

CHAPTER 807

ZONING ORDINANCE: SIGNS

807-1.

Purpose and Effect

- (A) These sign regulations are adopted under the zoning authority of Monroe County, Indiana for the purpose of:
- (1) providing guidelines for the placing, number, size and general characteristics of all signs throughout the County Jurisdictional Area;
 - (2) encouraging the effective use of signs as a means of communication within the County Jurisdictional Area;
 - (3) maintaining and enhancing the aesthetic environment and the County's ability to attract sources of economic development and growth;
 - (4) improving pedestrian and traffic safety (e.g., maintaining appropriate sight distances at intersections and reducing distractions);
 - (5) minimizing the possible adverse effect of signs on nearby public and private property (e.g., the adverse effect of obstructing natural scenic vistas);
 - (6) enabling and promoting the fair and consistent enforcement of these sign restrictions; and,
 - (7) promoting the general purposes set forth in the Zoning Ordinance and the land use planning goals set forth in the Comprehensive Plan.
- (B) The effect of this ordinance as more specifically set forth herein is:
- (1) to establish a permit system to allow a variety of types of signs in commercial and industrial zones, and a limited variety of signs in other zones, subject to the standards and the permit procedures of this ordinance;
 - (2) to allow certain signs that are small, unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this ordinance, but without a requirement for permits;
 - (3) to prohibit all signs not expressly permitted by this ordinance;
 - (4) to provide for the enforcement of the provisions of this ordinance; and,
 - (5) to provide for the gradual elimination of off premises advertising signs (e.g., the gradual elimination of billboards).

807-2. Applicability

A sign may be erected, placed, established, painted, created, or maintained in the County Jurisdictional Area only in conformance with the standards, procedures, exemptions, and other requirements of this Chapter and with other Monroe County ordinances and resolutions.

807-3. Permits

After the effective date of the ordinance codified in this Chapter, and except as otherwise provided, no person shall erect, repair, or relocate any sign as defined herein without first obtaining a permit from the Administrator.

- (A)** Application for permit: Application for the permit shall be made in writing, in duplicate, upon forms approved by the Administrator, and shall contain the following information:
- (1)** Name, address, and telephone number of applicant;
 - (2)** Address or location, if no address, of building, structure, or land on which the sign is to be erected, repaired, or relocated;
 - (3)** A scale drawing of the sign, showing the elevation of the sign, the face(s) composing the sign, the position of lighting or other extraneous devices, and any other components of the sign.
 - (4)** A site plan showing the position of the proposed sign and the public roadway(s) to which the sign's message is to be directed and from which the sign will be measured for height conformity, as well as any existing signage, on any building or land and its position in relation to nearby buildings or structures and to any private or public street or highway right-of-way.
 - (5)** Written consent of the owner of the building, structure, or land on which the sign is to be erected in the event the applicant is not the owner thereof.
 - (6)** The fee, as determined by the Plan Commission Rules of Procedure.

The Administrator may not issue a permit for the relocation of an off-premise advertising sign pursuant to Section 807-5, unless the Board has approved the requested sign relocation as a conditional use in accordance with Chapter 813.

- (B)** Land Use Certificate: The planning staff shall examine the plans, specifications, and other data submitted with the application to determine whether the sign is a legal pre-existing, non-conforming use and was constructed in accordance with the applicable design standard in effect at the time of permitting, and, if necessary, the building or premises upon which it is proposed to erect the sign. If the proposed sign is in compliance with all of the requirements of this zoning ordinance including without limitation, all conditions and commitments, if any, of an applicable conditional use approval, a land use certificate shall be issued.

- (C) Exemptions: The following signs shall be exempted from the permit provisions of this chapter:
- (1) Publicly owned traffic-control and transit stops;
 - (2) Any sign of not more than one and one-half (1-1/2) square feet in area; provided, that no more than one sign shall be permitted per zone lot;
 - (3) Any sign required by law or ordinance.
 - (4) Political signs and signs offering the property on which they are situated for sale, lease, or rent that comply with the provisions of Subsection 807-6(G), are exempt from the permit requirements of this Chapter.

807-4. Lawful Nonconforming Signs

Lawful, pre-existing, nonconforming signs may not be expanded, altered, or relocated, with the following two exceptions:

- (A) Maintenance. Subject to Section 803-2 of this ordinance, ordinary maintenance or upgrade to allow new material for the face of the sign, trim, existing lighting of the sign, and any features necessary to allow safe message replacement is permitted. Maintenance may include the replacement of supports with the same type of material and in the same size, number, and configuration as in the original sign supports. For example, wood supports may be replaced with wood supports, but wood supports may not be changed from wood to iron, to aluminum, to steel, to composite metal, or to any other type of material. Replacement of supports shall be subject to the requirements of Section 807-3.
- (B) Off-Premise Advertising Sign Relocation. Off-premise advertising sign relocations are prohibited except when the need for relocation directly results from the condemnation of property near or under the sign or if the relocation reduces the total sign face(s) area by 50% of the sign being relocated. Sign relocations are subject to the following requirements, standards, and procedures:
- (1) The new location is on the same zoning lot or within a LB, CA, GB, LI, IL, IG, or HI district if the new location is on a different zoning lot;
 - (2) Sign area at the new location shall not exceed the sign area at the previous location, nor shall the height of the sign at the new location exceed twenty-five (25) feet, measured in the manner set forth in Section 807-6(F)(1);
 - (3) The off-premise sign as relocated shall be at least 300 feet from the nearest off-premise sign, except on limited-access highways, where the distance to the nearest sign shall be 500 feet. The spacing provisions shall apply to signs on the same side of the road, measured along the roadway between points on the roadway that are nearest to each sign;
 - (4) The relocated off-premise sign shall be subject to the front, side, and rear

building setback requirement of the district in which it is being relocated;

- (5) The off-premise sign to be relocated must be a pre-existing, lawful, nonconforming sign.
- (6) In addition to the foregoing requirements, off-premise sign relocations are subject to the relevant conditional use requirements, standards, and procedures set forth in Chapter 813. For purposes of Chapter 813, sign relocations shall be processed pursuant to 813-9 or, if within the former two-mile fringe area, pursuant to 813-10(B)(25). Pursuant to Chapter 803, the relocation of a sign structure from an original zone lot to a new zone lot eliminates the pre-existing, lawful, nonconforming use/structure status of the original zone lot as an off-premise sign location, to the extent the removed sign structure was responsible for that status. The relocation of a sign structure on the same zone lot does not eliminate the pre-existing, lawful, nonconforming use/structure status of the zone lot as an off-premise sign relocation.

807-5. Placement Prohibitions

The following prohibitions shall apply in all districts:

- (A) No sign shall be erected or maintained in any form or at any location where it may obstruct or in any way interfere with the view of or be confused with any approved traffic control device or where it may obstruct or in any way interfere with the minimum sight-distance necessary to promote traffic safety.
- (B) On any corner lot, no sign which obstructs sight lines at elevations between two and one-half (2 .) feet and ten (10) feet above the crown of the adjacent roadway shall be placed or maintained within a triangular area of twenty-five (25) feet along each of the intersecting streets, to be measured from the property line.
- (C) No sign shall be placed in any public right-of-way except publicly owned traffic-control and transit signs.
- (D) No sign, either freestanding or mounted on a building, shall project into the public right-of-way.
- (E) No sign shall be mounted on a roof or extend above the eave or parapet of a building wall.
- (F) No sign shall be affixed to trees, fence posts, or utility poles.

807-6. General Sign Regulations

All signs shall conform to the following regulations:

- (A) Illumination:
 - (1) Illuminated signs are permitted; however, signs which direct attention through the use of flashing, intermittent, or strobe effects are prohibited.

- (2) The source of light for any sign shall be directed toward the sign face, must be placed at the top of the sign, and shall not be directed into any residential use or toward any oncoming traffic. The source of illumination by whatever means shall not reflect directly on residential uses or toward on-coming traffic.
- (3) Except for permanent subdivision identification signs, in no instance shall any illuminated sign be located closer than one hundred (100) feet to any residential district.
- (4) The source of light for all illuminated off-premise signs (including nonconforming signs) shall be directed downward and toward the sign face and shall not be directed into any residential property or district, or toward any oncoming traffic. The source of illumination shall not reflect directly on residential property. The total luminosity of light directed toward the sign shall meet all of the luminosity requirements and limitations set forth in this ordinance (see Section 802-4 of this ordinance).

(B) Prohibited Signs:

- (1) Portable business or product-for-sale signs are prohibited.
- (2) All animated or changeable copy signs (including digital billboards), or signs which move by mechanical means or by the movement of air are prohibited.
- (3) Temporary signs or devices consisting of a series of banners, streamers, pennants, balloons, propellers, strung light bulbs, or similar devices are prohibited, except that new business, seasonal business, grand openings, concerts or other similar events lasting no longer than forty-eight (48) hours or other special events may display temporary signs or devices for fifteen (15) days, after having applied for and received a permit. Each business or each zone lot shall be limited to one temporary sign or device permit per twelve month period.

(C) Maintenance: All signs must be kept clean, neatly painted, and free from all hazards, such as, but not limited to, faulty wiring and loose fastenings, and must be maintained at all times in a safe condition so as not to be detrimental to the public health or safety.

(D) Total sign allocations based upon building mass and street frontage in business or industrial districts.

- (1) Location, size, and variety of all signs existing upon a zoning lot are included in the total sign allocations.
- (2) Total sign area permitted for any business or industrial premises shall be two (2) square feet of sign area for each one (1) linear foot of building fronting on a public street, or one (1) square foot of sign for each one (1) linear foot of property fronting a publicly maintained right-of-way, whichever is greater.
- (3) One pole or ground sign with a maximum permitted sign surface area of

sixty (60) square feet shall be permitted for each street frontage.

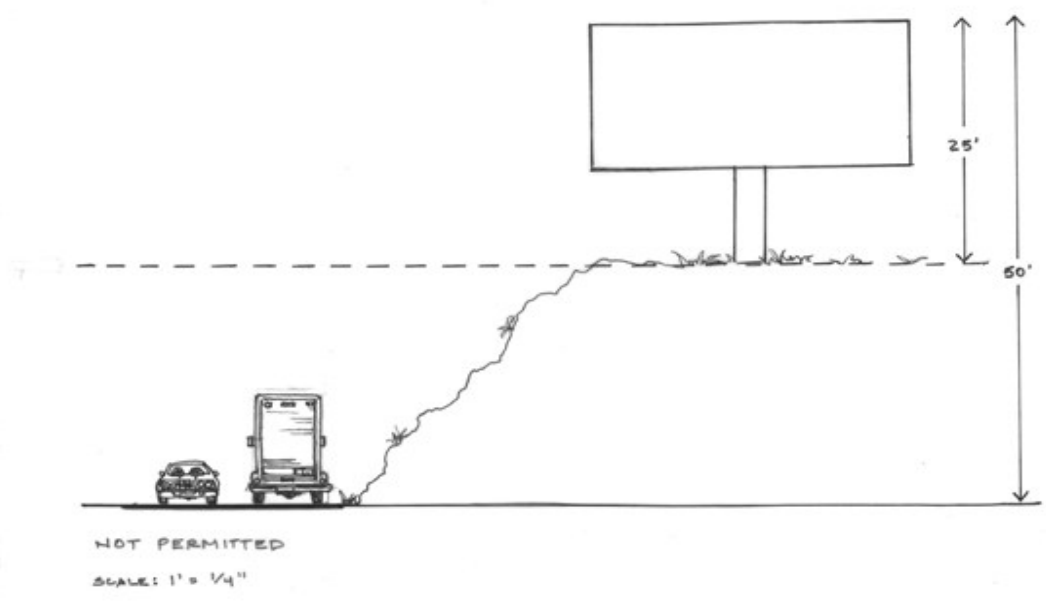
- (4)** Notwithstanding other provisions of these regulations, no premises within any commercial or industrial zoning district may be restricted to less than seventy-five (75) square feet of sign area nor shall any premises be permitted to display more than six hundred (600) square feet of sign area, except as provided below in Subsection H.
- (5)** Computation of area of individual signs:
 - (a)** The area of a sign face (which is also the area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, ellipse, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when the fence or wall otherwise meets Zoning Ordinance regulations and is clearly incidental to the display itself.
 - b)** The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when the sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of the largest face.

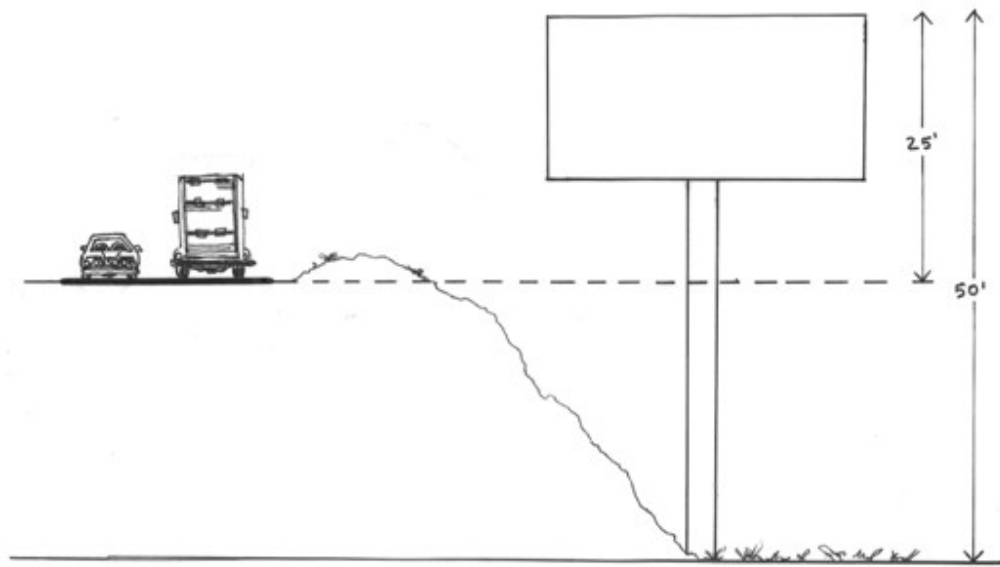
- (E)** Sign allocations in nonbusiness or nonindustrial districts. No sign shall be erected except for the following:
 - (1)** Residential complex or subdivision signs, limited to thirty-two (32) square feet or less, are permitted at the entrance to the complex or subdivision.
 - (2)** Home occupation signs shall be limited to one sign of a maximum size of four square feet per zone lot.
 - (3)** Noncommercial message signs shall be limited to thirty-two (32) square feet in total sign area per zone lot.

- (F)** Height and setback of signs:

No sign shall exceed twenty-five (25) feet in height. Sign height shall be measured from the highest point on the sign or sign structure to the base of the sign or to the crown of the public road(s) at which the sign's message is directed (i.e., the road or roads from which the sign's message can be readily viewed and comprehended), whichever measurement yields the greatest height (see illustrations below).

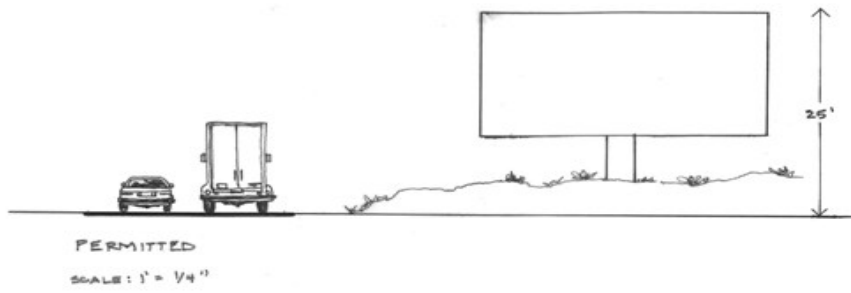
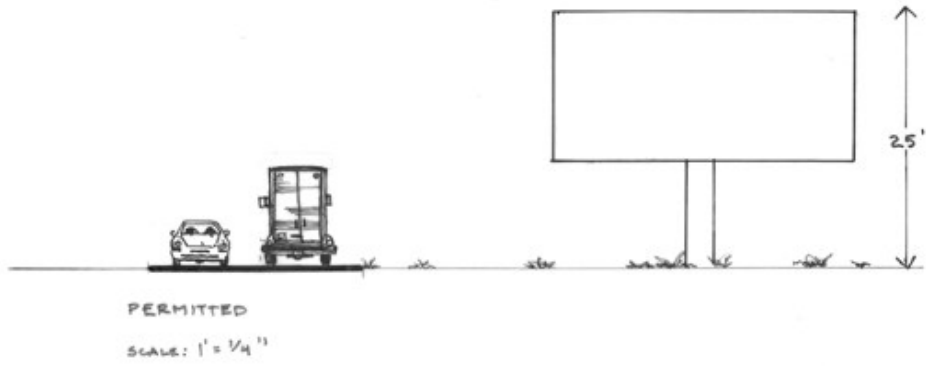
[end of page]





NOT PERMITTED

SCALE: 1" = 1/4"



- (2) All signs shall conform to the side and rear yard requirements for buildings as set forth in Monroe County Code Chapter 804.
 - (3) Signs shall have a minimum setback of ten (10) feet from the street right-of-way. However, signs may be placed less than ten (10) feet, but no less than five (5) feet, of the street right-of-way provided that the bottom edge of the sign face support shall be at least nine (9) feet above the ground; vision beneath the sign must be clear except for the supporting structure; and, the maximum permitted area of the sign shall be reduced by fifty (50%) percent. Setbacks shall be measured horizontally from the vertical plane of the edge of the sign nearest to the right-of-way.
- (G) Special regulations in all districts:
- (1) Signs offering the residential property on which they are situated for sale, lease, or rent shall not exceed four (4) square feet and shall be removed within seven (7) days of the advertised event.
 - (2) Signs for the promotion of non-residential properties or real estate subdivisions are permissible, but shall not exceed thirty-two (32) square feet of sign surface area and shall be removed within seven (7) days of the lease or sale of the property or, in the case of a subdivision, of the initial sale of the final lot sold.
 - (3) Construction signs are not to exceed thirty-two (32) square feet of sign surface area. These signs are permissible only for the duration of construction.
 - (4) Directional signs may not exceed four (4) square feet per sign; in addition, one sign defining conditions of use not exceeding twelve (12) square feet in size is permitted.
 - (5) Political signs may not exceed thirty-two (32) square feet per zone lot.
 - (6) A marquee sign:
 - (a) shall provide a minimum of ten feet of clearance above the surface over which it projects and shall not otherwise interfere with the reasonable use of the surface;
 - (b) may not be wider than the building from which it projects; and,
 - (c) may not extend below or above the vertical face of the marquee.
- (H) Shopping Centers. Regardless of the district in which it is located, the following regulations shall apply to property which is developed for or occupied by a shopping center.
- (1) Signs for individual stores or business establishments within a shopping center must be located on the front exterior wall of the tenant's space and are limited to one and six-tenths (1.6) square feet of sign area for

each one (1) linear foot of front exterior wall length.

- (2)** Independently placed buildings or buildings with corner locations are limited on each side or rear wall to one-half the amount of sign area permitted on the front wall, or to one and two-tenths (1.2) square feet of sign area for each linear foot of building on the side or rear of the building, whichever is less.
- (3)** In addition to signs permitted for individual establishments within a shopping center, general shopping center signs bearing the name of the planned commercial development will be permitted on the basis of one sign for each fifty-thousand (50,000) square feet of gross building floor area within the development, with a total limit of four general shopping center signs. These signs must be limited to the name of the development, except that signs not exceeding thirty-six (36) square feet may be allowed for individual commercial enterprises as part of the main sign. The total area of each general shopping center sign shall not exceed two hundred forty (240) square feet in area or one hundred twenty (120) square feet per side of a double-sided sign.

[end of chapter]