

## **ARTICLE 3**

### ***Sections 3-101 to 106, inclusive. Off-street parking and loading - general provisions.***

#### **Section 3-101. Statement of purpose for off-street parking and loading regulations.**

It is the intent of this ordinance that all buildings, structures and uses of land shall provide off-street parking and loading space in an amount sufficient to meet the needs caused by the building or use of land and that such parking and loading spaces be so oriented that they are in fact readily usable for such purpose.

Each use of land and each building or structure hereafter constructed or established and each addition to a structure in excess of 300 square feet, except as herein provided, shall provide off-street parking and loading according to the standards set forth herein. When an addition is made to a building non-conforming as to parking or loading a confirming amount of parking shall be supplied based upon the size of the addition.

#### **Section 3-102. Requirement for conforming all buildings to off-street parking and loading regulations - exceptions.**

No addition to an existing building shall be constructed which reduces the number of spaces, area or usability of existing parking or loading space unless such building and its addition, conform with the regulations for parking and loading contained herein. Contractual agreements may be made between uses which generate parking demand at different times in such a manner that the requirements or more than one use may be met by the same space provided the parking demand for each such use involved is in fact met. All required parking space shall be on the same lot with the building, except that if the Board of Adjustment determines that it is impractical to provide parking on the same lot, said board may permit the parking spaces to be on any lot within five hundred (500) feet of the building.

#### **Section 3-103. Requirement for surfacing, classification and size of off-street parking and loading spaces and aisles - exceptions.**

All off-street parking and loading spaces, access and aisles shall be provided with an all weather surface.

Uses listed in Sections 3-104 to 106, inclusive, shall provide parking and loading in the amounts specified and at locations specified for the group in which such use falls. For any use not listed, the Board of Adjustment shall determine the proper requirement by classifying the proposed use among the uses specified herein so as to assure equal treatment. In making any such determination, the board shall follow the principles set forth in the statement of purpose for the parking and loading provisions.

For the purpose of this ordinance a parking space shall be at least 180 square feet in size and shall be of easily usable and convenient shape, orientation and grade. Each such space shall be readily accessible and aisles required for access to any space shall not be counted in meeting the requirements for spaces. Loading spaces shall be at least 12 feet side and 60 feet long for industrial and warehouse type uses but may be 12 feet wide and 30 feet long for retail, service

and institutional establishments. Aisles adequate to accommodate the maneuvering into position of such vehicles shall be provided accessory to such space or spaces. Specified distances from the principal use for which a parking space is provided shall be measured from the edge of the usable parking space to a normal entrance to the building or use along a convenient and unobstructed pedestrian route.

Required parking spaces for multiple family dwellings shall not be provided within a required front yard or a required side yard at a corner without special permission of the Board of Adjustment.

**Section 3-104. Group A classification and requirements for off-street parking and loading spaces.**

Group A: All uses of land and building enumerated under Group A shall provide off-street parking and loading space on the same zoning lot as such use or building and said parking or loading space shall have convenient and unobstructed pedestrian access across said zoning lot to a principal entrance to the building or use as hereinafter set forth.

USE	PARKING REQUIRED	LOADING SPACES REQUIRED
Multiple Family Dwellings	Shall have a minimum of 1.5 parking spaces per dwelling unit; if constructed with a garage, two spaces are required with the garage permitted as one space.	None
Two Family and Multiple Family dwelling units containing one-bedroom or efficiency units.	Shall have a minimum of 1.0 parking space for each of above units. A garage may be considered as one parking space	None
Multiple Family dwelling units to be used exclusively for the housing of the elderly, being one or more persons per dwelling unit over 60 years of age	Shall be .8 parking spaces per unit	None
Single Family Dwelling	Two for each	None
Boarding, rooming and lodging houses	One for each bedroom	None
Doctor's offices, medical and dental clinics	4 spaces for each medical or dental practitioner	None
Restaurants, beer parlor, taverns, bars, night	One for each 5 seats	None

clubs

Retail stores and shops	One for each 300 square feet of floor space, to 10,000 sq. ft., one for each 500 sq. ft. of gross floor space over 10,000 sq. ft.	One
Furniture and appliance sales and furniture and appliance repair	One for each 500 sq. ft. of gross sales space and repair space	One
Funeral home and mortuaries	One for each 5 seats in chapel	One
Beauty and barber shops	2 for each operator	None
Automotive or machinery sales and service garages	One for each 500 sq. ft. of floor area	One
Bowling alleys	7 for each alley	None, unless beer parlor or restaurant is attached, then one space
Roller and ice rinks, intensive sports and recreation establishments and dance halls	One for each 75 sq. ft. of gross floor area of public space as appropriate	None
Banks and professional offices and general offices	One for each 400 sq. ft. of floor area	One for buildings of over 10,000 sq. ft.

### **Section 3-105. Group B classification and requirements for off-street parking and loading spaces.**

Group B: All uses of land, or buildings enumerated under Group B shall provide off-street parking and loading on the same zoning lot as such building or use for all customers or patrons frequenting the establishment and said parking, or loading, space shall have convenient and unobstructed pedestrian access across said zoning lot to a principal entrance to the building or use. That portion of the parking requirement that is attributed to employees may be provided within 330 feet of the use of building as hereinafter set forth.

USE	PARKING REQUIRED	LOADING SPACES REQUIRED
Motel or hotel with restaurant and bar	One space for each unit, and one space for each 10 seats in restaurant and bar	One
Hotel, motel, club with guest rooms	One space for each unit	One
Hospitals and rest homes	One space for each 3 beds	One space for the first 40,000 sq. ft. of floor area or fraction thereof plus one space for each additional 150,000 sq. ft. of floor area or major fraction thereof.
College, fraternities, college, sororities	One space for each 2 bedrooms. Half of requirements may be off-site	One
Clubs, organization halls	One space for each 200 sq. ft. of assembly space on-site	One
Office buildings of 10,000 sq. ft. or over (if less than 10,000 sq. ft. see general office)	One space for each 500 sq. ft. of gross floor area on-site	One
Wholesale stores with stock of goods (without stock see general office)	One space for each 500 sq. ft. of gross floor area. At least half of requirements shall be on site.	One
Warehouses	Four spaces for the first 5,000 sq. ft. of gross floor area, plus one additional space for each additional 5,000 sq. ft. or major fraction thereof, 25% of total requirement shall be on site.	One space for the first 5,000 sq. ft. of gross floor area plus one space for each additional 10,000 sq. ft. of gross floor area or major fraction thereof

**Section 3-106. Group C classification and requirements for off-street parking and loading spaces.**

Group C. All uses of land and buildings enumerated under Group C shall provide off-street loading on the same zoning lot as such building or use and such loading space shall have convenient and unobstructed access to said building or use. Parking requirements for customers, patrons, and employees may be provided within 500 feet of said use or building except as hereinafter set forth.

USE	PARKING REQUIRED	LOADING SPACES REQUIRED
Auditoriums, stadiums, (except school), theaters, community centers and similar places of public assembly	One space for each 5 seats in the main assembly area, or where no fixed seats are provided, one space for each 50 sq. ft. of main assembly area	None
Churches	One space for each 5 seats in the main assembly area	None
Libraries, museums, and similar uses	One space for each 600 sq. ft. of gross floor area	One space
Senior high schools, junior high school, elementary schools, (including public, parochial and private)	One space for each teacher or employee plus one space for each 50 sq. ft. of seating space in the auditorium or multi-purpose room, whichever is larger	One space
Manufacturing, freight terminals	4 spaces for each 10,000 sq. ft. of gross floor area or major fraction thereof plus space for each employee on the largest shift	Sufficient to allow for completely off-street loading operation but in no event, less than required herein for a warehouse

***Section 3-107 to 199, inclusive. Reserved.***

### ***Section 3-200. Signage.***

#### **Section 3-201. On-Premise Signs.**

- A. Intent. These regulations provide standards for the erection and maintenance of private signs. The principal feature of this section is the restriction on the total sign area permissible per site. All private signs shall be erected and maintained in accordance with the following standards. The general objectives of these standards are to promote health, safety, welfare and in part to achieve the following:
1. Safety: To promote the safety of persons and property by providing that signs:
    - a. Do not create a hazard due to collapse, fire, collision, decay, or abandonment;
    - b. Do not create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles, or other vehicles, or to see and interpret any official traffic sign, signal or device.
  2. Communications Efficiency: To promote the efficient transfer of information by providing that:
    - a. Businesses and services may identify themselves;
    - b. Customers and persons may locate a business or service;
    - c. No person or group is arbitrarily denied the use of the sight line from public rights-of-way for communication purposes.
  3. Landscape Quality and Preservation: To protect the public welfare and to enhance the appearance and economic value of the landscape by providing that signs:
    - a. Do not create a nuisance to persons using the public rights-of-way;
    - b. Do not constitute a nuisance to occupancy of adjacent and contiguous property by their brightness, size, height or movement.
  4. Existing signage. Signage existing prior to the effective date of this section shall be subject to the provisions of Section 1-110 regarding existing non-conforming use. Major structural repair or replacement of the majority of the display surface of a sign shall be presumed to constitute a cost of 50% of the structure and shall trigger a requirement for conformance with current ordinance.
  5. Signage consisting of a single carved, engraved, or sculpted rock is exempted from the size limitations of this Section, however all other requirements apply.
- B. Permitted Signs and Sign Area. In the following districts, the sign area and height set forth shall apply to all signs on the premises except as provided in Section 3-107.E:
1. Agriculture A, Agriculture B, and Riverfront and Park Districts:
    - a. Signs advertising the occupants or agricultural activity engaged in on premises or use of a particular breed, type, variety, hybrid, or brand of livestock, plant, chemical or tillage. No one sign shall exceed 32 square feet in area per face nor exceed a maximum height of 16 feet.
    - b. Uses which are governed by Conditional Use Permits may have signs on the premises in accordance with the stipulations of the Permit.

- c. Small Warning signs such as No Hunting, No Trespassing and similar signs, but limited to no more than 2 in 500 linear feet on a parcel.
- 2. Agriculture B2, Agriculture C, and all Residential Districts:
  - a. A two square foot wall or freestanding sign identifying a home occupation.
  - b. Small Warning signs such as No Trespassing, Beware of Dog and similar signs, but limited to no more than 2 in 500 linear feet on a parcel.
- 3. Local Business, Industrial, and Industrial Park Districts:
  - a. Wall, roof, or projecting signs:
    - i. The total sign area on structures which are two stories or less in height shall not exceed two square feet for each linear foot of building frontage.
    - ii. The total sign area on structures which are greater than two stories in height shall not exceed either two square feet for each linear foot of building frontage, or 15% of the area of the frontage wall, whichever is greater.
  - b. Freestanding signs having a total sign area not to exceed one square foot for each linear foot of road frontage or 288 square feet, whichever is less.
  - c. The maximum sign height shall be 30 feet.
  - d. Small Warning signs such as No Trespassing, Beware of Dog and similar signs, but limited to no more than 2 in 500 linear feet on a parcel.

C. Regulations and Limitations of Permitted Signs.

- 1. Wall Signs. Wall signs may be located anywhere on the wall of a building.
- 2. Projecting Signs.
  - a. Projecting signs may project no more than five feet from the building face.
  - b. Projecting signs shall have a minimum clearance of ten feet above grade level about any yard or sidewalk and 16 feet above any private road or drive.
  - c. Projecting signs may project no more than five feet above the top of a parapet or roof line including the framework or support.
- 3. Roof Signs. Roof signs shall rise no higher than five feet above the top of a parapet or roof line and shall not exceed the height limits for the zoning district.
- 4. Freestanding Signs.
  - a. Freestanding signs shall be limited to one per street frontage except that businesses on frontages of 300 feet or more may erect two freestanding signs; however, the total sign area for both signs may not exceed that allowed for the street frontage.
  - b. Freestanding signs shall be located only in the front or side yard.
  - c. Freestanding signs shall not project over public property.

- d. Freestanding signs shall not be erected within the area of a corner of two intersecting streets or a street and railroad. Area of a corner, in this case, shall be the triangular area formed by measuring 40 feet from the intersection along both roads and connecting these two points with a straight line.

**Exceptions:** Freestanding signs may be located in the area of a corner when the sign and sign structure comply with the following:

- (a) The sign face is located 12 feet above grade level; and
  - (b) The sign structure is of such a size and spacing as to not obstruct the view of said intersection.
5. Programmable electronic signs. Such signs shall have an automatic dimming feature to control brightness at a level of no more than 0.3 foot candles above ambient levels. In Agriculture and residential districts, signs shall display static images only with a minimum 6 second hold time. In local business and industrial districts, animation and frame effects may be used with no flashing.

D. Special Situations. This section contains the sign regulations for the following special situations:

1. Shopping Centers. A freestanding sign shall be allowed on each street frontage stating the name of the center and the major tenants provided no other freestanding signs are erected. The sign area shall be determined independently from the sign area allowed under Sections 3-107.B and 3-107.C. A sign area of one square foot for each one lineal foot of street frontage or 288 square feet per frontage, whichever is smaller, shall be allowed. The height shall not exceed 40 feet.
2. Subdivision signs shall be non-illuminated and shall include information pertaining only to the subdivision for a period of 4 years following the filing date or until 75% of the lots have been sold, whichever occurs first, at which time the sign shall be removed. Subdivision signs shall be subject to the space limits of the district in which located and shall not be located closer than 75 feet from property owned by other than the developer. The size of the sign shall not be greater than the following:

<u>Sign Size</u>	<u>Number of Lot in Subdivision</u>
40 square feet	3 to 10
64 square feet	11 to 25
80 square feet	26 or more

E. Exemptions. The following signs may be allowed in addition to the signs permitted in Section 3-107.B, but signs must be in conformance with all other state and local laws.

1. Automobile Service Station. Gasoline dispensing stations may have, in addition to other signs, one 12 square foot sign on each street frontage. Such signs shall be firmly attached to a structure and shall contain gasoline pricing information only.
2. Construction Signs. Building contractors, lending institutions and professional firms may post temporary signs on site under construction. The total sign area



shall not exceed 100 square feet or 16 feet in height and shall be removed upon completion of the project.

3. Neighborhood Identification Signs. In any zone, a masonry wall, landscaping and other similar material or feature may be combined to form a display for neighborhood, tract, or subdivision identification, provided that the legend of such signs or display shall consist only of the neighborhood, tract, or subdivision name.
4. Permanent Identification Signs. Churches, schools, day care centers, institutional and public uses in the agricultural and residential districts may have a sign not exceeding 32 square feet in area per frontage.
5. Public Signs. Signs of a noncommercial nature and in the public interest, erected by, or on the order of, a public officer in the performance of his duty shall be permitted.
6. Integral Signs. Names of buildings, dates of erection, monumental citations, commemorative tablets, and the like, of permanent type construction and made an integral part of the building structure shall be permitted.
7. Private Traffic Directional Signs. Signs directing traffic movement into, out of, or within the commercial premises. Such signs shall not exceed an area of two square feet per sign face and only one entrance/exit Directional Sign is allowed per legal driveway/approach.
8. Real Estate Signs. Temporary real estate signs shall be permitted.
9. Flags. Governmental flags are permitted in all Districts. However, the Director of Planning and Zoning may, at his discretion, require large or numerous displays of governmental flags to be subject to a Conditional or Special Use Permit. Non-governmental flags are Signs subject to the above restrictions.
10. Warning Signs. Signs devoted exclusively to warning the public of dangerous conditions and unusual hazards such as drop offs, high voltage, fire danger, and explosives are permitted in all zoning Districts.
11. Temporary signs relating to seasonal agricultural activities, i.e. crop variety trials, "pick your own" or produce sales, not exceeding 32 square feet in aggregate, or used for more than six months in any calendar year, are permitted in all Agriculture Districts.

F. Illumination. Regulations regarding the illumination of signs shall be as follows:

1. Shading. The light from any illuminated sign or billboard shall be so shielded, shaded, or directed so that the light intensity shall not adversely affect surrounding or facing premises or safe vision of operators of vehicles on public or private roads. Shading shall be of such design as to prevent light pollution of night skies.
2. Blinking and Flashing. Blinking, flashing, pulsating, or fluttering lights, or other illuminated devices which have a changing light shall not be located closer than 500 feet from any residential district. This restriction shall not apply to signs displaying the date, time and temperature exclusively.

G. Temporary and Portable Signs. Temporary and portable signs shall not exceed 32 square feet and may be displayed for 60 days per calendar year in the Local Business, Industrial, and Industrial Park Districts. It shall be the duty of the user of the sign to:

1. Notify and obtain approval from the Planning Director prior to placement of said sign.
2. Notify the Planning Director upon removal of said sign. The Planning Director shall continue to deduct one day from the 60 days allowed per calendar year until notice of removal is received or a total of 60 days has elapsed.
3. Place the signs in locations so that the provisions of this article and all other applicable codes and ordinances are complied with.

Temporary and portable signs in the Agriculture A and Agriculture B Districts, when used in conjunction with roadside stands and fireworks stands, shall be authorized as part of the Conditional or Special Use granted to such uses.

H. Prohibited Signs. The following signs are prohibited:

1. **Parking of Advertising Vehicles Prohibited.** No person shall park any vehicle or trailer on a public right-of-way, or public property, or on private property so as to be visible from a public right-of-way, which has attached thereto or located thereon, any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same premises or any other premise. This is not intended to prohibit any form of vehicular signage such as a sign attached to a bus or lettering on a motor vehicle.
2. **Nuisance Signs.** Signs which imitate an official traffic sign or signal or which are of a size, location, movement, content, coloring or manner of illumination which may be confused with or construed as a traffic control device or which hide from view any traffic, street sign or signal shall be removed upon notice.
3. **Banners.** Banners shall be prohibited except on a temporary basis for a maximum of 21 days during any calendar year.
4. **Right-of-Way.** No sign, with the exception of a Public Sign erected by, or on the order of, a public officer in the performance of his duty shall be permitted on or in the airspace above publicly owned property or a public right-of-way.

I. Maintenance and Removal. Every on-premise sign, including any exempt from this code in respect to permits and permit fees, shall be maintained in good structural and aesthetic condition at all times. Any abandoned, unsafe or unsightly sign shall be removed or renovated within 60 days upon written notice. If the owner fails to remove or renovate the sign within the required time period the County may remove such sign at the owner's expense.

**Source:** Ord. No. 2009-04, 2009.

### **Section 3-202. Off-Premise Signs.**

A. Intent. These regulations provide standards for the permitting, erection and maintenance of off-premise signs. The principal feature of this section is the application of standards

for size, illumination, and separation. All signs shall be erected and maintained in accordance with the following standards. The general objectives of these standards are to promote health, safety, welfare and in part to achieve the following:

1. Safety: To promote the safety of persons and property by providing that signs:
  - a. Do not create a hazard due to collapse, fire, collision, decay, or abandonment;
  - b. Do not create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles, or other vehicles, or to see and interpret any official traffic sign, signal or device.
2. Communications Efficiency: To promote the efficient transfer of information by providing that:
  - a. Businesses and services may identify themselves;
  - b. Customers and persons may locate a business or service;
  - c. No person or group is arbitrarily denied the use of the sight line from public rights-of-way for communication purposes.
3. Landscape Quality and Preservation: To protect the public welfare and to enhance the appearance and economic value of the landscape by providing that signs:
  - a. Do not create a nuisance to persons using the public rights-of-way;
  - b. Do not constitute a nuisance to occupancy of adjacent and contiguous property by their brightness, size, height or movement.
4. Existing signage. Signage existing prior to the effective date of this section shall be subject to the provisions of Section 1-110 regarding existing non-conforming use. Major structural repair or replacement of the majority of the display surface of a sign shall be presumed to constitute a cost of 50% of the structure and shall trigger a requirement for conformance with current ordinance.

B. General Regulations.

1. A permit shall be required for all off-premise signage. Permit fees shall be as established by the Board of County Commissioners. Application for a permit shall include evidence that the proposed signage meets the requirements of this Section.
2. In the Agriculture A, Agriculture B, Agriculture B2, Agriculture C, and Riverfront and Park Districts, off-premise signs shall be limited to those which provide direction to a business or use and shall be constructed in accordance with the following:
  - a. A maximum sign area of 32 square feet.
  - b. The sign shall contain the business name and directional information only.
  - c. There shall be no more than one sign face per direction of facing.
  - d. A sign shall not be within a 500 foot radius of any other off-premise sign intended to be read from the same right-of-way. The sign shall not be within a 300 foot radius of any other off-premise sign intended to be read from a different right-of-way. All spacing measurements in this subsection

shall refer to a measurement made along the edge of the right- of-way and shall apply only to structures located on the same side of the highway. These spacing provisions do not apply to signs separated by buildings or other obstructions in such a manner that only one sign facing located within the above spacing distance is visible from the road right-of- way at any one time.

- e. A sign shall not be illuminated nor shall blinking or flashing lights be used.
  - f. A maximum height of 16 feet.
3. The following regulations shall apply to off-premise signs in the Local Business, Industrial, and Industrial Park Districts:
- a. A maximum sign area of 288 square feet.
  - b. There shall be no more than one sign face per direction of facing.
  - c. The maximum height shall be 30 feet.
  - d. No part of the sign face or structure shall be located in or overlap into the required side or rear yard setbacks or public right-of-way.
  - e. A sign shall not be within a 500 foot radius of any other off-premise sign intended to be read from the same right-of-way. The sign shall not be within a 300 foot radius of any other off-premise sign intended to be read from a different right-of-way. All spacing measurements in this subsection shall refer to a measurement made along the right-of-way and shall apply only to structures located on the same side of the highway. These spacing provisions do not apply to signs separated by buildings or other obstructions in such a manner that only one sign facing located within the above spacing distance is visible from the road right-of-way at any one time.
  - f. The light from any illuminated sign shall be so shielded, shaded or directed so that the light intensity shall not adversely affect surrounding or facing premises or the safe vision of operators of vehicles on public roads. The light shall be shielded or shaded so as to prevent it from becoming a source of light pollution to the night skies.
  - g. Programmable electronic signs. Such signs shall have an automatic dimming feature to control brightness at a level of no more than 0.3 foot candles above ambient levels. Signs shall display static images only with a minimum 6 second hold time.

C. Conditional Uses.

- 1. A Conditional Use permit shall be required for off-premise signs within 500 feet of a park, school, church, or designated historic site.

D. Exceptions.

- 1. Directional signs for nonprofit organizations not to exceed four square feet per sign face.

2. Political campaign signs meeting all other size, lighting, and nuisance requirements are permitted in all Districts provided the signs are removed within five days after the election.
3. Directional signs, street name signs, or other signs which have been authorized and directed by a governmental unit.

E. Prohibited Signs. The following signs are prohibited:

1. **Parking of Advertising Vehicles Prohibited.** No person shall park any vehicle or trailer on a public right-of-way, or public property, or on private property so as to be visible from a public right-of-way, which has attached thereto or located thereon, any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same premises or any other premise. This is not intended to prohibit any form of vehicular signage such as a sign attached to a bus or lettering on a motor vehicle.
2. **Nuisance Signs.** Signs which imitate an official traffic sign or signal or which are of a size, location, movement, content, coloring or manner of illumination which may be confused with or construed as a traffic control device or which hide from view any traffic, street sign or signal shall be removed upon notice from a County official.
3. **Right-of-Way.** No sign, with the exception of a Public Sign erected by, or on the order of, a public officer in the performance of his duty shall be permitted on or in the airspace above publicly owned property or a public right-of-way.

F. Maintenance and Removal. Every off-premise sign shall be maintained in good structural and aesthetic condition at all times. Any abandoned, unsafe or unsightly sign shall be removed or renovated within 60 days upon written notice from a County official. If the owner fails to remove or renovate the sign within the required time period the County may remove such sign at the owner's expense.

**Source:** Ord. No. 2009-04, 2009.

***Section 3-203 to 999, inclusive. Reserved.***