~~
- (13) Electronic message sign. A variable message sign that displays computer-generated messages or utilizes other electronic means of changing copy. These signs include, but are not limited to; displays using incandescent lamps, light emitting diodes (LEDs), liquid crystal displays (LCDs) or a flipper matrix. Electronic message signs may not change more than once every eight (8) seconds with no more than two (2) seconds of transition or animation.
- (14) Flag. Any fabric, banner or bunting containing distinctive colors, patterns or symbols; used as a symbol of a government, political subdivision, the official flag of any institution, a business or for civic purposes. Only business or trade flags are considered signs within the scope of this chapter.
- ~~(15) For sale/for rent sign (temporary). A sign which lists all or part of the premises on which the sign is located for sale or rent.~~
- (16) Freestanding sign. A sign that is permanently attached to the ground and is wholly independent of any building or other structure. The term "freestanding sign" includes, but is not limited to; any ground sign, hanging sign, landscape wall sign, drive-thru facility sign, monument sign, multi-tenant sign, pillar sign or pole sign defined as follows:
 - a. Drive-thru facility sign. An outdoor sign which is part of drive-thru or drive-in facilities. This type of sign may include, but is not limited to; a changeable point of purchase display that allows the retailer to list products and prices.
 - b. Ground sign. A freestanding sign, other than a pole sign, which is:
 - i. Supported by at least two (2) architectural support structures;
 - ii. Pedestrian scale or low to the ground; and
 - iii. Not directly in contact with the ground.
 - c. Hanging sign. A sign suspended from the underside of, or attached to the side of, posts or structures.
 - d. Landscape wall sign. A sign consisting of individual letters mounted on a screen, perimeter wall or retaining wall.
 - e. Monument sign. A sign in which the entire bottom of the sign is in contact with the ground, or which is mounted on a solid base at least two-thirds (2/3) of which is the sign face, providing a solid and continuous background for the sign from the ground to the top of the sign.
 - f. Multi-tenant sign. A sign structure designated with two (2) or more removable panels to identify the tenants in a building with more than one (1) tenant or in a development with more than one (1) building.
 - g. Pillar sign. A slender, three-dimensional freestanding vertical sign.
 - h. Pole sign. A freestanding ~~or monument~~ sign normally supported by one (1), but sometimes by more than one (1), pole and otherwise separated from the ground by air space.
- (17) Ghost sign. A sign painted on the exterior wall of a building or structure that has been weathered and faded to the extent it has lost its original brightness of color and visibility. Such signs shall be at least fifty (50) years old.
- ~~(18) Ground sign. See "freestanding sign"~~
- ~~(19) Hanging sign. See "freestanding sign"~~

- (20) Historical marker. A plaque or sign use to commemorate and visually educate the public about the people, places and events that are significant to local, state and national history.
- (21) Home occupation sign. A sign placed on a residential property for commercial purposes as approved by the Board of Adjustment.
- (22) Identification sign. A sign which indicates only the name and address of a building and/or management.
- (23) Illuminated indirectly. The use of an external light source to illuminate a sign.
- (24) Incidental sign. A sign, handbill or poster which is placed to advertise or announce a specific event, whether on or off the property said event shall take place.
- (25) Internal illumination. Internal lighting that shines through plastic or other translucent material.
- (26) Interstate system. That portion of the national system of Interstate highways and officially designated as such by the Kentucky Transportation Cabinet.
- (27) ~~Landscaping wall sign. See "freestanding sign"~~
- (28) Message board. A permanent sign used to convey information by means of changeable lettering or graphics, including electronic message boards.
- (29) ~~Monument sign. See "freestanding sign"~~
- (30) ~~Multi-tenant sign. See "freestanding sign"~~
- (31) Mobile sign. A sign which is affixed to a frame having wheels and capable of being carried, attached to a vehicle or otherwise portable, and designed to stand free from a building or other structure. Signs designed to be affixed to the surface of real estate shall be deemed freestanding signs and not mobile signs, but the mere removal of wheels or temporary securing of a sign to the surface of real estate shall not prevent it being a mobile sign within this definition.
- (32) Neon sign. A sign with exposed neon lighting or a sign with neon lighted ~~material~~ transparent material.
- (33) Projecting sign. A sign attached directly to the wall of a building or other structure and extends in a perpendicular direction outward.
- (34) Obsolete sign. Any sign remaining after a building, structure or premise is vacated for a six-month period of time.
- (35) Pennant. Any light material such as plastic or fabric, suspended from rope, wire or string, usually in series, designed to move in the wind.
- (36) Pole banner. A sign made out of cloth, fabric or other lightweight material, with only such material for backing, and designed for hanging from light poles, light posts or other structures.
- (37) ~~Pole sign. See "freestanding sign"~~
- (38) ~~Pillar sign. See "freestanding sign"~~
- (39) ~~Political sign. See "temporary sign"~~
- (40) Roof sign. A sign attached to the part of a building considered to be the roof, the roof being that part of a building that protects the interior portion of said building. Signs on the mansard of a roof are permissible, but shall not project above the roofline.
- (41) Sign. Any device, object, display, or part thereof, used to advertise, identify, display or attract attention to an object, person, institution, organization, business, product, service, event or location by any means; including words, letters, figures, design, symbols, fixtures, colors, illumination or projected image.
- (42) Sign face. The area or display surface used for the sign contents.
- (43) Sign height. The vertical distance to the highest point of a sign structure, as measured from the average grade at the base of the structure.
- (44) Sight visibility triangle. The area formed by the intersection of a public street, a driveway and a line connecting a point on the right-of-way.
- (45) Spotlight/beacon. Any light with one (1) or more beams directed into the atmosphere or directed at one (1) or more points not on the same lot as the light source; also, any light with one (1) or more beams that rotate or move.
- (46) Strobe light. Intermittently flashing spotlight.
- (47) Streamer. A sign made of a string of ribbons, tinsel, pennants or similar devices.

- (48) Subdivision monument sign. A monument sign located at an entrance of a subdivision and is associated with the identification of the subdivision.
- (49) Temporary sign. A sign intended to be displayed for a limited period of time including, but not limited to; the following:
- Construction sign. ~~Sign~~ A sign placed on a site during construction of a building or development project including the rehabilitation, remodeling or renovation of a building.
 - Garage/ yard sale sign. ~~Sign~~ A sign placed typically on a residential property, generally at the same time as garage sales or yard sales.
 - Home tour sign. Directional arrows to homes on a home tour.
 - Political sign. ~~Sign~~ A sign displayed prior to an election, political campaign, referendum or ballot proposition put to the voters as part of City, State or Federal elections.
 - Real estate sign. ~~Sign~~ A sign displayed on a property which is for sale, lease or rent.
 - Special event sign. ~~Signs~~ A sign displayed to advertise ~~either:~~
 - ~~A special event; or~~
 - A a non-commercial event exempt from a special event permit, such as on-premise church or school activities.
- (50) Wall sign. Any sign, including a fascia sign, which is attached parallel to the face of a wall of a building or other structure.
- (51) Window sign. A sign displayed on or within a window, visible from outside the building.

(e) *Prohibited signs.* The following signs shall be prohibited, except as otherwise ~~provide~~ provided in this chapter:

- (1) Signs that interfere with the free use of building entrances and exits, including emergency exits;
- ~~(2) Signs that obstruct doors or windows;~~
- (3) Signs that impede light and ventilation otherwise required by City ordinance, code or regulation;
- (4) Signs in a public right-of-way other than those allowed in this chapter;
- (5) Signs within a sight visibility triangle that conflict with Section 126-65 of the Paducah Zoning Ordinance;
- (6) Signs on vehicles or trailers that are parked or located so they can be seen from a street right-of-way and for the primary purpose of displaying the sign. It shall be prima facie evidence that the primary purpose of a vehicle or trailer is to display a sign if the vehicle or trailer is parked on the same property for a continuous period exceeding seventy-two (72) hours. The intent of this subsection is to prohibit the use or display of signs on vehicles and trailers to otherwise circumvent the purpose and intent of the sign code;
- (7) Air-inflated signs;
- (8) Strobe lights, animated signs, moving signs, attention attracting devices or beacons;
- (9) Signs painted directly onto structures;
- (10) Obsolete signs;
- (11) Any sign or sign structure determined by the City to be structurally unsafe or a hazard to safety or health by reason of inadequate maintenance, dilapidation or abandonment;
- (12) Obscene signs;
- (13) Mobile signs;
- (14) Roof signs;
- (15) Streamers, pennants and similar signs or devices, except when attached to an allowed temporary sign;
- (16) Signs that emit any noise or odor;
- (17) Freestanding signs that overhang any part of a building; ~~and~~
- (18) Abandoned signs;
- (19) Advertising signs exceeding six (6) square feet in area; and
- (20) Feather flags.

(f) *Exempt signs.* The following signs are exempt from the permit requirements of these sign regulations. No sign, including exempt signs, may be posted within a street right-of-way without written approval from the Director of Engineering or his/her designee:

- (1) Government signs that are placed by government officers in the performance of their professional/elected duties.
- (2) Temporary or permanent signs erected by public utility or construction companies in the performance of their professional duties.
- (3) Vehicle signage when painted directly on a vehicle or attached magnetically.
- (4) Temporary signage as defined in subsection (g).
- (5) Historical markers;
- (6) Government flags;
- (7) Signs carried by a person;
- (8) ~~Warning signs placed on private property and are a maximum of three (3) square feet~~
One warning sign per street frontage with a maximum area of three (3) square feet;
- (9) Window signs which obscure a maximum of twenty-five (25) percent of transparent or translucent surfaces;
- (10) Signs preempted from regulation by state or federal law;
- (11) Identification signs; and
- (12) Ghost signs.

(g) *Temporary signs.*

- (1) Temporary signs generally. Except as otherwise allowed in this chapter, all temporary signs not classified as exempt signs shall:
 - a. Be allowed on private property only. Sandwich board signs may be allowed on public rights-of-way in accordance with subsection (7).
 - b. Be placed only by the property owner; or with the property owner's permission.
 - c. Not diminish public safety such as placement in a sight visibility triangle.
 - d. Not be mounted on a roof.
 - e. Not be illuminated indirectly or internally.
 - f. Be in place for a period not to exceed sixty-seven (67) consecutive days, at which time the sign must be removed or replaced with a different sign. The same sign may not be replaced within thirty (30) days. A different sign may replace the sign in question.
- (2) Construction signs. During a construction period, signs may be placed to announce construction.
 - a. Such signs shall not exceed sixteen (16) square feet in residential and one hundred (100) square feet in non-residential areas zones.
- (3) Wall and freestanding temporary signs. Temporary wall and freestanding signs shall:
 - a. Be a maximum of twenty (20) square feet when located in residential zones;
 - b. Be a maximum of fifty (50) square feet when located in non-residential zones; and
 - c. Be limited to one (1) sign per parcel for each street frontage.
- (4) Pole banners.
 - a. Be a maximum of twelve and one-half (12.5) square feet when located in residential zones.
 - b. Be a maximum of sixteen and one-half (16.5) square feet when located in non-residential zones.
 - c. All banners shall be securely affixed to a mounting structure.
 - d. Banners shall not be hung as canopy signs, flown as flags or used as any other form of permanent sign.
 - e. Banner materials shall be weather-resistant ~~fabric, plastic or vinyl~~.
 - f. Poles and materials must be compatible and compliant with design standards if placed in a historic district.
 - g. The City reserves the right to remove any pole banners at any time.
- (5) Street banners.
 - a. In order to promote events of a civic and public nature in the Downtown or other commercial areas; any person, firm, corporation or organization may hang a vertical banner on cantilevered arms in designated locations. Further, pennants, flags or banners may be affixed to utility poles equipped by the City for such purposes.

- b. Generally, it shall be unlawful for any person to suspend any banner across or along any street, sidewalk or other public way of the City for any purpose.
 - c. Banners reflecting a price, a business, or the promotion of goods or services are prohibited.
 - d. Banners may reflect only one (1) theme at any given time within a district (Downtown, Wallace Park or Fountain Avenue for example). Different districts may have different themes at the same time.
 - e. Banners shall not exceed one hundred fifty (150) square feet and not cause any interference or disruption in vehicular or pedestrian traffic.
 - f. The City reserves the right to remove any banner at any time.
- (6) Special events. No more than two (2) signs Signs promoting a special event may be placed no more than sixty (60) days prior to the event and shall be removed no later than forty-eight (48) hours after the event has ended. Said Such signs shall be placed on the property on which the event shall take place and shall not exceed thirty-two (32) square feet.
- (7) Sandwich board signs.
- a. Sandwich board signs shall be no taller than thirty-six (36) inches in height and no wider than twenty-four (24) inches;
 - b. One (1) such sign ~~Such signs~~ may only be placed on a sidewalk that has a minimum of eight (8) feet in width and in front of the business associated with such sign;
 - c. All signs must be compliant with ADA standards and maintain a minimum of five (5) feet of clearance from tables, chairs, bike racks or other appurtenances at all times. Placement shall not interfere with pedestrian or vehicular traffic.
 - d. The sign must be constructed of weather resistant materials and shall be maintained in good repair.
- (8) During times of election. During times of primary, state or federal elections involving candidates from federal, state or local office that represents the district in which the property is located or involves an issue on the ballot within the district where the property is located, one (1) additional temporary sign per issue or candidate shall be allowed per parcel.
- (9) Additional temporary signs are allowed on each street frontage as follows:
- a. During times of sale or rent. One (1) additional temporary sign may be located on a property subject to the following parameters:
 - 1. The owner consents and the property is being offered for sale or rent through a licensed real estate agent;
 - 2. The property is offered for sale or rent by the property owner through advertising in local media; and
 - 3. Said Such sign shall not exceed four (4) square feet.
 - b. During times property is open to the public. One (1) additional temporary sign may be located on the property on a day when the property owner is opening the property to the public; however, the owner may not use this type of sign for more than fifteen (15) days a year. Such sign may not exceed four (4) square feet.
 - c. One (1) additional temporary sign shall be allowed upon submittal of a final development application or issuance of a building permit and shall terminate upon the issuance of any certificate of occupancy or for approval to connect to electric power for the work authorized by the building permit. Such sign shall not exceed four (4) square feet.

(h) *Permit requirements.*

- (1) No sign regulated by this chapter shall be displayed, erected, relocated or altered unless all necessary permits have been issued by the City of Paducah. Applicants shall submit an application to the Fire Prevention Division before any permit may be issued.
- (2) Applicants shall obtain a Certificate of Appropriateness approval from the Historic and Architectural Review Commission (HARC) for signage proposed within the H-1, and H-2 and NSZ Zones.
- (3) Signs shall only be erected or constructed in compliance with the approved permit.
- (4) Applicants shall obtain permits, including electrical permits.

(5) Signs allowed pertaining to a legal, nonconforming use shall be subject to the regulations of the zone in which the nonconforming use is located.

(i) *Signs exempt from permit requirements.*

(j) *Nonconforming signs.*

(k) *Illegal signs.*

All illegal signs shall be subject to immediate enforcement action. Enforcement of this section shall be carried out pursuant to Chapter 42 of the Paducah Code of Ordinances. Appeals stemming from signage enforcement shall be to the Paducah Board of Adjustment, pursuant to KRS 100.261.

(l) *General regulations.*

(1) All signs shall be constructed of approved materials and shall be designed to meet the structural requirements of the applicable building code.

(2) No sign shall be erected or maintained where by reason of its position, illumination, size, shape or color; it may obstruct, impair, obscure, interfere with the view of, or be confused with; any authorized traffic-control sign, signal or device.

(3) No internally illuminated sign or electronic message sign shall be allowed within fifty (50) feet of property in any residential zone.

(4) No sign shall be placed in any public right-of-way except as provided herein.

(5) Traffic visibility at intersections shall be preserved in accordance with section 126-65 of the Paducah Zoning Ordinance.

(6) No sign shall be attached to any tree, fence or utility pole except by a governmental body or agency.

(7) All signs shall be adequately maintained. Such maintenance shall include proper alignment, continued readability and preservation of the sign with paint or other preservatives. Electronic message signs shall be free of burned-out lights.

(8) All signs placed upon private property must have the written consent of the property owner or the owner's agent.

(9) The area of a freestanding sign shall not include poles, supports or other structures used solely for support and do not contain advertising of any kind. Message boards are allowed as accessory signs on freestanding or wall signs. The area of the message board shall be included in the total allowable sign area.

(10) Interior electronic message signs that change not more than once every thirty (30) seconds shall be allowed in the B-1, B-2, B-3, HBZ, HM, M-1, M-2 and M-3 Zones. Such signs shall be no larger than thirty (30) percent of the window.

(11) Interior electronic signs that change not more than once every thirty (30) seconds shall be allowed in the B-2-T and H-1 Zones. Such signs shall be no larger than four (4) square feet. Only one (1) such sign shall be allowed per structure.

(12) Advertising signs shall follow the performance standards for the underlying zone and will be counted toward the total number of signs and cumulative square footage for all signs for the lot thereon.

(13) Directional signs indicating an entrance, exit or location of parking shall be permitted provided such signs do not exceed four (4) square feet in area for each sign and the height shall not exceed thirty (30) inches above grade. There shall be no more than four (4) directional signs per lot.

(m) *Signs allowed by specific zoning district.*

(n) *Residential and Mixed-Use Zones (R-1, R-2, R-3, R-4, NSZ, NCCZ and MU)*

(1) Single-family and two-family dwellings: One (1) building marker not exceeding one (1) square foot for each single-family residence or each side of a two-family structure.

a. Every parcel shall be entitled to two (2) signs not exceeding thirty-six (36) square inches to be placed in any of the following locations:

1. On the front of every building, residence or structure;

2. On each side of an authorized U.S. Postal Service mailbox; and

3. On one (1) post which measures no more than forty-eight (48) inches in height and four (4) inches in width.

(2) Multi-family dwellings:

a. One (1) freestanding sign that shall not exceed thirty-two (32) square feet, and eight (8) feet in height and shall have a front yard setback of ~~twenty (20)~~ ten (10) feet;

b. One (1) wall sign that shall not exceed twelve (12) square feet.

- (3) Incidental signs which shall not exceed two (2) square feet.
 - (4) Home occupation - One (1) wall sign not exceeding one (1) square foot.
 - (5) Subdivision - One (1) subdivision monument sign per entrance into a residential subdivision not to exceed thirty-two (32) square feet, and eight (8) feet in height and ~~Said sign~~ shall have a setback of 10 (ten) feet ~~from the traveled portion of the public way.~~
 - (6) Buildings used for religious or educational activities and cemeteries:
 - a. One (1) freestanding sign that shall not exceed thirty-two (32) square feet, and eight (8) feet in height and ~~Said sign~~ shall have a front yard setback of ten (10) feet;
 - b. One (1) wall sign that shall not exceed twelve (12) square feet;
 - c. One (1) message board that shall not exceed ~~twelve (12)~~ thirty-two (32) square feet and eight (8) feet in height; Such sign may be an electronic message sign, subject to the following:
 1. Be at least one hundred fifty (150) feet away from any residential dwelling or a mixed-use dwelling with a residential component.
 2. Such sign must decrease in brightness or intensity by at least thirty (30) percent during the hours between 9 p.m. and 6 a.m.
 3. A message board may be located on a freestanding sign. However, the total height of the message board and freestanding sign may not exceed eight (8) feet in height.
 - d. Incidental signs which shall not exceed two (2) square feet.
 - (7) Principally or conditionally permitted commercial uses in the R-4, NSZ, NCCZ and MU Zones:
 - a. One (1) freestanding sign that shall not exceed thirty-two (32) square feet, and eight (8) feet in height and shall have a front yard setback of ten (10) feet.
 - b. Wall signs shall be allowed for each tenant or lessee. Such signs shall not exceed twenty (20) percent of the face of the structure or each individual tenant or lessee space.
 - (8) No electronic message sign or electronic message boards shall be allowed in any residential zone, except for the Mixed-Use Zone, wherein an one (1) electronic message sign or board per parcel may be allowed fifty (50) feet from any residential structure or mixed-use structure with a residential component. Such signs shall not exceed thirty-two (32) square feet.
 - (9) If a proposed sign is larger than allowed within adopted covenants in the MU Zone, it shall be referred to the Planning Commission as part of an ~~amendment to a development plan~~ Amendment to a Development Plan.
- (o) *Professional commercial and industrial zones (B-1, B-2, B-3, HBZ, M-1, M-2, M-3, HM, POP and A-1).*
- (1) One (1) freestanding sign per street frontage; additionally, one (1) freestanding sign for every three hundred (300) linear feet of street frontage.
 - a. Freestanding signs shall not exceed seventy-five (75) square feet, twenty-five (25) feet in height and shall have a minimum setback of five (5) feet. When street frontage permits two (2) signs, the freestanding signs may be combined into one (1) freestanding sign that shall not exceed one hundred ten (110) square feet. For buildings with more than one (1) occupying business, this freestanding sign may list all businesses within the building.
 - b. Monument type freestanding signs shall not exceed sixty (60) square feet, eight (8) feet in height and shall have a minimum setback of five (5) feet.
 - (2) There shall be a maximum of four (4) wall, canopy or awning signs per building or structure. The maximum allowed area for all signage in these zones is thirty-two (32) square feet or twenty (20) percent of the wall area to which the sign, canopy or awning is attached, whichever is greater. A maximum of the first thirty (30) feet of the height of the façade shall be used to calculate the square footage area of a wall sign. Awnings shall have at least seven (7) feet of clearance when fully extended. When a building contains two (2) or more separate businesses, these requirements shall be applied separately to the wall area of the portion of the building occupied by the individual business.
 - (3) One (1) message board either attached to a wall sign or freestanding sign not to exceed thirty-two (32) square feet and ~~eight (8) feet in height~~ may be added to such signs provided the total square footage does not exceed seventy-five (75) square feet and twenty-five (25) feet in height.

- (4) One (1) drive-thru facility sign for each drive-thru lane, walk-up window or drive-up curbside. Drive-thru facility signs shall not exceed fifty-five (55) square feet and shall ~~have a maximum height of eight (8) feet in height.~~
- (5) One (1) temporary sign per street frontage.
- (6) Theater marquee signs.
 - a. A marquee shall not exceed thirty-two (32) square feet, shall not project more than eight (8) feet from the building face and shall have a minimum clearance of ten (10) feet.
- (7) Incidental signs shall not exceed two (2) square feet.
- (8) ~~Buildings used for religious or educational activities.~~
 - a. ~~In addition to signage allowed above, one (1) message board, not exceeding thirty-two (32) square feet and eight (8) feet in height.~~
- (9) Subdivision - One (1) subdivision monument sign per entrance into a commercial or industrial subdivision not to exceed forty-eight (48) square feet and ten (10) feet in height. Said Such sign shall have a setback of 10 (ten) feet ~~from the traveled portion of the public way.~~
- (10) Single-family, two-family and multi-family dwellings shall follow the provisions of subsection (n).
- (11) Perforated signs shall be allowed; however, they shall be either 50/50 or 60/40 perforation. No perforated sign shall be placed over any ingress/ egress door.
- (12) Neon signs are allowed.

(p) *Historic Downtown area (B-2-T, H-1 and H-2)*

- (1) Wall signs. One (1) wall sign per building façade shall be allowed, provided that such signs shall be constructed so that each letter runs parallel to the street upon which the business abuts, shall be affixed to the exterior wall of the building and shall not protrude from the wall a distance of more than eighteen (18) inches. Wall signs shall be a maximum size of fifty (50) square feet. Building facades with more than fifty (50) feet of street frontage are allowed a maximum sign area of one and one-half (1.5) square feet per linear foot of street frontage subject to a one hundred (100) square foot maximum.
 - a. Internal illumination shall be allowed only when the letters themselves are lit and not the background in the B-2-T Zone.
 - b. Wall signs may be illuminated indirectly in the H-1 and H-2 Zones.
- (2) Freestanding signs shall not exceed twelve (12) square feet.
- (3) All signs in the H-1 and H-2 Zones shall be subject to the requirements of section 126-115 (c) and (g).
- (4) Projecting signs. One (1) projecting sign per building façade on a street frontage shall be allowed, provided that such sign may project from a building no more than four (4) feet horizontally and have a maximum area of six (6) square feet.
 - a. The projecting sign shall start no more than six (6) inches from the exterior wall of the building;
 - b. Shall be mounted by a metal bracket projecting from the wall of the building;
 - c. Shall be located within two (2) feet of the centerline of the building;
 - d. ~~May have direct external illumination~~ be internally lit;
 - e. May be made of wood, metal alucobond, reinforced canvas or polyurethane foam; and
 - f. If the structure has a secondary entrance to a separate business or dwelling within the principle structure, one (1) additional projecting sign shall be allowed. Secondary signs shall not exceed one (1) square foot and shall be installed above the secondary entrance.
- (5) Awning signs. Signs on awnings shall be a maximum size of fifty (50) square feet and may be illuminated indirectly.
- (6) Sandwich board signs are allowed if the business does not have a projecting sign.
- (7) Neon signs are allowed.

(q) Murals.

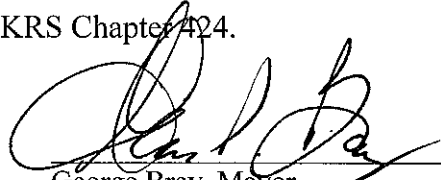
Murals may be applied to any structure or thoroughfare in the City. Following are specific regulations for their application:

- (1) Definition of mural: Any inscription, artwork, marking, design or lawful graffiti under this section that is marked, etched, scratched, drawn or painted on structures or on thoroughfares in the City of Paducah. Murals proposed on thoroughfares are only permitted in the H-2 Historic Neighborhood Zone.
- (2) Artwork versus signage:

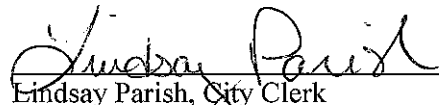
- a. Murals that do not contain any wording, symbols or graphics related to an activity, event or business may fill the entire façade.
 - b. Any portion of a mural that contains any name, identification, description, display or device which directs attention to a product, place, activity, person, institution or business or otherwise provides information to the public shall be treated as a sign for the portion containing said name, identification, description, display or device and the artistic portion of the mural may fill the entire façade. The sign portion of the mural must follow the signage regulations for the particular zone they are located in.
- (3) Murals in the historic zones. Murals of any kind in the public right-of-way must obtain approval from the Creative & Cultural Council. Murals on private property must obtain approval from the Historic Architecture Review Commission in the H-1 Historic Commercial Zone, H-2 Historic Neighborhood Zone or the NSZ Neighborhood Services Zone.
- (4) Blatant graffiti. Graffiti applied to any surface in an unlawful way shall not be considered murals and shall be subject to any and all remedies available to the City of Paducah.
- (5) Consent and maintenance. Any person, group, corporation or business that wishes to create a mural in conformance with this chapter must obtain the property owners written consent if the person, group, corporation or business does not own the subject property. The consent between the parties shall also describe the maintenance of the mural upon creation and shall be made available to the City of Paducah upon request. Any mural that falls into disrepair shall be subject to any and all remedies available to the City of Paducah.
- (r) *Additional signage allowed in specific commercial and industrial zones.*
 - (1) Downtown Business Zone (B-2). In addition to the signage allowed above, the following signs shall be allowed:
 - a. Sandwich board signs if the associated business does not have a projecting sign.
 - b. Projecting signs. One (1) projecting sign per building façade shall be allowed, subject to the requirements of (p) (4) above.
 - (2) General Business, Highway Business, Light Industrial and Heavy Industrial Zones (B-3, HBZ, M-1, M-2, M-3). In addition to the signage allowed in subsection (o), the following signs shall be allowed:
 - a. Shopping malls larger than one hundred thousand (100,000) square feet may have one (1) freestanding sign per street frontage with a maximum of two hundred fifty (250) square feet and a maximum height of thirty (30) feet. All other shopping malls may have one (1) freestanding sign per street frontage with a maximum of seventy-five (75) square feet and a maximum height of twenty-five (25) feet. Anchor tenants of a shopping mall may utilize any exterior wall of the mall for a wall sign, provided all other regulations are followed. Malls that contain stores with exterior ingress/ egress may utilize a hanging sign as well, provided such sign does not exceed six (6) square feet.
 - b. One (1) Interstate sign for those businesses which lie within a two thousand five hundred (2,500) foot radius of the center point of an Interstate interchange overpass. This Interstate sign shall take the place of the allowed freestanding sign outlined in subsection (o) above. These businesses may have a combination of any two (2) of these signs: Interstate sign and wall signs or freestanding signs and wall sign. Interstate signs shall be subject to the following restrictions:
 - 1. Individual signs shall not exceed two hundred fifty (250) square feet.
 - 2. Ninety (90) feet in height.
 - 3. The signs sign base shall be at least ninety (90) feet from any residentially zoned property.
 - (3) Advertising signs are allowed in the B-3, HBZ, M-1, M-2 and M-3 Zones along state and federal highways. Such signs shall be no larger than seven-hundred (700) square feet and must be at least one thousand (1,000) feet apart.
- (s) *Planned Unit Development (PUD).*
- (t) *Replacement advertising signs.*
- (u) *Advertising on Interstate Highways.*
- (v) *Substitution clause.*

SECTION 2. That if any section, paragraph or provision of this Ordinance shall be found to be inoperative, ineffective or invalid for any cause, the deficiency or invalidity of such section, paragraph or provision shall not affect any other section, paragraph or provision hereof, it being the purpose and intent of this Ordinance to make each and every section, paragraph, an provision hereof separable from all other sections, paragraphs and provisions.

SECTION 3. This ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.


George Bray, Mayor

ATTEST:


Lindsay Parish, City Clerk

Introduced by the Board of Commissioners, November 28, 2023
Adopted by the Board of Commissioners, December 12, 2023
Recorded by Lindsay Parish, City Clerk, December 12, 2023
Published by *The Paducah Sun*, December 16-17, 2023
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