

ORDINANCE NO. _____ - 2022

AN ORDINANCE CREATING ARTICLE 17-11(i)(6) OF THE ZONING ORDINANCE TO ALLOW DIGITAL (ELECTRONIC MESSAGE DISPLAY) MARQUEE SIGNS IN THE LEXINGTON CENTER BUSINESS (B-2B) ZONE. (BIG PICTURE VENTURES, LLC).

WHEREAS, the Lexington-Fayette Urban County Planning Commission considered and adopted a text amendment to Article 17-11, creating Article 17-11(i)(6) of the zoning ordinance to allow digital (electronic message display) marquee signs in the Lexington Center Business (B-2B) zone. The Planning Commission did recommend approval of the staff alternative text by a vote of 6-3; and

WHEREAS, this Council agrees with the recommendation of the Planning Commission; and

WHEREAS, the recommendation of the Planning Commission is attached hereto and incorporated by reference herein;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That Article 17-11(i)(6) of the Lexington-Fayette Urban County Government Zoning Ordinance is hereby created as follows:

Section 17-11(i)(6)

In conjunction with an indoor theater, one marquee, not to exceed thirty (30) square feet per theater, with a maximum of three-hundred (300) square feet; such marquee shall project no more than eight (8) feet from the building face to which it is attached and shall have a minimum sign clearance of eight (8) feet. Marquee signs may utilize electronic message display systems, only if the sign complies with the following additional requirements:

a) Image: Sign must be static and there shall be no moving or scrolling messages, special effects, or animations.

b) Location: The sign shall not interfere with, imitate, or resemble an official traffic sign, signal, or traffic control device. ii. The sign shall not be located directly adjacent to, or directly across public right-of-way or a private road, from a residential zone.

c) Duration of message: The sign shall remain static for a period of not less eight (8) seconds. The transition from one (1) message or image to the next shall be direct and immediate.

d) Luminance: Between sunrise and sunset, the maximum luminance shall be five thousand (5,000) nits, and between sunset and sunrise, the maximum luminance shall be five hundred (500) nits. Sunrise and sunset shall be determined by the National Oceanic and Atmospheric Administration (NOAA), US Department of Commerce, for Lexington-Fayette Urban County. The sign must be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's luminance.

e) The marquee sign shall not display messages or be illuminated when the use is closed.

Section 2 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

Clerk of Urban County Council

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