

ARTICLE VII. SIGN REGULATIONS

Section 700. Purpose and Scope

The City of Lincoln recognizes that signs perform an important function in identifying properties, businesses, services, residences, events, and other matters of public interest. It is the intent of this Article to:

- A.** Set standards and provide controls that permit reasonable use of signs and enhance the character of the City.
- B.** Support and promote the use of signs to aid the public in the identification of businesses and other activities, to assist the public in its orientation within the City, to express the history and character of the City, to promote the community's ability to attract sources of economic development and growth, and to serve other informational purposes.
- C.** Avoid excessive competition for large or multiple signs, so that permitted signs provide identification and direction while minimizing clutter, unsightliness, confusion, and hazardous distractions to motorists.
- D.** Protect the public from the danger of unsafe signs, and from the degradation of the aesthetic qualities of the City.
- E.** Encourage sign design that builds on the traditional town image and visual environment the City of Lincoln seeks to promote.

This Article is not intended to inhibit an individual's right to express non-commercial messages protected by the First Amendment of the United States Constitution.

These regulations shall apply to all signs erected, constructed, displayed, painted, maintained, altered, and/or installed in every zoning district in the City, which are designed or intended to be seen by or attract the attention of the public. No sign shall be erected or installed unless it is in compliance with the regulations of this Article.

Section 701. Definitions

Words and phrases used in this Article shall have the meanings defined in this Section. Words and phrases not defined in this Article but defined elsewhere in the Zoning Ordinance shall be given the meaning set forth in Article II Definitions.

Banner: Any sign made of cloth, canvas, plastic sheeting or any other flexible material, which is not rigidly and permanently attached to a building or the ground through a permanent support structure.



Billboard: A sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

Building Frontage: See “Main or Entry Façade” definition.

Building Sign: A sign displayed upon or attached to any part of the exterior of a building, including walls, doors, parapets, and marquees. Canopy signs, awning signs, projecting signs, and signs suspended from buildings are considered types of building signs. (*See Figure 18*)

Commercial Message: Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

Commercial Sign: When describing the content of a sign, a sign advertising, identifying, directing attention to, or otherwise relating to commerce and to property, goods or services for sale, lease, exchange or any other transaction where value is given or received by any party to the transaction.

Development Sign: Any sign, of a temporary nature, used at the entrance to a subdivision, office park, or similar development that indicates lots being sold, the name of the developer, financial institution or other development parties.



Display Area: The area of a sign or advertising device that can be enclosed or measured by the smallest square, rectangle, triangle, circle or combination thereof, which will encompass the entire sign or advertising device; excluding trim, frame, apron, posts, uprights, braces or other structural members which support it, (See Section 705.04 - Calculation of Display Area).

Entry Façade: See “Main or Entry Façade” definition.

Erect: To construct, reconstruct, build, relocate, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish a sign. It shall not include any of the foregoing activities when performed as an incident to change a message on a reader board, or maintain the sign.

Freestanding Sign: Any sign supported by structures or supports that are placed on, or anchored in the ground and that are independent from any building or other structure. The posts or other supporting structures shall be considered as part of the sign, except that they shall not be included in computing the sign display area. (See Figure 18)

General Business Sign: Freestanding sign on any individual development site.

Grade Level: The finished elevation of the lot or development site upon which the sign is located.

Main or Entry Façade: Generally the façade or side of the building that faces the public street, road or highway. In cases where the building is oriented in a manner not parallel to the street, the primary entrance façade is used as the main façade.

Marquee: A permanent roof like structure extending from part of the wall of a building but not supported by the ground; designed to have changeable copy, either manually or electronically which may overhang the public way.



Menu Board: A permanent sign, which is not designed or located so as to be legible from any public right-of-way, depicting products that can be purchased on site, and is part of a drive-through service, (i.e. fast food restaurants).



Noncommercial Sign: A sign which is not an on-premise or off-premise *commercial* sign and which carries no message, statement, or expression related to the commercial interests of the sign owner, lessee, author or other person responsible for the sign message. Noncommercial signs include but are not limited to: signs expressing political views, religious views or signs of non-profit organizations related to their tax-exempt purposes.

Off-Premise Sign: A sign containing a message unrelated to a business, profession, or activity conducted, or to a commodity or service sold or offered, upon the premises where such sign is located.

On-Premise Sign: A sign containing a message related to a business, profession, or activity conducted, or to a commodity or service sold or offered, upon the premises where such sign is located.

Open Letter Sign: A sign consisting of a logo or symbol, individual letters or connected lettering mounted on a building in a raceway or similar mounting or on the surface of an integral architectural element, which is a part of the building. Individual letters may be illuminated. The display area of an open letter sign shall not exceed the maximum permitted area for building signs on the property, (See Section 705.04 “Calculation of Display Area”).



Parapet: That portion of a wall which extends above the roof line.

Painted Graphics: Any mosaic, mural, painting, graphic art technique, or combination thereof placed on a wall and containing no copy, advertising symbols, lettering, trademarks, or other references to the premises or products and/or services offered for sale on the premises.

Pole Sign: A freestanding sign that is affixed, attached, or erected on a pole that is not itself an integral part of or attached to a building or structure.

Political Signs: Any temporary sign promoting the campaign of an individual for public office or an advertisement for an amendment or referendum on a public issue.

Portable Sign: Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported. Portable signs include, but are not limited to, signs on wheels, A-frame or T-frame signs, signs attached to vehicles that are not part of the normal day-to-day operation of a business, and temporary metal/cardboard/plastic/wood signs inserted in the ground other than real estate signs.



Reader Board: Permanent sign containing messages in the form of removable letters or changeable copy. A reader board may be a building sign or an integral part of a freestanding sign.

Real Estate Sign: A sign indicating that a property or any portion thereof is available for inspection, sale, lease, rent, or directing people to a property, but not including temporary subdivision signs.



Subdivision Identification Marker: A sign marking an entrance to a residential subdivision, office park, or industrial park.

Temporary Sign: A sign designed and displayed for a seasonal or brief activity such as, but not limited to, sales, specials, promotions, holidays, auctions, business grand openings, and signs advertising the lease or vacancy of rental units in multiunit residential developments. Symbols, figures, balloons, and other similar items shall be considered temporary signs.

Vehicle Sign: Any sign affixed to a vehicle.



Wall Sign: See Building Sign (*See Figure 18*)

Wind Sign: Any signs, pennants, flags (other than official flags), ribbons, spinners, streamers, captive balloons or inflatable figures, or other objects or materials fastened in such a manner as to move upon being subjected to pressure by wind and drawing attention to a business, product, service or activity whether it contains a message or not.

Window Sign: Any sign, picture, symbol, or combination thereof designed to communicate information about a business, commodity, event, sale, or service for the location on which it is located that is placed inside or upon a window and is visible from the exterior of the window.



Section 702. Exempt Signs

Exempt signs are allowed without a sign permit and are not to be included in determinations of the allowable numbers, type and area of signs that require a sign permit. (Nothing in this Section shall exempt an individual, who desires to erect a sign from the necessity of obtaining a building permit, should such be required by the adopted building code.) Signs exempted in this Section must conform to the standards enumerated herein and shall not be placed in the public right-of-way, or constructed so as to create a hazard of any kind.

702.01. Address Numbers. Address numbers used for the purposes of identifying the E-911 address of a residential or non-residential property are exempt providing they are not part of a building or freestanding sign with other commercial or non-commercial messages or images. An address shown as part of a building or wall sign on a non-residential property shall be counted toward the maximum allowable display area. Incidental signs on residential property identifying the house number, street name and resident's name are also exempt.

702.02. Community Event Banners. Banners may be utilized for special community events open to the general public and sponsored for civic, charitable, community, or similar non-profit purposes provided that:

- A.** At least five business days before signs are to be posted, the designated representative of the sponsoring group shall provide a sign installation and removal plan for review by the Planning Commission or their designee, who shall grant written permission for signs to be posted if the following standards are met:
 - 1.** Signs or banners shall be located outside of the public right-of-way of any public street and outside of the sight distance triangle of any intersection.
 - 2.** Signs or banners may be posted up to fourteen (14) days before the event and must be removed within three (3) days following the event.
 - 3.** No more than one banner shall be permitted per lot or premises, and in no case shall any banner or sign be located closer than 200 feet from another such sign on the same side of the street.
- B.** Nothing in this provision shall be construed to authorize the posting of such signs or banners upon trees, utility poles, traffic control signs, lights or devices in any place or manner prohibited by the provisions herein, nor on private property without written consent of the owner.

702.03. Community Event Displays. Temporary decorations, and/or non-commercial signs associated with school activities, school elections, celebrations or commemorations that have significance to the entire community. All displays shall be removed within seven (7) days of the event's completion.

702.04. Construction Signs. Signs used to identify contractors, financial institutions or developers on a site under construction or undergoing modification. Signs are limited to two (2) signs per site and thirty-two square feet in size each. All construction signs shall be removed within 14 days after the Certificate of Occupancy has been issued. In the case of minor modifications not requiring a certificate of occupancy, i.e. tree removal, painting, landscaping, signs are limited to a display period of 30 days. Routine lawn/landscape maintenance is not considered construction activity.

702.05. Development Signs. Signs used at the entrance to subdivisions, office parks, or similar developments that indicates lots for sale, the name of the developer, financial institution or other development parties. Signs are limited to 32 square feet in size and no more than one sign per development entrance. Signs are to be removed when the original developer sells all lots in the development or phase.

702.06. Directional Signs. A sign that is designed and erected solely for the purpose of traffic or pedestrian direction and placed on the property for which its use is intended. No such sign shall display the name of a product, establishment, service or any other advertising other than a logo. Signs identifying public telephones, trash receptacles, first aid facilities, and shopping cart corrals are considered directional signs. No directional sign shall exceed five (5) square feet.



702.07. Directory Signs. A wall-mounted sign, which is not designed or located so as to be legible from any street or adjoining property, listing the businesses, tenants, or activities conducted within a building or group of buildings. Directory signs are limited to one per building and shall not exceed 20 square feet in size.

702.08. Hazard/Prohibition/Warning Signs. Signs warning of construction, excavation, or similar hazards. Signs such as “No Trespassing” and “No Parking” as long as they do not contain logos or text advertising a commercial product or activity.

702.09. Help Wanted Signs. Signs advertising job vacancies for employment opportunities with the business or activity on the property on which the sign is located. Signs are limited to six (6) square feet in size and only one (1) sign shall be allowed per business.

702.10. Historic District Celebration Signs. Signs mounted to light poles or similar upright structures in historic Lincoln, depicting historic district events or activities and containing no commercial message. Said signs shall be mounted in such a manner that a minimum of eight (8) feet of vertical clearance is provided, and line of sight at intersections and/or driveways entering the roadway is provided.

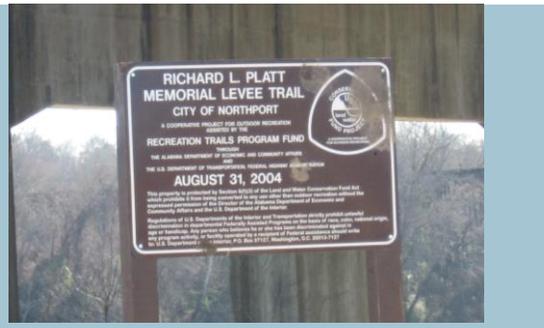
702.11. Holiday Decorations. Temporary holiday decorations used to celebrate a single holiday or season.

702.12. Internal Signs. Signs not intended to be viewed from public right-of-way and located not to be visible from public right-of-way or adjacent properties, such as signs interior to a shopping center, commercial buildings and structures, ball parks, stadiums and similar uses of a recreational or entertainment nature.

702.13. Menu Boards. A permanent sign, which is not designed or located so as to be legible from any public right-of-way, depicting products that can be purchased on site (i.e. fast food restaurants) such as a drive-through menu service. (See Section 704.03)

702.14. Nameplates. A non-electrical sign identifying only the name and occupation or profession of the occupant of a non-residential property on which the sign is located. A nameplate shall not exceed two (2) square feet in size.

702.15. Official Signs. Official federal, state or local government traffic, directional and informational signs and notices issued by any court, person, or officer in performance of a public duty. Also, any sign erected by a federal, state, or local government agency for identification purposes at any office, institutional, recreational, historical or other publicly owned or recognized site.



702.16. Official Flags. Official federal, state, or local government flags. Also, any flags or insignia of a nonprofit religious, charitable, fraternal, academic, corporate or civic organization shall be allowed as well. Official flags must be flown in a manner that meets U.S. Congressional protocol. Failure to display flags in this manner will be a violation of this Ordinance.

702.17. Political Signs. Political signs are subject to the following requirements:

- A. Political sign must be removed within seven (7) days following the election for which they are posted. In the event of a run-off election, the signs of the run-off candidates may be maintained until the date of the run-off election and must be removed within seven (7) days following the official election date. However, signs belonging to successful primary candidates may remain in place for the general election and must be removed within seven (7) days following the official election date.
- B. Political signs are limited in size to no more than thirty-two (32) square feet.
- C. Such signs are confined wholly to placement on private property.

- D. Pursuant to Section 23-1-6 of the Code of Alabama, it is unlawful to erect or display political signs on any property owned or controlled by the City of Lincoln or on School Board property. This shall include public rights-of-way, trees, light poles, sidewalks, streets, benches, fire hydrants, public parks or playgrounds, libraries, fire stations, City Hall, and schools.
- E. The regulations of this section do not prohibit the purchase of advertising space on permitted advertising signs in addition to the signs permitted by this section.
- F. It is the candidates' responsibility to ensure that the volunteers and sign contractors who distribute and erect political signs during an election are doing so in compliance with this regulation. **Candidates will be held responsible for violations.**

702.18. Real Estate Signs.

- A. **For Sale Signs.** Temporary signs indicating the property on which the sign is located is for sale, rent or lease. Only one (1) sign is permitted to face each street adjacent to the property.

Maximum allowable sign display area for real estate signs:	
Residential	6 Sq. Feet each, or a maximum of 12 Sq. feet
Non-Residential	32 Sq. Feet
<i>NOTE: All real estate signs shall be located only on the property that is for sale, lease or rent.</i>	

- B. **Model Homes/Open House.** Temporary signs attracting attention to a model home, and open house viewing provided that the aggregate area of such signage is not to exceed 32 square feet.
- C. **Off-Premise Real Estate “For Sale”, “For Rent”, etc.** or locator signs are allowed on consecutive days from the hours of 4:00 p.m. Friday thru 10:00 a.m. Monday. No such sign shall be located in any public right-of-way. Any such sign posted outside of the hours designated above shall be removed and immediately disposed of by the City of Lincoln.

702.19. Vehicle Sign. Any sign attached to a vehicle or trailer that is used in the normal day to day operation of the business depicted on the vehicle. The primary use of any vehicle or trailer, which contains a vehicle sign, must be to serve a useful function in the transportation or conveyance of persons or commodities from one place to another, including transportation to and from work. These vehicles shall not be parked immediately adjacent to the public right-of-way, whether in a parking space or otherwise located. A vehicle or trailer, the primary use of which is for advertising, is prohibited.

702.20. Window Sign. Any sign located on a window that is visible from the street or adjoining properties. Signs must contain a message related to a business, profession, or activity conducted, or to a commodity or service sold or offered, upon the premises where such sign is located and shall not occupy more than 25% of the total glass area.

Section 703. Prohibited Signs.

It shall be unlawful to erect, cause to be erected, maintain or cause to be maintained, any sign not expressly authorized by, or exempted from, these regulations. The signs listed below are expressly prohibited in the City of Lincoln.

- A. Signs that are in violation of the building code or electrical code adopted by the City of Lincoln.
- B. Portable signs.
- C. Beacons and searchlights.
- D. Off-Premise signs.
- E. Flags on commercial property other than official flags.
- F. Wind signs consisting of one (1) or more flags, pennants, ribbons, spinners, streamers, captive balloons, inflatable figures or other objects or material fastened in such a manner as to move freely upon being subjected to pressure by wind (whether the sign contains a commercial message or not). Wind signs exclude holiday or community decorations.
- G. Inflatable signs and tethered balloons.
- H. A sign that, in the opinion of the Planning Commission or their designee, does or may constitute a safety hazard.
- I. Any sign which simulates or imitates in size, color, lettering or design any traffic sign or signal, or which makes use of words, symbols or characters in such a manner to interfere with, mislead or confuse pedestrian or vehicular traffic.
- J. Any signs, other than official traffic control devices, highway identification markers, warning signs, and other official signs, which are erected within the right-of-way of any street or alley. Any sign that is erected or maintained outside the right-of-way and obstructs the vision of pedestrians, cyclists, or motorists traveling on or entering a street, road, or highway. The national standards for sight-distance triangles utilized by the City of Lincoln Engineer shall be utilized to determine if a sign is creating an obstruction.

- K.** Freestanding signs which project into the public right-of-way.
- L.** Signs consisting of any moving, rotating, flashing, or otherwise animated light or component, except for time and temperature displays and traditional barber poles.
- M.** Any sign or sign structure identifying a previous use or activity that has not occupied the site for a period greater than sixty (60) days, does not maintain a current business license or pertains to a time, event or purpose which no longer applies, shall be deemed abandoned. The removal of a frame of an abandoned sign shall not be required, if it conforms to all applicable terms contained in these regulations (including the sign face area for sign replacement yielded by such frame).

Any sign structure, which supported or supports an abandoned sign and which structure conforms to all applicable terms contained in these regulations shall be allowed to remain in place. However, in the event a sign structure which supported or supports an abandoned sign is inconsistent with any term contained in these regulations (including the sign face area for sign replacement yielded by the frame), then the sign structure and frame shall be either altered to comply with the terms contained herein or removed by the owner of such structure or property. (See Section 707.02)

- N.** Strips or strings of lights outlining property lines, sales area, rooflines, doors, windows, wall edges or other architectural features of a building. This prohibition does not include holiday decorations and community decorations. This prohibition does not include neon lighting on buildings. If neon is used to depict wording or logos, it will be calculated as part of the overall allowable signage.
- O.** Signs on public land, other than those erected at the direction or with the permission of a public authority.
- P.** Signs that emit audible sound, odor, visible matter such as smoke or steam, or involve the use of live animals.
- Q.** Signs or sign structures that interfere in any way with free use of any fire escape, emergency exit, or standpipes, or that obstruct any window to such an extent that light or ventilation is reduced to a point below that required by any provision of these regulations or any other regulation of the City of Lincoln.
- R.** Signs that are of such intensity or brilliance as to cause glare or impair the vision of motorists, cyclists, or pedestrians; or that illuminate adjacent residential development.
- S.** Signs that contain any lighting or control mechanism that causes unreasonable interference with radio, television, or other communication signals.

- T. Signs placed upon light poles, benches, bus shelters, waste receptacles or shopping cart corrals except those which identify the use of the object on which they are placed, i.e. “Cart Return,” “Bus Stop.”
- U. Signs erected on public utility poles, even if they are located on private property other than signs erected by a public authority for public purposes.
- V. Signs, other than historical markers or those identifying a natural feature, painted on or attached to trees, rocks, or other natural features.
- W. Signs visible from a public right-of-way that use the word “stop” or “danger” or otherwise present or imply the need or requirement of stopping, caution, the existence of danger, or which for any reason are likely to be confused with any sign displayed or authorized by a public authority.
- X. Any sign mounted to the structural roof or applied to the roof including painted signs.
- Y. Signs projecting above the building roof or parapet line.
- Z. Signs that have become deteriorated or damaged to such an extent that the cost of the reconstruction or restoration of said signs is in excess of 50 percent of its replacement value exclusive of foundations.
- AA. Signs lettered in a crude or amateurish fashion.
- BB. Signs on any broadcasting or telecommunications tower or any antenna other than appropriate hazard/warning signs.
- CC. Vehicles or trailers (operable or inoperable) which contain advertising and are not used in the daily conduct of business. (See Section 702.19)
- DD. Signs in conjunction with a home occupation.

Section 704. Permitted Signs.

704.01. Freestanding Signs. All freestanding signs shall consist of or be covered entirely in masonry, stone, wood, or other decorative surface treatment such that metallic structural elements, including poles, are not visible. For the purpose of this Section, paint of any kind including textured or rubberized paint shall not qualify as a cladding material.

The height of freestanding signs on property lying below the grade of the street shall be taken from the adjacent curb elevation or in the absence of a curb, the street centerline elevation. All other sign heights shall be measured from grade.

Any berming or filling solely for the purpose of locating the sign shall be computed as a part of the sign height.

All monument style signs must have a minimum base of one foot (1') in height, covered as described above.

A. General Business Signs. Freestanding General business signs may be of the monument or elevated (pole) style, and one hundred (100) square feet in area. Elevated signs may be up to twenty (20) feet in height, and monument style signs up to ten (10) feet in height, on any individual development site, unless specifically allowed or further limited by this Section.

Freestanding signs are limited to one (1) per parcel, unless otherwise allowed by this Section. Such signs shall have a minimum setback of ten (10) feet from any side lot line. (measured from the edge of the sign face)

Reader boards shall be integrated into the structure of the general business sign and count toward the maximum allowable display area.

Corner or double frontage lots shall be allowed two (2) signs, one on each street frontage. Such signs shall be a minimum distance of fifty (50) linear feet apart and located outside of any applicable site distance triangle. The combined area of the two signs shall not exceed one hundred-sixty (160) square feet. The area of the two signs may be distributed in any combination not to exceed one hundred (100) square feet on any individual sign.

A summary of the sign requirements for Freestanding General Business signs is shown below:

Permitted Sign Area (One Sign)	Sign Area on Corner Lots (Two Signs)	Permitted Sign Height	Side Lot Line Setback
<i>Elevated:</i>			
100 sq. ft.	160 sq. ft.	20'	10'
<i>Monument:</i>			
100 sq. ft.	160 sq. ft.	10'	10'

B. Shopping Center Signs. For the purposes of this Section, the term "Shopping Center" shall be inclusive of "Shopping Centers" and "Neighborhood Shopping Centers". Additionally, for the purposes of this Section, a development site must consist of at least three (3) individual businesses and a minimum of 10,000 square feet of gross building area to be considered a shopping center.

Shopping Centers consisting of between 10,000 and 20,000 square feet of gross building area shall be allowed one (1) sign. The total area of said sign shall not exceed one-hundred (100) square feet. Said Shopping Centers lying on corner or double frontage lots

shall be allowed two (2) freestanding signs. The combined area of these signs shall not exceed 160 square feet.

Shopping Centers consisting of at least 20,000 square feet and less than 65,000 square feet of gross building area shall be allowed one (1) sign. The total area of said sign shall not exceed 150 square feet. Said Shopping Centers lying on corner or double frontage lots shall be allowed two (2) freestanding signs. The combined area of these signs shall not exceed 200 square feet.

Shopping Centers consisting of greater than 65,000 square feet of gross building area shall be allowed one (1) sign. The total area of said sign shall not exceed 250 square feet. Said Shopping Centers lying on corner or double frontage lots shall be allowed two (2) freestanding signs. The combined area of these signs shall not exceed 350 square feet.

The combined height of the base and sign shall not exceed 25 feet in height for Shopping Centers less than 65,000 square feet of gross building area and shall not exceed 35 feet in height for Shopping Centers greater than 65,000 square feet of gross building area. All Shopping Center signs shall be set back a minimum of ten (10) feet from any lot line.

All shopping center signs shall be supported by a structure constructed of brick, stone or other masonry material, unless otherwise approved by the Planning Commission.

A summary of the sign requirements for Shopping Centers is shown below:

Shopping Center Gross Building Area (sq. ft.)	Permitted Sign Area (One Sign)	Permitted Sign Area on Corner Lots (Two Signs)	Permitted Sign Height	Side lot line and ROW setback
10,000 – 20,000	100 sq. ft.	160 sq. ft.	25	10'
20,000 – 65,000	150 sq. ft.	200 sq. ft.	25'	10'
65,000 – over	250 sq. ft.	350 sq. ft.	35'	10'

C. Interstate Signs. In addition to the allowable freestanding general business signage for any nonresidential development site, an interstate sign may also be erected provided that;

1. Any portion of the development site lies within an area of 1,000 feet from the center point of the centerline of the interstate overpass. One (1) interstate sign with a maximum area of 250 square feet and a maximum height of 60 feet may be erected; or
2. Any portion of the development site lies within an area of one (1) mile, (5,280 feet) from the center point of the centerline of the interstate overpass **and**

whose development site abuts the right-of-way of the interstate. One (1) sign with a maximum area of 130 square feet and a maximum height of 30 feet may be erected. Such signs must be located only along the property edge abutting the interstate right-of-way and must be positioned as to be read from the interstate. The maximum setback from the interstate right-of-way shall not exceed 20 feet.

The height measurement of interstate signs shall be measured from the elevation of the interstate highway grade at the center point of the overpass.

- The elevation of the interstate highway grade at the center point of the overpass located at Stemley Road, Exit 165, is 479 feet.
- The elevation of the interstate highway grade at the center point of the overpass located at Highway 77, Exit 168, is 555 feet.
- The elevation of the interstate highway grade at the center point of the overpass located at Speedway Blvd., Exit 174, is 540 feet.

D. Billboards. Off-premise signs with a maximum display area of 672 square feet. All Billboards erected after the adoption of this ordinance shall be of the digital style and have no more than seven (7) messages per minute.

1. **Area and Dimensional Requirements.** The following area and dimensional regulations shall apply to all billboards:

Minimum Lot Area: Determined by setback requirements

Minimum Setbacks: Determined by district setback requirements. All billboards must meet the setback requirements of the zone in which they are to be located. No part of the sign, including the sign face, shall extend over a building setback line. In no case shall any billboard sign be less than 10' from any property line measured from edge of sign face.

Movement: Except for the change of messages on a digital billboard there shall be no movement (i.e. video copy etc.) involved with the messages displayed.

Lighting: All lighting of Billboards shall be done in a manner that will not interfere with commuters' vision. The light intensity of Digital Billboards shall be adjusted for daylight and dark so as not to impair commuters' nighttime vision.

2. **Height and Location Restrictions.** In regard to the height and citing of all billboard signs, the following regulations shall be observed:

No billboard shall be located closer than 600 feet to any residence.

No billboard shall be located within a 2000 foot radius from another billboard

No billboard shall exceed 45 feet in height as measured from grade.

No billboards shall be located in the Downtown Historic District, or within a ½ mile radius of the declared center point of said district. (See Figure 19)

No billboard may be mounted or displayed as a roof sign or wall sign or on any structure not intended specifically to use as a billboard.

No billboard shall be located on or project over any public property, right-of-way, utility easement or drainage easement.

Exposed backs of signs, poles and other support structures must be painted black, dark green, or dark brown to blend with natural surroundings and present a more attractive appearance.

Billboards shall only be permitted in areas zoned Highway Commercial (HC), or Manufacturing (M-1 or M-2), and only along the following Roadways:

Highway 77

Speedway Blvd.

Interstate 20 (on private property only and per ALDOT regulations)

E. Freestanding Signs in the Downtown Historic District. Freestanding signs are prohibited in the Downtown Historic District, with the exception of a changeable copy freestanding directory that may be provided for the use of all downtown businesses. Any such directory sign shall be designed to fit with the architectural features of downtown historic businesses and approved by the Planning Commission.

704.02. Reader Boards. A reader board is a permanent sign displaying changeable copy in the form of either removable letters or electronic (LED or Digital) format. A reader board may be a building sign or an integral part of a freestanding sign and will be counted toward the overall allowable sign area for either. In no case shall a reader board exceed 32 sq. ft. in size, and no more than one such sign shall be permitted per site.

Electronic Reader Boards shall meet the following additional criteria:

- A.** The sign must be “accessory” to the primary “freestanding” business sign, it shall not constitute the entire primary sign.
- B.** The sign may not be more than 32 sq. ft. in size
- C.** The overall sign area (primary and reader board) must meet the size and height requirements of the Lincoln Sign Regulations.
- D.** No more than seven (7) message frames per minute may be displayed on the sign.
- E.** Except for the changing of the message there shall be no movement (i.e. video, flashing backgrounds, etc.) involved with the message display.

- F. All lighting shall be done in a manner that will not interfere with commuters' vision. The light intensity shall be programmed for daylight and dark so as not to impact commuters' nighttime vision.

704.03. Menu Boards. A permanent sign, which is not designed or located so as to be legible from any public right-of-way, depicting products that can be purchased on site (i.e. fast food restaurants) and is part of a drive-through service. Menu boards must be shown on the site plan and noted on the sign permit, but the size does not count against the allowable square footage of a freestanding sign.

704.04. Subdivision Identification Marker. A sign marking an entrance to a residential subdivision, office park, or industrial park. A subdivision marker shall contain no advertising other than the name of the residential subdivision, office park, or industrial park and/or the developer. Subdivision markers must be within the perimeter of the subdivision and shall not be located within the public right of way, except for those located in a landscaped traffic island (see below). Subdivision Markers shall meet the following standards:

Maximum Number: 1 per street front (entrance); 2 sign faces may be used (on either side of entrance) with a wall, fence or other architectural entrance feature.

Maximum Area: 36 sq. ft. (sign face)

Maximum Height: 8 ft. (overall structure)

Permitted for all-residential, mixed use, and non-residential projects of 10 acres or more.

Limited to name and/or logo.

For subdivision markers located in traffic islands as mentioned above, the following criteria shall apply:

- A. The sign must be placed in a designated curbed median.
- B. The sign must be constructed of a durable material such as brick.
- C. The developer must indicate the location of the sign(s) on a site plan and provide construction details for review and approval.
- D. Any utilities involved with construction of the sign, shall be permitted through the Lincoln Building Inspections Office.
- E. If the sign is ever damaged by natural or human causes the sign will not be repaired or replaced at the expense of the City, nor shall it be allowed to remain in a damaged condition.
- G. The developer's engineer must certify that site distance around the sign meets minimum requirement established by the City.

Maintenance. All such signs shall be maintained perpetually by the developer, the owner of the sign, a pertinent homeowners association or some other person who is legally accountable. Such

accountability is required before a permit shall be issued. If, following the issuance of a permit and subsequent erection of such signs, no accountable person accepts legal responsibility to maintain the signs and no other provision has been made for maintenance, the signs shall be removed by the developer or owner.

704.05. Building (Wall) Signs. Building signs on any single development site shall not exceed a total of two (2) square feet per linear foot of the main or entry façade except in the Downtown Historic District where building signs shall not exceed a total of one (1) square foot per linear foot of the main or entry façade.

Note: Individual businesses will be allowed a minimum of 32 square feet, except the Downtown Historic District where a minimum of 24 square feet will be allowed. No individual business shall be allowed more than 500 square feet of building signage, and no single sign shall exceed 300 square feet.

- A. Projecting Signs** - Projecting signs shall not project into the public right-of-way, except in the Downtown Historic District. Signs in the Downtown Historic District may project into a public pedestrian way (sidewalk) no more than six feet. Signs projecting over pedestrian ways shall provide a minimum of eight (8) feet vertical clearance.

Signs in the Downtown Historic District may project into an alley no more than six (6) feet. Projections greater than one (1) foot and up to six (6) feet shall be reviewed and approved by the City Engineer. Signs projecting over public alleyways shall provide a minimum of sixteen (16) feet of vertical clearance. (*See Figure 18*)



- B. Shopping Center** - When determining the allowable exterior sign area for Shopping Centers and Neighborhood Shopping Centers, where it cannot be determined which facade is the main or entry facade, the longest single exterior elevation of the structure shall be used.

When determining the allowable exterior sign area for an individual business in a Shopping Center or Neighborhood Shopping Center, where it cannot be determined which façade portion of the individual business is the main or entry façade, the longest single exterior entry façade of the individual business shall be used.

When determining the allowable exterior sign area of individual mall shops or other businesses without exterior façades, the interior or entry façade width or the allowable minimum shall be used.

- C. Historic District.** Permanent wall signs for those businesses having no frontage on primary streets may be mounted to the wall of another business in the historic district subject to the approval of the property/building owner of the host building. Said wall signs shall be calculated using the parent structures façade frontage as set out in above and count toward the overall allowable signage of the same. Said wall signs shall not count toward the host building’s overall allowable wall signage. In no case shall the host building provide more than one hundred (100) square feet of signage for other businesses, or cover more than twenty-five (25) percent of the surface of a building’s façade, whichever is less.

704.06. Multi-Family Residential Signs. Permits are required for all signs located on multi-family residential properties. The following requirements apply to multi-family residential sites:

- A.** Wall Sign - 32 square feet, not including building identification number.
- B.** Freestanding Sign - 32 square feet.
- C.** Allow one sign of either type at each entrance from a public street.

704.07. Commercial Banners. Banners may be utilized by commercial establishments provided:

At least five business days before signs are to be posted, the designated representative of the business or commercial establishment shall provide a sign installation and removal plan for review by the Planning Commission or their designee, who shall issue a permit for signs to be posted if the following standards are met:

- A.** Signs or banners shall be located outside of the public right-of-way of any public street and outside of the sight distance triangle of any intersection.
- B.** Signs or banners may be posted up to thirty (30) days.
- C.** Each banner shall require a separate permit, and no more than four (4) permits per calendar year shall be issues for any one commercial establishment.
- D.** In no case shall any banner be located closer than 100 feet from another such banner on the same site.
- E.** Banners shall be limited in size to 4’ x 8’ or 32 square feet.
- F. Exemptions:**
 - a.** Each new business shall be allowed one exempt “Grand Opening” banner for up to 30 days from the date of opening, in the place of or in addition to their permanent business sign.

- b. Banners for special sales and events related to Talladega Race Week, posted during Race weekends shall be exempt.
- G.** Nothing in this provision shall be construed to authorize the posting of such banners in the right-of-way, upon trees, utility poles, traffic control signs, lights or devices in any place or manner prohibited by the provisions herein, nor on private property without written consent of the owner.

Section 705. Design, Construction, and Maintenance of Signs

705.01. Compliance with Building and Electrical Code Requirements. All permanent signs and the illumination thereof, shall be designed, constructed and maintained in conformity with the applicable provisions of the adopted building code and electrical code of the City of Lincoln. Wherever there is inconsistency between this Ordinance and the building or electrical code, the more restrictive requirement shall apply.

705.02. Illumination Standards.

- A. Sign lighting shall not be designed or located to cause confusion with traffic signals.
- B. Devices that illuminate a sign or signs shall be placed and shielded so that direct light shall not be cast into the eyes of pedestrians, cyclists or motorists entering or using a street, road or highway.

705.03. Placement and Clearance Standards.

- A. Signs shall be located such that there is at every intersection and driveway clear sight distance for pedestrians, cyclists, and motorists traveling on or entering any street, road, or highway. The national standards for sight-distance triangles utilized by the City of Lincoln Engineers shall be applied to determine if a sign is creating an obstruction.
- B. No sign structure shall be erected that impedes use of any fire escape, emergency exit, or ventilation opening.
- C. No freestanding sign shall project into a public right-of-way.
- D. No building sign shall project into a public right-of-way except in the Downtown Historic District. Signs in the Downtown Historic District may project over a public pedestrian-way no more than six (6) feet. Signs projecting over pedestrian-ways shall provide a minimum of eight (8) feet of vertical clearance.

Signs in the Downtown Historic District may project into an alley no more than six (6) feet. Projections greater than one (1) foot and up to six (6) feet shall be reviewed

and approved by the City Engineer. Signs projecting over public alleyways shall provide a minimum of 16 feet of vertical clearance.

705.04. Calculation of Display Area. The display area of a sign or advertising device is measured by the smallest square, rectangle, triangle, circle or combination thereof, which will encompass the entire sign or advertising device; excluding trim, frame, apron, posts, uprights, braces or other structural members which support it.

Where a sign is double facing and only one face can be viewed from a single location on a roadway, the display area shall be the area of one sign face. Where a sign has two (2) or more faces that can be viewed from a single location, the display area of all such faces shall be included in determining the total display area of the sign.

Open Letter sign display area shall be measured by the number of square feet in the smallest rectangle, within which all letters, logos, symbols or other elements of the sign can be enclosed, multiplied by a factor of 0.8.

When a sign is in the form of a three-dimensional object, the area shall be determined by drawing a square, rectangle, triangle, circle or combination thereof, which will encompass the projected image of the sign and multiplying that area by two (2). The “projected image” is that image created by tracing the largest possible two-dimensional outline of the sign.

705.05. Maintenance. All signs, including their supports, braces, guys and anchors, electrical parts and lighting fixtures, and all painted and display areas, shall be maintained in accordance with the building and electrical codes adopted by the City of Lincoln. All signs and their components shall be maintained in good repair, free of rust, peeling, fading, broken or cracked panels, and broken or missing letters. Vegetation must be properly maintained and no condition shall be allowed that would constitute a fire or health hazard. The general area in the vicinity of any sign shall be kept free and clear of any unnecessary or discarded sign materials.

No sign shall be allowed to deteriorate to a condition in which it is unsightly in appearance or to a condition in which it requires repairs or renovations in an amount which exceeds 50 percent of its current replacement cost. Signs which deteriorate to such a condition are deemed to be in violation of this ordinance, and as such must either be removed or improved (if permitted) by the person responsible for maintaining the sign.

Section 706. Permitting and Administration

706.01 Applicability. No person shall erect, alter, relocate, repair, replace the face of, or change a sign without first obtaining a permit, except for the following actions which shall not require a permit:

- A. Changing the copy, announcement or message on a reader board sign;

- B. Cleaning, painting, or comparable maintenance of a sign that does not alter the size, image or message of the sign;
- C. Erecting a sign for which a permit is not required in accordance with Section 702 “Exempt Signs” of this Ordinance.

706.02. Procedure. All sign permits shall be procured in accordance with the following procedure:

- A. A written application shall be submitted to the Planning Commission or their designee for review and processing. The Planning Commission or their designee, only upon determination that all requisite documentation and fees accompany the application form, will accept the application. The application shall include supplementary information as may be specifically requested by the Planning Commission or their designee to determine compliance with these regulations.
- B. The Planning Commission or their designee shall review the application, plans, and specifications to determine whether the proposed sign conforms to all applicable requirements of these regulations.
- C. Following review and determination as to conformance with these regulations, the Planning Commission or their designee shall either approve or deny the application for the sign permit. In case of denial, the Planning Commission or their designee shall specify the section or sections of these regulations with which the proposed sign is not in conformance.
- D. An application may be amended within thirty (30) days of the application date to include additional signs up to the allowable maximum. Additional fees shall be charged if the additional signs exceed the size limitations for fee category. After thirty (30) days, a new sign permit shall be required for any sign constructed and all fees shall be required.

706.03. Submission Requirements. No request for a sign permit shall be considered complete until all the following has been submitted to the Planning Commission or their designee.

- A. The application form shall be submitted with all required information completed by the applicant. The application form is available from the City of Lincoln.
- B. Plans and specifications for the proposed sign shall be submitted, drawn to scale, and include the following:
 - 1. Site plan of development site showing location of any freestanding sign(s) including any easements, public rights-of-way, property lines, buildings, sight distance triangles and other signs on the property;
 - 2. Main or entrance façade including linear dimension;

3. Dimensions and elevations (including message) of all signs;
 4. Dimensions of any supporting structures;
 5. Maximum and minimum height of sign, as measured from finished grade;
 6. For illuminated signs, indicate type and placement of illumination;
 7. Inventory of number, type, location, and display area of all existing signs on the same property and/or building on which the sign is to be located.
- C. The applicant shall be required to pay an application fee according to the current schedule of fees established by the Lincoln City Council for the particular category of application. This fee is nonrefundable irrespective of the final disposition of the application.
- D. A sign permit shall be valid for a period of 180 days after issuance. Failure to place the sign within the allotted time period shall void the permit and necessitate reapplication.

Section 707. Nonconforming, Illegal and Abandoned Signs.

707.01. Nonconforming Signs.

A nonconforming sign is any sign within the jurisdiction of the Zoning Ordinance of the City of Lincoln on the effective date of this article or any sign existing within any area added to such jurisdiction after the effective date of this article, which is prohibited by, or does not conform to the requirements of, these regulations. *(See Also: Section 703. M. "Prohibited Signs)*

A nonconforming sign may be continued and shall be maintained in good condition as required by these regulations, however, it shall not be:

- A. Structurally changed to another nonconforming sign, but its pictorial content may be changed.
- B. Structurally altered to prolong the life of the sign, except to meet safety requirements.
- C. Expanded or altered in any manner that increases the degree of nonconformity.
- D. Re-established after damage or destruction if the estimated cost of reconstruction exceeds fifty (50) percent of the appraised replacement cost as determined by the Planning & Development Service Department.
- E. Continued in use when a conforming sign or sign structure shall be erected on the same parcel or unit.

- F. Continued in use when the structure housing the occupancy is demolished or requires renovations the cost of which exceeds fifty (50) percent of the assessed value of the structure.

707.02. Abandoned Signs.

Except as otherwise provided in this article, any sign that is located on property which becomes vacant and unoccupied, pertains to a business which does not maintain a current business license, or pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Any abandoned sign shall be prohibited and shall be removed by the owner of the sign or the owner of the property. The frame of an abandoned sign shall not be required to be removed if it conforms to all applicable terms contained in these regulations (including the sign face area for sign replacement yielded by such frame).

Sign faces (whether freestanding or building signs) deemed to be abandoned as a result of the closing, relocation or other form of removal of the business for which it was intended, shall be replaced with a blank sign face panel or with the approval of the Planning Commission and/or their designee, otherwise neatly removed or covered. Exposed lighting or wiring shall not be allowed.

Any sign structure which supported an abandoned sign and which structure conforms to all applicable terms contained in these regulations shall be allowed to remain in place. However, in the event a sign structure which supported or supports an abandoned sign is inconsistent with any term contained in these regulations (including the sign face area for sign replacement yielded by the frame), then the sign structure and frame shall be either altered to comply with the terms contained herein or removed by the owner of such structure or property.

707.03. Illegal Signs.

The following signs shall be considered to be illegal and a violation of the terms of this article:

- A. A sign erected or maintained after the effective date of this article inconsistent with the terms contained herein;
- B. A nonconforming sign which was erected inconsistent with the terms governing location, height, surface area or other regulatory measure applicable at the time of its erection;
- C. An abandoned sign.

Upon determination by the Commission or their designee that a certain sign is illegal, the Commission or their designee shall act to remedy the violation, which may include:

- A. Causing the issuance of a notice of violation to the individual who owns, is responsible for or benefits from the display of such sign prescribing the action

necessary to make the sign legal and conforming to the terms contained herein or ordering the removal of the illegal sign and also prescribing the time which the individual is afforded to accomplish such action;

- B.** The removal of any illegal sign located on public property or on private property, including any such sign located within a street right-of-way in which case the City shall have the right to recover from the individual erecting such a sign the full costs of removal and disposal.

Failure to bring any illegal sign into conformance with the terms contained in this article or any other violation of the terms contained in this article shall be considered a violation of the Zoning Ordinance of the City of Lincoln and shall be subject to the remedies and penalties provided by such ordinance and by state law.

Section 708. Variances and Waivers

It is the explicit intent that this section be enacted to accomplish the purposes as set forth in Section 700 and any variance granted by the Board of Zoning Adjustment (BZA) would be detrimental to these purposes. Accordingly, the BZA shall only grant a variance in the case of an extreme hardship. Acts of God and economic conditions shall not be considered hardships for purposes of this section.

Section 709. Severability Clause

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this chapter.