



**To:** Planning Commission Members

**Cc:** Chief Building Official Guy Fursdon  
City Engineer Dan Rodriguez  
Assistant Law Director Toni Morgan

**From:** Kimberly Lieber, AICP, Director of Planning & Economic Development

**Date:** June 28, 2022

**Re:** Sign Code Audit

The Planning Commission's July 14 work session will focus on needed changes and updates to the City's sign code. Chapter 1286 (Signs) has been provided as a reference along with this audit as a guide to begin the conversation.

#### **1286.01 Intent**

- Intent could be broadened to recognize signage encompasses both commercial and non-commercial speech and that there is a nexus to the health, safety and the development goals of the city.

#### **1286.02 Classification of Signs**

- Classifying signage by content is specifically unconstitutional since the US Supreme Court decision in *Reed v. Town of Gilbert*. A general "content neutrality" guideline is that if you have to read the sign to determine how to classify it, your classifications may not meet the law. Signs can be classified by type or design: ground sign, wall sign, canopy sign, pole sign, etc.
- Any definitions related to signage could be consolidated into the general Definitions chapter of the Zoning Code. We should avoid including regulations within the definition of a term.

#### **1286.03 Signs in Residential Districts**

- The code can make distinctions between permanent and temporary signs; however, any distinctions based on content ("for sale" or "for rent") will need to be eliminated.
- Subdivision identification signs need to be carefully considered. They are sometimes located within the public right-of-way, which is typically not governed by the Zoning Code. There should be a clear procedure for how these signs can be approved and by what authority. There should be clearly identified responsible parties for any subdivision identification sign so the maintenance does not become a city responsibility in the future. There should absolutely be a permit required for any permanent subdivision sign.
- Penalties for any zoning infraction, signage included, are already covered in Chapter 1242.

#### **1286.04 Signs in Business and Commercial Districts**

- "Permitted Signs Classified by Content and Use" is highly problematic. The code can make distinctions between types of signs; however any distinctions based on content will need to be eliminated.

- While an “off premise advertising sign” is content based, one way to regulate such signage, including billboards, is to limit the size and height of any ground signs, along with strengthening the requirement that signs in commercial districts are only permitted accessory to a main building or use of the property. So, no vacant lots with signs would be permitted.
- Consider eliminating pole signs as a permitted sign type. Any existing pole sign could continue as a non-conforming sign until such time as either abandonment or significant modification would result in loss of its grandfathered status.
- Consider eliminating roof signs as a permitted sign type as an aesthetic preference and to prevent use as off-premise advertising.
- How is signage related to drive through facilities regulated? Code should address the volume of signage that accompanies drive through facilities, curbside pick-up zones, etc.

#### 1286.05 Area of Signs

- There are *many* content based distinctions in this section that need to be eliminated.
- Need to more clearly define what constitutes sign face area and how it is measured. Language regarding “embellishments of signs of a decorative nature” leave a lot open to debate. If there is a colored backer panel to lettering, is that a decoration or part of the sign face area? Consider using graphic examples to illustrate the text.
- Code currently incentivizes pole signs by allowing greater sign face area for pole signs than for monument or ground signs (60 sf versus 50 sf). Code also incentivizes including changeable copy by allowing more sign face area (+15 sf for pole signs, +10 sf for ground signs). The amount of speech a business is granted shouldn’t depend upon the configuration of a sign base or if changeable copy is included.
- The 300 sf allowance for multiple tenant business signs results in very tall, very large signs. The code doesn’t say how many tenants are required or how big a plaza needs to be for a multi-tenant sign. A small, two tenant plaza and a large shopping center would be treated equally. If a single tenant building were to be subdivided, would they then be able to install 6 times the amount of ground signage? Recommend tying number of ground signs or sign face area of ground signs to size of property or total floor area.
- Total building signage allowed is 2x the building frontage. How is building frontage defined? How are corner lots handled? Current allocation of building signage should be more than adequate for buildings located at a standard setback.
- Need to more clearly distinguish permitted signage per building versus building unit.
- Allowing PC to establish size, area and design of signs for some types of uses (theaters, for example) is completely arbitrary.
- Directional signs are content based and otherwise not limited in number or height.
- Address numbers required by the Building Code can be included in a category with other items exempt from permit.
- Temporary sign regulations should be established for both residential and non-residential property in a separate section.

#### 1286.06 Location of Signs

- Setbacks for ground signs should be looked at, both general setback from the ROW and when in proximity to an intersection or curb cut. In most commercial districts, the sign setback is greater than the required front yard, placing signs in paved areas. Consider requiring ground signs to be installed in landscaped areas, both to protect from vehicle traffic and to improve community aesthetics.
- Setbacks would be desirable from side lot lines and adjacent to residential districts.
- Continued content based distinctions in this section (e.g., prohibiting identical temporary signs).

#### **1286.07 Height of signs; design and construction standard for freeway-oriented signs.**

- Generally this language is confusing and unusual. Most sign codes have maximum heights, not minimum heights.
- Consider eliminating (or severely restricting) freeway oriented signs from permitted sign types.

#### **1286.08 Industrial district signs.**

- Industrial districts are granted 50% more building sign area than commercial districts (3:1 versus 2:1). Is it necessary or desirable to permit larger signs in industrial districts? Larger industrial buildings will already have larger signs by the nature of their frontage. Do we want roof signs as a permitted sign type?
- Consider a lesser required setback from the ROW.

#### **1286.09 General provisions applicable to all districts.**

- Continuation of content based distinctions in this section (charity drive, no hunting and trespassing signs, etc.).
- Recommend temporary signs be regulated in their own section.
- Recommend prohibited signs be regulated in their own section.
- Consider prohibiting billboards through restrictions on size and height of ground signs and prohibiting pole signs. The definition of billboard is not content-neutral (billboard is also defined in two separate locations in the Zoning Code and they are quite different).
- How are vehicle signs handled? Code appears to be silent on vehicles and trailers.

#### **1286.10 Political signs. (Repealed)**

#### **1286.11 Hazardous signs.**

- Hazardous signs can be listed with other types of prohibited signs in a combined section.

#### **1286.12 Illumination.**

- Standards such as “excessive brightness” are hard to measure or enforce. Using a measurable luminance standard would give the city much improved grounds for enforcement. What is reasonable to a business may be objectionable to the nearest neighbor. With the growing popularity of digital signs, setting reasonable and defensible illumination standards is important.
- Revisit what sign types or signs in what districts can or cannot be illuminated (what are “signs for institutions,” for example).
- This section has references to lighting of parking lots and used car sales lots that don’t seem to relate to signage.

#### **1286.13 Permit required; applications.**

- Recommend language requiring a permit for all signs except for those that are exempted, and then creating a list of such exempted signs.
- Exempted signs could include sign face changes where there is no increase in size or change in the cabinet/structure, signs integral to fuel pumps and ATMs, address numbers, etc. Many types of temporary signs may be exempted from permit.
- Requirements for permit applications could be expanded to more specifically require scaled drawings depicting signs in relation to the building façade and site plans for ground mounted signs.
- Recommend this section include procedures of how sign permit applications are reviewed and what the process is if an application is determined not to be zoning compliant. Include information regarding the appeals process.
- Recommend this section include standards by which a permit may be revoked by the CBO.

**1286.14 Nonconforming signs.**

- Recommend adding language that describes how a sign may lose its legal nonconforming status, such as alteration, addition to, relocation, abandonment, etc.

**1286.15 Removal of signs.**

- We may want to distinguish between removal of temporary signs (which is easy) and removal of permanent signs (which can be more labor intensive in terms of time duration). Forty eight hours is not reasonable to remove an abandoned pole sign, for example.
- Recommend language that requires not just removal of the sign, but any framing, base and associated supports.

**1286.16 Maintenance and repair.**

- Requiring maintenance is standard for sign ordinances and can also potentially be enforced through property maintenance codes. We could delete the part that makes this section effective six months after the effective date.

**1286.17 Abandoned signs.**

- Section could remain stand alone or could be combined with other prohibited signs.

**1286.18 Review of chapter by Planning Commission and Council.**

- Has this been done in practice? It would not seem so, at least since *Reed*. I don't think this section is needed so long as city officials take note of any court decisions impacting signage and review the code accordingly.

**1286.99 Penalty.**

- Section 1286.10 was repealed, also this section is inconsistent with 1286.03(f)(4).
- This section could be eliminated and Chapter 1242 would control.

## CHAPTER 1286

### Signs

- 1286.01 Intent.
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- 1286.10 Political signs. (Repealed)
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- 1286.14 Nonconforming signs.
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- 1286.16 Maintenance and repair.
- 1286.17 Abandoned signs.
- 1286.18 Review of chapter by Planning Commission and Council.
- 1286.99 Penalty.

### CROSS REFERENCES

Advertising on junk yard fences - see B.R. & T.840.05

Rummage sale signs - see B.R. & T.858.05

Signs in the B-5 District - see P. & Z.1272.03(e)

Fees for outdoor advertising signs - see B. & H.1444.01

#### **1286.01 INTENT.**

It is the intent of the City in setting forth the requirements contained in this chapter to provide for reasonable and appropriate conditions for the advertising of goods and services rendered in the community, but at the same time to regulate such advertising so that property values within the City will be preserved and protected.

(Ord. 1845-83. Passed 9-6-83.)

#### **1286.02 CLASSIFICATION OF SIGNS.**

(a) Classification by Content and Use. Signs are herein classified according to content and use as follows:

- (1) "Nameplate" means a sign indicating the name, address and/or profession of the person or persons occupying the lot.
- (2) "Bulletin board" means an announcement sign directing attention to, and located on the lot of, a public or semipublic institution.
- (3) "Real estate and development" means a sign directing attention to the promotion, development, rental, sale or lease of the property on which it is located, or a sign indicating the name, owner or manager of a development.
- (4) "Business" means a sign which directs attention to the name of a business or establishment, the goods or commodities sold and/or services rendered on the lot on which the sign is located.
- (5) "Industrial" means a sign directing attention to the name, service or industrial establishment, goods produced or sold or services rendered on the lot on which the sign is located.
- (6) "Billboard" means any sign advertising, identifying or directing attention to any product, service, entertainment or

commercial activity not offered upon the lot on which the sign is located and exceeding 200 square feet. (Ord. 5759-2020. Passed 8-3-20.)

(7) "Directional" means a sign indicating the direction to which attention is called, either on the same or another lot.

(8) (EDITOR'S NOTE: Division (a)(8) was repealed by Ordinance 4035-2004, passed June 7, 2004.)

(9) "Shopping center" means a sign which is located within a shopping center district, indicating the name of the shopping center.

(10) "Agricultural" means a sign related to agricultural products grown within any district.

(11) "Changeable copy signs" includes the following:

A. "Manual" means a sign on which copy is changed manually in the field (i.e. reader boards with changeable letters or pictorial panels).

B. "Automatic" means a sign such as electronically or electrically controlled time and temperature units (clock and thermometer configurations included) or units that give public service messages that are changed frequently by the use of off-sign controls.

(12) "Freeway-oriented sign" (limited access highways only) means any sign identifying local premises where food, lodging or businesses are located that engage in supplying goods and services essential to the normal operation of motor vehicles and where such businesses are dependent directly upon the adjacent freeway for business.

(13) "Off-premises advertising sign" means any outdoor sign, billboard or other contrivance directing attention to a local business, product, service or entertainment sold, conducted or offered other than on the same lot where the device is situated. Local businesses are those located within the City.

(14) "Multiple tenant business sign" means a sign which lists multiple tenants' business on the same parcel.

(b) Classification by Design. Signs are herein classified and defined, according to design, as follows:

(1) "Flat" and "wall" mean a sign erected parallel to or painted on the surface of, or integral with, the wall of any building.

(2) "Projecting" means a sign erected on the outside wall of a building which projects out at an angle therefrom.

(3) "Marquee" means a sign attached to the soffit or fascia of a marquee, roof over a walk or permanent awning.

(4) "Roof" means a sign erected upon and completely over the roof of any building.

(5) "Pole" means a sign erected on a pole, poles or posts, the diameters of which are less than two-thirds of the structure it is to support and which is wholly independent of any building or structure, the base of which is not less than eight feet above the grade. A pole support shall have no advertising on it.

(6) "Ground" means a sign with the base wholly on the ground or less than eight feet above grade, wholly independent of any building.

(7) "Temporary" means a sign or signs applying to a change in business or seasonal or other special business activities other than the sale of the real property upon which it is posted, or which relates to public events and is installed in a sound but nonpermanent manner.

(Ord. 4035-2004. Passed 6-7-04.)

(8) "Window signs and lettering" means signs affixed to or directly painted on the surface of the window glass where the business is located and to which it directs attention.

(Ord. 1845-83. Passed 9-6-83; Ord. 3815-02. Passed 6-17-02.)

(9) "Attractive devices" refers to animation, revolution, movement (up and down or sideways) and wind-blown devices, such as ribbons, pennants, spinners and streamers, whether part of a sign or not.

(Ord. 2034-85. Passed 7-15-85.)

### **1286.03 SIGNS IN RESIDENTIAL DISTRICTS.**

Signs in residential districts shall conform to the regulations set forth in this section, and the following types of signs shall be permitted:

(a) Nameplate. One nameplate not exceeding one square foot in total area shall be permitted for each dwelling unit. Such nameplate shall not be permitted for dwellings of three or more units.

(b) Bulletin Boards and Temporary Signs. One bulletin board or announcement sign, not exceeding thirty-two square feet of visible surface per side for each street frontage and six feet in height, shall be permitted on the premises of a public or semipublic institution. In addition, subject to the limitations contained in this chapter, temporary signs may be permitted.

(Ord. 4035-2004. Passed 6-7-04.)

(c) Real Estate Signs.

(1) One "For Sale" or "To Rent" or "Model Home" sign, not exceeding six square feet in total area and not exceeding three feet in height, shall be permitted for each dwelling or lot. Such signs shall be located not less than fifteen feet from the front or any side lot line. "Room for Rent" signs shall not be permitted.

(2) Subdivision development signs shall not exceed fifty square feet in total area for each street frontage. Permits for such temporary signs shall be for a period not exceeding one year, and may be renewed while construction is being pursued. Illuminated signs must be turned off by 10:00 p.m.

(3) During the building of a structure, a sign not exceeding twelve square feet in area, located not nearer than twenty-five feet to any street line, for the purpose of displaying the names of the builder, shall be permitted. Such sign shall be removed after completion of the structure.

(d) Agricultural Signs. An agricultural sign shall be permitted in any district and shall not exceed thirty-two feet.

(e) Apartment House Signs. A sign not exceeding thirty-two feet shall be permitted for each apartment house complex.

(f) Monumental Permanent Subdivision Identification Signs.

(1) A ground sign not exceeding thirty-two square feet in area and six feet in height, indicating the name of a subdivision or residential development from an arterial or collector street, shall be permitted. Such sign shall be set back a minimum of ten feet from the right of way and shall be part of the architectural treatment of the development. Illumination, if any, is at the discretion of the Planning Commission, and subject to Section 1286.12.

(2) When a developer desires to place a monumental permanent development identification sign and components at the entryway(s) (including landscape islands in the right-of-way) of the development, notwithstanding other regulation contained in the Zoning Code of signage, fencing, plantings, electrical, sprinkler systems, lighting and other potential components of a development identification sign, the following criteria alone shall be used by the Chief Building Official (CBO) to determine whether or not a permit shall be issued for the sign(s).

A. Whether the proposed sign and its decorative and functional components comply with the existing requirements for each component or the degree to which each component does not vary substantially from existing requirements;

B. Whether or not each component complies with all safety concerns and requirements;

C. Whether or not the design is aesthetically pleasing and coordinated with the style of the development;

D. Whether or not maintenance of all components of the sign and the immediately adjacent green space or other area related to the sign is provided for in the Homeowners Association (HOA) guidelines, or if no HOA exists, by the developer; and

E. Whether or not the developer has paid a permit fee for each such sign.

(3) The permit fee shall cover the cost of administration of the fee, review of plans by the CBO or designee thereof, and final inspection of the sign and components upon completion to insure that they conform to the plans presented to the CBO. It shall be the responsibility of the developer to apply for the permit, provide the plans, draw the HOA documents or agreement by the developer to maintain the sign and components, and to call for final inspection when completed. The fee for each sign and each component is as per Codified Ordinance Chapter 1444.

(4) Upon inspection, if the applicant is in violation of any provision of this section, the applicant will be given a reasonable amount of time to become compliant, not to exceed thirty days. If not compliant within the given time frame, the applicant may be cited and fined up to fifty dollars (\$50.00) per day until compliant.

(Ord. 1845-83. Passed 9-6-83; Ord. 3817-02. Passed 7-1-02.)

(g) Home Occupation Signs. Home occupation signs shall not exceed 144 square inches and shall be affixed to the building in which the home occupation is conducted and shall not be illuminated by artificial lighting.

(Ord. 2649-92. Passed 6-1-92.)

#### **1286.04 SIGNS IN BUSINESS AND COMMERCIAL DISTRICTS.**

Signs in business and commercial districts shall be accessory to a building or use permitted and shall conform to the following:

(a) Permitted Signs Classified by Content and Use The following types of signs, classified by content and use, shall be permitted:

(1) Nameplate and bulletin boards if they are accessory to a residential or institutional building or use.

(2) A nameplate for an office if the sign is located on the same lot as the profession or service to which it is directed.

(3) A business sign if the sign is located on the same lot as the business or service to which it is directed.

(4) A real estate and development sign if the sign is located on the same lot on which the real estate business is conducted or the lot to which attention is directed.

(5) Directional signs located on any lot in a business or commercial district.

(6) Changeable copy signs (manual and automatic) if such are located on the same lot as the business or service to

which they are directed.

(7) A freeway-oriented sign (limited access highway only) if it is located on the same lot as the business to which it is directed and within 1,320 feet of the right of way for a freeway interchange.

(8) Off-premises advertising signs which are located on a lot adjacent to a freeway interchange, or within 1,320 feet of the right of way of an interchange, so long as the business is located near the interchange and in the City. The minimum setback of such signs shall be 660 feet with a 250-foot separation.

(b) Permitted Signs Classified by Design. The following types of signs, classified by design, shall be permitted:

(1) Flat and wall signs, if attached to, painted on, or integral with, a wall, or if attached to the windows or doors of a building occupied by a permitted business or service.

(2) Projecting signs, if projecting from a building occupied by a permitted business or service.

(3) Pole signs, if located on the same lot as the business or service building, parking or other use to which they direct attention.

(4) Ground signs, if located on the same lot as the real estate, business, service or other use to which they direct attention.

(5) Subject to the limitations contained in this chapter, temporary signs, if located on the same lot owned or occupied by the business or commercial enterprise which displays, or grants permission for the display of the signs.

(Ord. 4035-2004. Passed 6-7-04.)

(6) Flat and gable roof signs, which shall have at least ninety percent of the surface of the sign related to the business where the sign is located.

(Ord. 1845-83. Passed 9-6-83.)

#### **1286.05 AREA OF SIGNS.**

(a) The area of embellishments of signs which is of a decorative nature only and which has no advertising purpose shall not be considered in determining sign area as hereafter provided.

(b) The surface area of a sign shall be computed as including the area within a regular geometric form, or combinations thereof, comprising all of the display area of the sign, including all of the elements displayed, together with any material or color used to differentiate the sign from the environment or surroundings in which it is placed. Only one side of a double-face sign shall be considered to calculate the surface area, provided that the two signs are not joined at an angle greater than fifteen degrees. Frames and structural members not being advertising matter shall not be included in the computation.

(c) The total area of all permanent signs for each office, store or service building, parking lot or other land use shall not exceed the number of square feet indicated as follows:

(1) The sign area of either one pole or one ground sign (a choice of either, but not both) shall be as follows:

A. A pole sign with a visibly different constructed sign face area shall have a maximum area of sixty square feet per side. An additional fifteen square feet per side shall be allowed to pole signs with a visibly different constructed sign face area which incorporates a permanent changeable copy sign or sign face area, provided that the changeable copy area does not exceed one-half the total sign face area.

B. A ground sign without a visibly different face area shall have a maximum area of fifty square feet per side, with an additional ten square feet per sign for ground signs without a visibly different sign face area and which incorporate a permanent changeable copy sign face area, provided that the changeable copy section does not exceed two-thirds the total sign face area.

(2) The maximum area of all other signs shall be two times the building frontage. Signs shall be located on the building.

(3) Multiple tenant business signs, maximum area 300 square feet. Only one multiple tenant business sign for each multiple tenant business unit. Height of sign and sign setback shall follow existing requirements. Once multiple tenant business sign is constructed, businesses in multiple tenant units may not construct individual business signs. (Does not include wall signs or directional signs.)

(d) Sign areas shall be permitted in addition to the areas provided in subsection (c) hereof as follows:

(1) A nameplate (separately or as a part of an outdoor building directory sign) shall be permitted for professional or service offices and organizations above the ground floor of a building. Additional signs, or window signs if the total area of such signs does not exceed two percent of the floor area covered by the business or fifty square feet, or whichever is smaller, shall be permitted. No window signs above a ground floor shall exceed twenty-five percent of the glass area.

(2) The size, area and design of signs for theaters and places of amusement shall be determined for each establishment and regulated by conditional use permits issued by the Planning Commission.

(3) Directional signs of permanent construction, indicating traffic routes and similar functions, shall be permitted in addition to the above limitations if each sign does not exceed six square feet in area, is not in the right of way and does not hinder the flow of traffic.



(4) Ground floor commercial window signs and lettering, directing attention to the business to which they are attached, are permitted to cover a maximum of fifty percent of the window glass area, subject to limitations set forth in paragraph (c) (1)B. hereof.

(5) Freeway-oriented signs (limited access highway only) and off-premises advertising devices are not to exceed 185 square feet per side.

(e) Permanent signs indicating the name of the building and its address number shall be permitted, the size and design of which shall be approved by the Planning Commission.

(Ord. 1845-83. Passed 9-6-83; Ord. 2034-85. Passed 7-15-85; Ord. 3816-02. Passed 6-17-02.)

(f) Temporary signs shall not exceed the maximum size of 600 square inches in any residential or "R" designated zoning districts.

(g) Temporary signs in all areas of the City not referenced in division (f) of this section shall not exceed the maximum size of twenty-four square feet.

(Ord. 4025-2004. Passed 6-7-04.)

#### **1286.06 LOCATION OF SIGNS.**

(a) Signs in business and commercial districts may be located on the surface of or project from the building wall adjacent to a street, a pedestrian way or a parking area, or be erected on poles or other ground supports in the yards on which the business is located.

(b) Wall or flat signs shall not project more than eighteen inches from the building wall and may project to any building corner, if side yards exist. A sign may extend above the front wall if the sign is set back from each side lot line and party wall line a distance at least equal to the dimensions that the sign projects above the top of the wall.

(c) Projecting signs shall be limited to not more than one sign for each establishment or store unit. Such signs shall be attached to the wall and may extend above the top of the wall, but not more than thirty-five percent of the total height of the sign, nor more than fifty feet overall, may extend above the wall. No face of a projecting sign shall be less than five feet from a side lot line or party wall of another store unit.

(d) Pole signs shall not project over a public right of way. The support for the sign shall not be located within the public right of way.

(e) Ground signs shall not be located within twelve feet of a public right of way, or so as to obstruct vision from the roadway or vision from motorists entering and exiting nearby driveways.

(Ord. 1845-83. Passed 9-6-83.)

(f) The displaying of more than one identical temporary sign on a parcel located in any residential or "R" designated zoning district is prohibited.

(Ord. 4035-2004. Passed 6-7-04.)

#### **1286.07 HEIGHT OF SIGNS; DESIGN AND CONSTRUCTION STANDARD FOR FREEWAY-ORIENTED SIGNS.**

(a) The height of the lowest member of any sign which is not integral with a wall surface shall not be less than eight feet above a sidewalk or other pedestrian way, and not less than fourteen feet if over or within eighteen inches of the vertical projection of a pavement used for vehicular traffic.

(b) Freeway-oriented signs (limited access highway only) and off-premises signs shall not exceed seventy-five feet above the average terrain or highway level, whichever is greater in overall height. Structural design, construction and installation shall conform to windload stress factors of thirty pounds per square foot or current standards set by other codes which are applicable, whichever standard is greater.

(c) Pole signs may extend to the ground when set back from the right-of-way as provided for ground signs.

(Ord. 1845-83. Passed 9-6-83; Ord. 3820-02. Passed 7-1-02.)

#### **1286.08 INDUSTRIAL DISTRICT SIGNS.**

In industrial districts, three square feet of sign shall be permitted for each foot of building front. Total footage may be utilized in the front, on one side or on the roof.

Either one roof sign of not more than 200 square feet, or a ground sign of not more than seventy-five square feet, shall be permitted (a choice of either, but not both).

Ground signs shall be set back a minimum of twenty-five feet from the right of way.

(Ord. 1845-83. Passed 9-6-83.)

#### **1286.09 GENERAL PROVISIONS APPLICABLE TO ALL DISTRICTS.**

(a) The display of official public notices, the flag, emblem or insignia of a political unit, and temporary displays in connection with a charity drive, shall not be governed by the provisions of this chapter.

(b) Christmas display lighting shall be exempted from the requirements of this Zoning Code.

(c) Signs of warning or prohibiting hunting or trespassing may be erected, provided that they do not exceed six square feet.

(Ord. 1845-83. Passed 9-6-83.)

(d) All temporary business signs shall be prohibited, except in the following circumstances:

(1) New business or use. In the event of a new business or use, a flat or wall sign not exceeding forty square feet in size may be attached to the building for a period of time not more than thirty days beyond the installation of its permanent signs.

(2) Temporary development signs. Temporary development signs announcing a proposed building or a building under construction, or advertising the sale, rental or lease of a building, or part thereof, shall be located on the lot occupied by the building or use advertised and shall not exceed forty square feet in total area for each street frontage. Permanent signs, indicating the name, owner or manager, shall be permitted; however, the sign size and design shall first be approved by the Chief Building Official.

(3) Temporary signs.

A. No temporary sign shall be located closer than ten feet from any lot line or shall impede or obstruct any public right-of-way, or exceed the size limitations prescribed in this chapter, or exceed six feet in height above natural grade. Illumination is permitted subject to the requirements of this chapter.

B. No temporary sign shall remain displayed for greater than thirty days. A temporary sign which has been previously displayed on a property (or a substantially similar temporary sign which is essentially identical) may not be again displayed on that property until after the expiration of thirty days.

C. The Chief Building Official shall be permitted to assist in the display of, or may remove or order the removal of any temporary sign which is determined to pose a safety hazard.

(Ord. 4035-2004. Passed 6-7-04.)

(e) The following signs are prohibited in all districts:

(1) Signs which bear or contain statements, words or pictures of an obscene, pornographic or immoral character, or which contain advertising matter which is deceptive or untruthful;

(2) Flashing signs;

(3) Signs which are placed on utility poles, trees, fences, yard structures or other signs;

(4) Attraction devices;

(5) Portable business signs;

(6) Abandoned signs; and

(7) Signs which are placed on or over a Municipal, County or State right of way, except as may otherwise be provided in this chapter.

(Ord. 2034-85. Passed 7-15-85; Ord. 3798-02. Passed 5-17-02.)

(8) Signs which resemble traffic control signs or signals. For enforcement of this section, "resemble" shall mean:

A. The sign is placed at a location such that a user of the street, road, or highway would reasonably believe that the sign is for the purpose of directing or otherwise informing traffic; and

B. The sign is of the same size, format, color and shape of an actual traffic control device used for a similar purpose.

(Ord. 3966-2003. Passed 11-17-03.)

(9) Billboards are prohibited in all zoning districts.

(Ord. 5759-2020. Passed 8-3-20.)

#### **1286.10 POLITICAL SIGNS. (REPEALED)**

(EDITOR'S NOTE: Section 1286.10 was repealed by Ordinance 4035-2004, passed June 7, 2004.)

#### **1286.11 HAZARDOUS SIGNS.**

(a) Signs shall not project over or obstruct the required windows or doors of any building, nor shall signs be attached to or obstruct a fire escape or interfere with other safety provisions as may be further regulated in the Building and Housing Code.

(b) Unless regulated otherwise in the Traffic Code, signs shall not be erected so as to obstruct street sight lines of traffic control lights or signs at street intersections or street sight lines or signals at railroad crossings. Signs visible from the sight lines along a street shall not resemble highway traffic signs. Mechanical movement of any part of a sign or the whole sign is prohibited. This includes animation or rotation by a motor, leverage or wind pressure.

(Ord. 1845-83. Passed 9-6-83.)

#### **1286.12 ILLUMINATION.**

(a) Light sources to illuminate signs shall not be of excessive brightness or cause glare hazardous to pedestrians or auto drivers, or be objectionable to adjacent residential districts. The colors red or green shall not be used where they may interfere with the sight lines of a traffic signal.

(b) Flashing, moving or intermittent illumination and "outline lighting" shall not be permitted.

(c) Signs in residential districts shall not be illuminated, except for bulletin boards, temporary subdivision signs and signs for institutions. All signs in business, commercial and industrial districts may be illuminated. Illumination of parking lots and used car sales lots shall not be of excessive brightness or cause a glare objectionable to any adjacent residential district, and except for illumination required for safety purposes, such lighting shall be permitted only during the hours the establishment is in operation.

(Ord. 1845-83. Passed 9-6-83.)

#### **1286.13 PERMIT REQUIRED; APPLICATIONS.**

(a) A permit shall be required for all permanent signs exceeding one square foot and all temporary signs exceeding six square feet.

(b) Applications for permits to erect, place, paint or alter a sign shall be made by the owner or lessee of the property upon which a sign is proposed, and such applications shall be submitted on forms furnished by the Building Department. Each application shall be made separately. The fee shall be established by separate ordinance.

Each application shall be accompanied by drawings to scale, showing:

(1) The design and layout proposed, including the total area of the sign and the size, character and color of letters, lines and symbols.

(2) The method of illumination, if any.

(3) The exact location of the sign in relation to the building and property.

(4) Details and specifications for construction, erection and attachment as may be required by the Building and Housing Code.

(Ord. 1845-83. Passed 9-6-83.)

#### **1286.14 NONCONFORMING SIGNS.**

A sign existing lawfully at the time of the effective date of this chapter, but which does not conform with the sign regulations of the district in which it is located, may be repaired and maintained in its original state, and structural or electrical parts may be repaired or restored to a safe condition in compliance with the National Electrical Code, as adopted in Section 1426.01 of the Building and Housing Code.

(Ord. 1845-83. Passed 9-6-83.)

#### **1286.15 REMOVAL OF SIGNS.**

Whenever the removal of any sign has been ordered by the Chief Building Official, and the person, firm or corporation on whose premises such sign or display structure has been erected, affixed or maintained, fails to remove the sign within forty-eight hours after receiving such notice, the Chief Building Official may remove or cause to be removed such sign at the expense of the person, firm or corporation on whose premises it was erected, affixed or attached, and each such person, firm or corporation shall be individually and separately liable for the expenses incurred in the removal of the sign.

(Ord. 1845-83. Passed 9-6-83.)

#### **1286.16 MAINTENANCE AND REPAIR.**

Every sign, including, but not limited to, those signs for which permits or no permits are required, shall be maintained in a safe, presentable and good structural material condition at all times, including the replacement of defective parts or sections of missing sign face material, painting, repainting, cleaning and other acts required for the maintenance of such signs. The City shall require compliance with all standards of this Zoning Code. If the sign is not made to comply, the City shall order its removal in accordance with Section 1286.15 upon ten days written notice. This section shall be effective six months from the effective date of this chapter.

(Ord. 1845-83. Passed 9-6-83.)

#### **1286.17 ABANDONED SIGNS.**

Any sign which is located on property which becomes vacant for a period of six months or more, which sign pertains to a time, event or purpose which no longer applies, shall be deemed abandoned and ordered removed under Section 1286.15. Temporary signs relating to a date specific event that remain displayed five days following the occurrence and conclusion of that event shall be deemed abandoned, and shall be ordered removed pursuant to Section 1286.15. Permanent signs applicable to a business temporarily suspended because of a change in ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of one year or more, in which case it may be ordered removed under Section 1286.15. Abandoned signs are prohibited and shall be removed by the sign owner, property owner or person responsible under Section 1286.15. Painted walls or window lettering shall be removed or completely

covered or painted over in a professional, durable manner within thirty days of vacating the business premises by the sign owner, the property owner or the person responsible, or the same shall be removed as provided for in Section 1286.15.

(Ord. 1845-83. Passed 9-6-83; Ord. 4035-2004. Passed 6-7-04.)

**1286.18 REVIEW OF CHAPTER BY PLANNING COMMISSION AND COUNCIL.**

This chapter shall be reviewed by the Planning Commission and Council every three years in order to modify, alter or update its provisions or application if necessary or desirable.

(Ord. 2034-85. Passed 7-15-85.)

**1286.99 PENALTY.**

(a) Whoever violates any provision of Section 1286.10 is guilty of a minor misdemeanor and shall be fined not more than one hundred dollars.

(Ord. 2284-88. Passed 9-6-88.)

(b) Whoever violates any provision of this chapter for which no penalty is otherwise provided is guilty of a minor misdemeanor and shall be fined not more than one hundred fifty dollars (\$150.00) for each offense. Subsequent to the issuance of a citation or of notice of a violation by the City, each day that a sign is erected or maintained in violation of this chapter is deemed to constitute a separate offense.

(Ord. 2034-85. Passed 7-15-85; Ord. 4035-2004. Passed 6-7-04.)

**NEW**  
**CHAPTER 1286**  
**Signs**

- 1286.01 Intent
- 1286.02 Severability
- 1286.03 Definitions
- 1286.04 General Applicability
- 1286.05 Prohibited Signs
- 1286.06 Sign Permit Requirements and Exemptions
- 1286.07 Sign Permit Application and Procedures
- 1286.08 General Regulations for All Signs
- 1286.09 Sign Illumination
- 1286.10 Measurements and Calculations
- 1286.11 Permanent Sign Allowances
- 1286.12 Temporary Signs
- 1286.13 Nonconforming Signs

**1286.01 INTENT.**

Sign regulations, including provisions to control the type, design, size, location, motion, illumination, enforcement and maintenance thereof, are established in order to achieve, among others, the following purposes:

- (a) To maintain high quality districts of all land uses, and attractive public and private facilities of all types, by permitting only signs appropriate to their environs;
- (b) To provide for reasonable and appropriate methods for locating goods, services and facilities in all zoning districts by relating the size, type and design of signs to the size, type and design of the uses and districts;
- (c) To promote traffic safety by preventing obstructions within public rights-of-way, minimizing visual distractions to motorists, ensuring that sign size and height are appropriate to their location and preventing conflicts with public safety signs and police and fire protection; and
- (d) To control the design and size of all signs so that their appearance will be aesthetically harmonious with an overall design for the area, in accordance with commonly accepted community planning and design practices, and the City's Master Plan.

The City does not intend to infringe on the rights of free speech as protected by the First Amendment to the United States Constitution and Article I, §11 of the Ohio Constitution.

**1286.02 SEVERABILITY.**

If any provision of this chapter is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this chapter that can be given effect without the invalid provision.

**1286.03 DEFINITIONS.**

For purposes of this chapter, certain terms and words are defined as follows in this section. All other words shall have their customary meanings as defined in the Merriam-Webster Dictionary.

- (a) CHIEF BUILDING OFFICIAL means the official, or his authorized representative, charged with the enforcement of this chapter and other ordinances, laws, rules and regulations relating to the use, erection, construction, alteration and repair of any sign within the City.
- (b) ELECTRONIC MESSAGE CENTER means a sign designed so that the characters, letters or illustrations can be changed or rearranged remotely or automatically on a fixed display screen (e.g. electronic or digital signs).
- (c) FAÇADE means that portion of any exterior elevation on the building extending from grade to top of the parapet, wall or eaves and the entire width of the building elevation.
- (d) FLAG means any sign of cloth or similar material, anchored along one side, displayed from a single pole, either freestanding or attached to a building.
- (e) FRONTAGE means the distance between the side lot lines measured at the street right-of-way.
- (f) FRONTAGE, BUILDING means the linear dimension of the width of the widest portion of the building face including all appurtenant overhangs or other structures closest to parallel to the principal street.
- (g) MESSAGE, COMMERCIAL means 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.
- (h) MESSAGE, NONCOMMERCIAL means any sign, wording or logo that does not represent a commercial message or commercial speech. Such signs may express messages that include, but are not limited to, free speech opinions, ideological messages, religious messages, political messages, etc.
- (i) RACEWAY means a form of mounting structure for signs that are a narrow structure attached to a wall where electrical conduit can run within and where the sign structure itself is mounted to it.
- (j) SIGN means any object, device, display or structure, or part thereof, visible from a public place, a public right-of-way, any parking area or right-of-way open to use by the general public, or any navigable body of water which is designed and used to attract attention to an institution, organization, business, product, service, event or location by any means involving words, letters, figures, designs, symbols, fixtures, logos, colors, illumination or projected images. The term "sign" does not include the display of merchandise for sale on the site of the display.
  - (1) BANNER SIGN means a temporary sign constructed of canvas, plastic, fabric or similar lightweight, non-rigid material that can be mounted to a structure with cord, rope, cable or a similar method.
  - (2) BUILDING SIGN means a sign that is attached to the building including wall signs, projecting signs and canopy signs.
  - (3) CANOPY SIGN means a sign attached to the soffit or fascia of a canopy, marquee, awning, covered entrance, covered walkway, arbor, pergola or other similar structure.
  - (4) CHANGEABLE COPY SIGN means a sign designed so that the characters, letter or illustrations can be changed or rearranged manually or electronically without altering the sign display surface.
  - (5) DRIVEWAY SIGN means a small freestanding sign located near driveway access points.

- (6) DRIVE-THROUGH SIGN means a sign that is located along the path or aisle utilized for a drive-through facility.
- (7) ENTRANCE SIGN means a sign identifying a vehicular entrance to a residential subdivision, residential complex or a non-residential development park.
- (8) FEATHER SIGN means a freestanding temporary sign made of fabric or nylon affixed to a light weight pole.
- (9) FREESTANDING SIGN means a sign anchored directly to the ground or supported by one or more posts, columns or other vertical structures or supports, and not attached to or dependent for support from any building.
- (10) MONUMENT SIGN means a freestanding sign that contains a support structure that is a solid-appearing base constructed of a permanent material.
- (11) NONCONFORMING SIGN means a sign which was erected legally prior to the adoption of this code, or amendment thereto, but which does not comply with subsequently enacted sign restrictions and regulations or a sign which does not conform to the sign code requirements.
- (12) PERMANENT SIGN means a sign permitted by this code to be located on the premises for an unlimited period of time and designed to be permanently attached to a structure or the ground.
- (13) POLE SIGN means a freestanding sign that is supported by a pole, poles, columns or other base or structure, where the bottom edge of the sign face is eight feet or more above grade.
- (14) PROJECTING SIGN means a sign that is affixed perpendicular to a building or wall extending more than 18 inches beyond the face of such building or wall.
- (15) SIDEWALK SIGN means an A-frame, T-frame, or other temporary self-supporting type sign a sign which may be easily moved or relocated for re-use.
- (16) TEMPORARY SIGN means a sign that is neither permanently anchored to the ground, nor permanently affixed to a structure, nor mounted on a chassis and/or is intended for a limited period of display.
- (17) WALL SIGN means a sign attached directly to an exterior wall of a building with the exposed face of the sign in a plane parallel to the building wall. Wall signs shall not include signs that are painted directly onto a wall.
- (18) WINDOW SIGN means a sign attached to, in contact with, placed upon, painted on or otherwise viewable through the window or door of a building that is intended for viewing from the outside of such building. This does not include merchandise. A structure that would be considered a sign if mounted on the exterior of the building, but which is mounted inside the building and oriented to be visible through the window by a person outside of the window shall be considered a window sign for the purposes of this chapter.
- (19) YARD SIGN means any temporary sign placed on the ground or attached to a supporting structure, posts or poles, that is not attached to any building.
- (k) SIGN AREA means the entire display area of a sign copy including the advertising surface located on one or more sign faces, but not including the supporting structure.
- (l) SIGN COPY means those letters, numerals, and figures, symbols, logos and graphic elements comprising the content or message of a sign.
- (m) SIGN FACE means the surface of the sign upon, against or through which the message of the sign is exhibited.
- (n) SIGN HEIGHT means the vertical distance to top of sign structure.

- (o) STATIC OR INSTANT MESSAGE CHANGE means on electronic message centers, when one message changes to another message instantly without scrolling, flashing or other movement of the message.
- (p) WINDBLOWN DEVICES means objects and signs designed to inform or attract attention, all or part of which is set in motion by or remains inflated by wind, mechanical, electrical or any other means and may include, but are not limited to pennants, ribbons, streamers, balloons and hot or cold air inflatable devices, spinners or similar objects.

#### 1286.04 GENERAL APPLICABILITY.

- (a) It shall hereafter be unlawful for any person to erect, place, relocate, expand, modify, maintain or otherwise alter a sign in the City except in accordance with the provisions of this chapter.
- (b) Unless otherwise provided, this chapter shall apply to any sign, in any zoning district, that is visible from a public right-of-way or from an adjacent property.
- (c) Any sign legally established prior to the effective date of this chapter, which is rendered nonconforming by the provisions herein, shall be subject to the nonconforming sign regulations of Section 1286.13.

#### 1286.05 PROHIBITED SIGNS.

The following types of signs are specifically prohibited within the City of North Ridgeville:

- (a) Signs that interfere with, obstruct the view of or are similar in appearance to any legally authorized traffic sign, signal or device because of its position, shape, use of words or color;
- (b) Signs that constitute a hazard to safety or health due to inadequate or inappropriate design, construction, repair or maintenance, as determined by the Chief Building Official;
- (c) Any sign that copies or imitates signs that are installed by the City or any other governmental agencies or falsely purports to have been authorized by the City or other governmental agency;
- (d) Signs that are accessory to an abandoned use of property. A use shall be determined to be abandoned if it has voluntarily ceased operations for a period of six consecutive months unless the use is determined to be seasonal in nature;
- (e) Signs that are placed on trees, utility poles, benches, trash receptacles or any other unapproved supporting structure, or otherwise placed in the public right-of-way except as provided for in Section 1286.08(g);
- (f) Off-premise signs, including billboards;
- (g) Pole signs;
- (h) Signs mounted on or above the roofline of any building;
- (i) Signs that employ any parts or elements which revolve, rotate, whirl, spin, use moving or flashing lights or otherwise make use of motion to attract attention. This shall not include changeable copy signs as allowed in this chapter;
- (j) Pennants, streamers, windblown devices and signs that flutter with the exception of flags and feather signs as permitted in this chapter;
- (k) Signs which are not securely affixed in a permanent manner to an approved supporting structure unless specifically permitted as a temporary sign;
- (l) Vehicle signs:
  - (1) Vehicle signs viewed from a public road for the primary purpose of advertising. A vehicle sign shall be considered to be used for the primary purpose of advertising if the vehicle or trailer has signage attached to it and either fails to display current license plates and registration or is inoperable.



- (2) Vehicles or trailers shall not be parked continuously in one location to be used primarily as additional signage. These regulations do not apply to fleet and delivery vehicles that are actively used as part of a local business establishment, or vehicles that are painted or otherwise covered with signage that are used by persons as a personal means of transportation or are actively used as part of a local business establishment; and
- (l) Any sign not specifically allowed or addressed by this chapter shall be prohibited.

1286.06 SIGN PERMIT REQUIREMENT AND EXEMPTIONS.

- (a) Sign Permit Required. Unless otherwise stated in this chapter, all signs shall require a sign permit.
- (b) Exemptions. The following signs do not require a sign permit and do not require zoning approval. Permit-exempt signs may still be subject to building code or other applicable code requirements.
  - (1) Address numbers;
  - (2) Sign face changes where the sign structure is designed with interchangeable panels and one of the panels is replaced without changing the structure, total sign face area, height or the sign cabinet;
  - (3) Changes of copy on signs with changeable copy;
  - (4) Any sign that is located completely inside a building that is not visible from the exterior (see also definition of window sign);
  - (5) Any warning signs or traffic safety signs required by construction contractors and public utility providers;
  - (6) Signs installed or required by a governmental agency including the City of North Ridgeville, Lorain County, State of Ohio and United States;
  - (7) Signs and/or notices issued by any court, officer or other person in performance of a public duty;
  - (8) Signs which are an integral part of the historic character of a structure that has been designated an official landmark or historic structure by a governmental agency;
  - (9) Monuments and markers within a cemetery;
  - (10) One wall sign not exceeding two square feet mounted flush to the façade of a single or two-family dwelling unit;
  - (11) Signs that are an integral part of the original construction of vending or similar machines, fuel pumps, automated teller machines or similar devices that are not of a size or design as to be visible from a street or by any person other than those using the machine or device;
  - (12) Any signs located on umbrellas, seating or similar patio furniture provided they are located outside of the right-of-way and comply with any other applicable standards of this chapter;
  - (13) Parking space signs not exceeding two square feet in area;
  - (14) Signs that are located within a stadium, open-air theater, park, arena or other outdoor use that are not visible from a public right-of-way or adjacent property, and can be viewed only by persons within such stadium, open-air theater, park, arena or other outdoor use;
  - (15) Flags that do not contain a commercial message provided there shall be no more than three such flags on any lot and the size of each flag does not exceed 40 square feet;
  - (16) Certain temporary signs as established in Section 1286.12;

- (17) Any signs, including illuminated signs, or related decorations erected in observance of religious, national or state holidays which are not intended to be permanent in nature and which contain no advertising material;
- (18) Public art approved by the North Ridgeville Planning Commission; and
- (19) General maintenance, painting, cleaning and other normal maintenance and repair of a sign or any sign structure unless a structural change is made.

#### 1286.07 SIGN PERMIT APPLICATION AND PROCEDURES.

- (a) Application Requirements. Each sign permit application submitted shall contain the following:
  - (1) Name, address, phone number and email address of the applicant, property owner and person erecting the sign;
  - (2) Location of building, structure or lot to which or upon which the sign is to be installed;
  - (3) Scaled drawings depicting the position of the sign in relation to any buildings and structures on the site and adjacent sites and adjacent streets or drives;
  - (4) Scaled drawings, plans and specifications, including method of construction and attachment of the sign to the building or ground;
  - (5) Written consent of the owner of the building, structure or land to which or on which the sign is to be erected;
  - (6) Any information, calculations or documentation required by or to determine compliance with the Ohio Building Code or the Codified Ordinances of the City of North Ridgeville; and
  - (7) Any applicable fees, as established by separate ordinance.
- (b) Permit Review and Issuance
  - (1) Upon receipt of a complete application for a sign permit, the Chief Building Official shall examine the plans and specifications, and, within 30 days, determine if the signs proposed in the application are in compliance with this chapter.
  - (2) In the event of a variance request, or other delay caused by the applicant, the time for making a determination of sign compliance under this section shall be extended for a period of time equal to the time period during which the variance application is pending, or to the period of time of other delay caused by the applicant, as applicable.
  - (3) If the proposed sign complies with this chapter, all other applicable laws and ordinances of the City and the Ohio Building Code, the Chief Building Official shall forthwith issue the requested permit upon receipt of the appropriate fees. If the Chief Building Official determines that the application should be denied, he shall issue a written statement with his decision, explaining the reason(s) for the denial.
  - (4) If the work authorized under any sign permit is not completed within six months after the date of issuance, the permit shall become null and void.
- (c) Violation and Revocation of Sign Permit. The Chief Building Official may revoke a sign permit where there has been a violation of the provisions of this chapter or a misrepresentation of fact on the permit application. The Chief Building Official shall issue a written statement with his decision, explaining the reasons for revocation.
- (d) Appeals

- (1) If the applicant is dissatisfied with any determination made by the Chief Building Official during the application process related to the requirements of this chapter or the Residential Code of Ohio, including the denial or revocation of a permit, the applicant may, within ten (10) business days following that determination, file an appeal by making application to the Board of Zoning and Building Appeals.
- (2) The Board of Zoning and Building Appeals shall hear the applicant's appeal at the next available meeting after the filing of the application per the requirements of Chapter 1244. The Board may decide to affirm, modify, reverse or vacate the Chief Building Official's decision, and shall render its decision and any order necessary to effectuate its decision within five (5) business days following its hearing of the applicant's appeal.
- (3) The decision of the Board of Zoning and Building Appeals shall be final and may only be reviewed by a Court of Common Pleas, pursuant to the provisions of Chapter 2506 of the Ohio Revised Code.
- (4) If the applicant is dissatisfied with any determination of the Chief Building Official related to a decision based on the requirements of the Ohio Building Code, the applicant may appeal such decision to the Ohio Board of Building Appeals in a manner established in the Ohio Building Code.

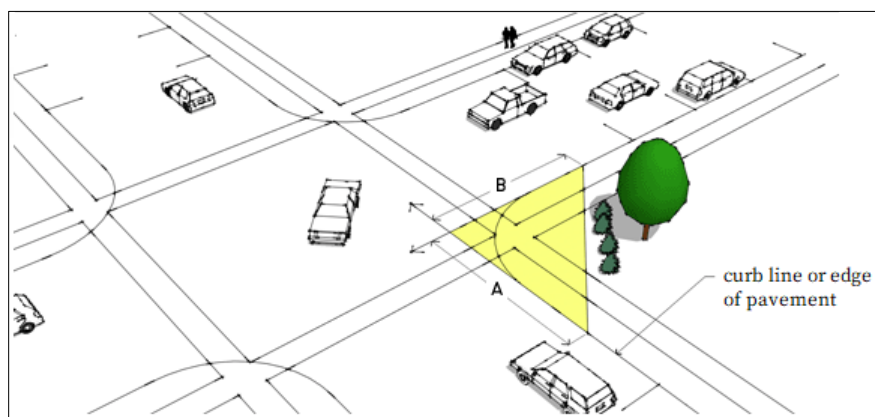
#### 1286.08 GENERAL REGULATIONS FOR ALL SIGNS.

Unless otherwise stated, the following regulations shall apply to all signs within the City:

- (a) Permanent signs are considered accessory uses and shall only be accessory to a principal use provided for by the North Ridgeville Zoning Code. Temporary signs may be permitted on all lots, regardless of the presence of a principal use, provided the temporary signs are in compliance with this chapter.
- (b) All signs shall be constructed in compliance with the applicable building and electrical codes as well as any other City regulations.
- (c) No sign shall obstruct or interfere with fire ingress or egress from any door, window or fire escape; block any light or ventilation openings; obstruct or interfere with traffic or vehicular or pedestrian traffic visibility or resemble or imitate signs or signals erected by the City or other governmental agency for the regulation of traffic or parking.
- (d) All permanent signs shall be secured in such a manner as to prevent swinging or other significant noticeable physical movement.
- (e) Signs supported by or suspended from a building shall hang so as to maintain a minimum clear height of eight (8) feet above a pedestrian path and 15 feet above a vehicular path.
- (f) Signs in Rights-of-Way. Signs shall be prohibited in the right-of-way with the exception of signs installed by the City of North Ridgeville, Lorain County, State of Ohio or United States, or any warning signs or traffic safety signs required by public utility providers. The Chief Building Official may immediately remove or cause to be removed any unlawful sign in the public right-of-way.

- (g) **Vision Clearance Requirements.** To promote traffic safety, no sign shall exceed 36 inches in height, measured from the top of the curb, within any vision clearance triangle area. See *Figure A*.

- (1) For intersections of streets with other streets, the vision clearance triangle area, which may include private property and/or public right-of-way, is the triangular area defined by measuring 30 feet from the intersection of the extension of the front and side street curb lines (or edge-of-pavement lines where there is no curb) and connecting the lines across the property.
- (2) For intersections of streets with driveways, the vision clearance triangle area shall be defined by measuring 25 feet from the edge of the driveway along the street and 20 feet along the driveway from the street and connecting the lines across the property.



*Figure A: Traffic safety visibility triangle for intersecting streets and driveways.*

- (h) **Maintenance and Removal of Signs.**

- (1) Every sign shall be maintained in a safe, presentable and good structural condition at all times, including the replacement of a defective part, painting, cleaning and other acts required for the maintenance of the sign so as not to show evidence of deterioration, including peeling, rust, dirt, fading, damage, discoloration or holes.
- (2) Whenever a sign is removed, all parts of the sign and supporting structure (e.g., pole, foundation, cabinet structure, etc.), excluding buildings, shall be removed in their entirety. This section shall not require the removal of a raceway if mounted to such structure on a building.
- (3) The Chief Building Official is authorized to order the removal, repair or maintenance of any sign in violation of any code or for which the required permit has not been obtained. Every such order shall be served upon the owner and person in possession of the sign by personal service or by regular first-class U.S. mail addressed to the occupant of such property and to the owner of the property.
- (4) Whenever the removal, repair or maintenance of any permanent sign has been ordered by the Chief Building Official, the owner or person in possession of such sign shall comply with such order within 30 days after notice is served upon him. Whenever the removal, repair or maintenance of a temporary or portable sign has been ordered by the Chief Building Official, the owner or person in possession of such sign shall comply with the order immediately after notice is served upon him.
- (5) In the event of noncompliance, the Chief Building Official may seek an order of removal from a court of competent jurisdiction, or may pursue criminal action

against the owner and/or person in possession of the sign in accordance with the appropriate provisions of this Zoning Code relating to the violations.

- (6) If, following an inspection, the Chief Building Official determines that any sign constitutes an immediate danger to the public safety, the Chief Building Official may affect the immediate removal of said sign without regard to the time intervals for compliance cited above, at the sign owner's expense in accordance with the procedures described in Chapter 215. Removal of a sign shall include the sign face, enclosing frame, all sign supporting members and base, unless otherwise specified in the order to remove.

#### 1286.09 SIGN ILLUMINATION.

All signs, unless otherwise stated in this chapter, may be illuminated by internal or external light sources, provided that such illumination complies with the following:

- (a) Light sources shall be shielded from all adjacent buildings and streets.
- (b) Lights shall not be of such brightness so as to cause glare that is hazardous to pedestrians or motorists or cause reasonable objection from adjacent residential districts.
- (c) No colored lights shall be used in a location or manner in which they might be confused with traffic control devices or vehicular traffic.
- (d) Illuminated signs on lots in non-residential districts within 150 feet and visible from a residential district may not be illuminated between 11:00 p.m. and 7:00 a.m. except at the time the establishment is in operation during this period.
- (e) An illuminated sign or lighting device shall employ only light of constant intensity.
- (f) No outline lighting shall be permitted.

#### 1286.10 MEASUREMENTS AND CALCULATIONS.

- (a) Sign Setback. All required setbacks for signs shall be measured as the distance in feet from the lot line or right-of-way, as applicable, to the closest point of the sign structure.
- (b) Sign Height. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the newly established grade after construction, exclusive of any filling, berming, mounding or excavating solely undertaken for the purpose of locating or increasing the height of the sign.
- (c) Sign Area. Sign area shall be calculated as established in this section, using one of the following shapes: circle, ellipse, triangle, square, rectangle, trapezoid, pentagon or hexagon.
  - (1) The calculation of sign area shall not include any supporting framework, bracing or decorative fence or wall unless such structural support is determined to constitute an integral part of the sign design by means of text or other message. See *Figure B*.
  - (2) For sign copy mounted or painted on a background panel, cabinet or surface distinctively painted, textured, lighted or constructed to serve as the background for the sign copy, the sign area shall be computed by means of the smallest permitted shape that encompasses the extreme limits of the background panel, cabinet or surface. See *Figure C*.

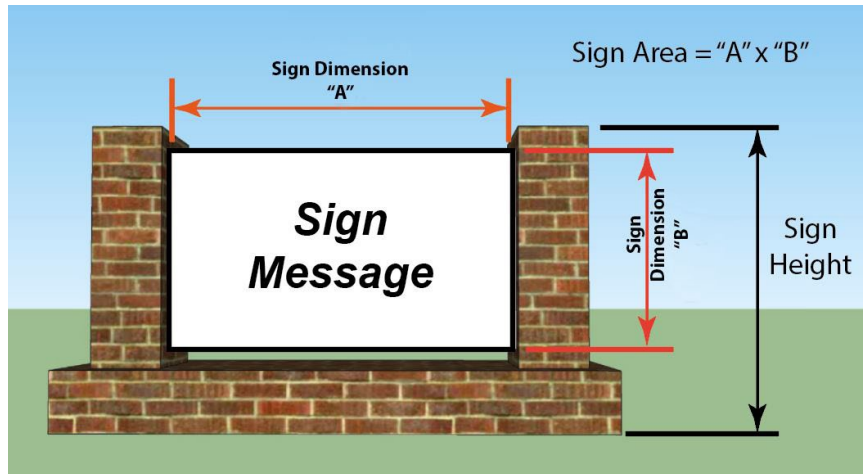


Figure B: Illustration of sign area calculation for a ground sign with a copy on a distinct, rectangular cabinet. The brick structural support is not included in the sign area calculation.



Figure C: Illustration of computing the sign area for wall signs with a background panel or cabinet.

- (3) For sign copy where individual letters or elements are mounted on a building façade or window where there is no background panel, cabinet or surface distinctively painted, textured, lighted or constructed to serve as the background for the sign copy, the sign area shall be computed by means of the smallest permitted shape that encloses all the letters or elements associated with the sign. See Figure D.

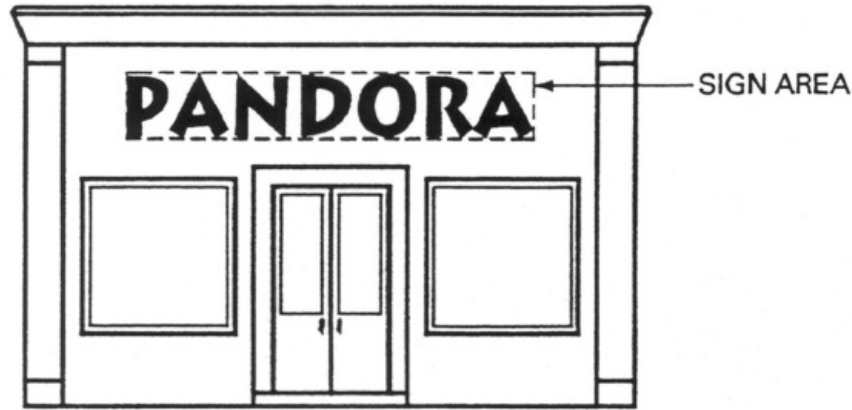


Figure D: Illustration of sign area calculation for wall signs with individual letters.

- (4) In cases where there are multiple sign elements of sign copy on the same surface, any areas of sign copy that are within two (2) feet of one another shall be calculated as a single sign area that shall be computed by means of the smallest permitted shape that encloses all sign copy within two (2) feet of one another, otherwise the sign area shall be computed for each separate piece of sign copy. See Figure E.
- (5) Decorative edging or other window treatments that are not an integral part of the sign copy shall not be considered a part of the sign.

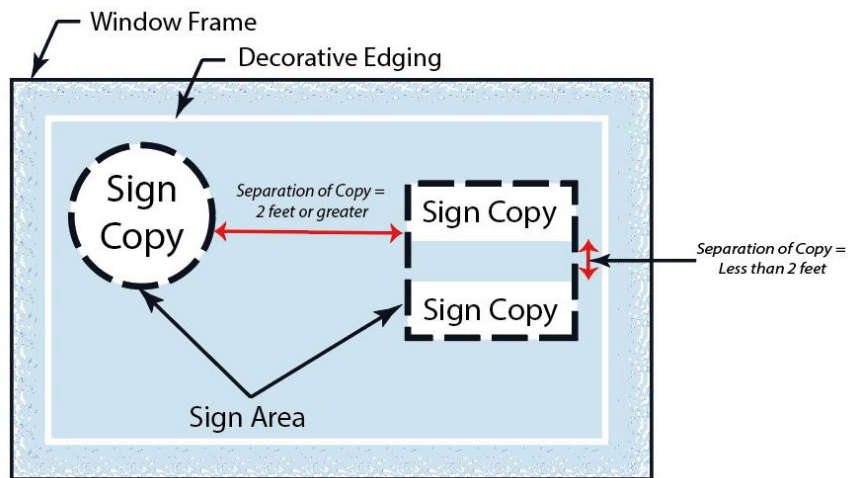


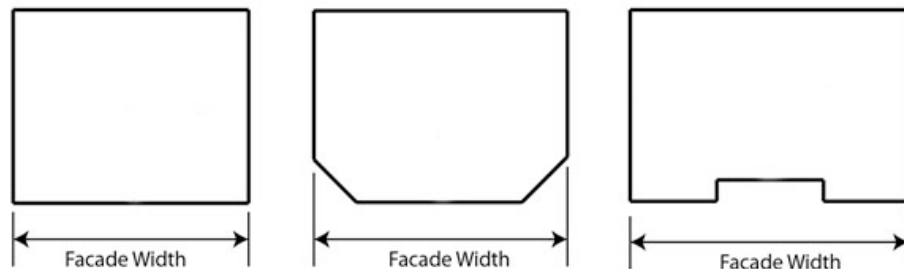
Figure E: Illustration of sign area calculations for multiple sign areas on a window sign.

- (6) When two identically sized, flat sign faces are placed back-to-back or at angles of 45 degrees or less, so that both faces cannot be viewed from any one point at the same time, the sign area of the multi-faced sign shall be computed by the measurement of one of the sign faces. If the two faces are unequal, the sign area shall be calculated based on the larger of the two faces. When a multi-faced sign has an interior angle greater than 45 degrees, the sign area shall be computed by adding together the area of all sign faces.

- (7) In the case of a three-dimensional sign, the sign area shall be calculated by the smallest permitted shape that encompasses the profile of the sign message. The profile used shall be the largest area of the sign message visible from any point.

(d) Façade Measurements.

- (1) When calculating the permitted sign area based on the width of any façade, such calculation shall be based on viewing the façade from a 90-degree angle (i.e., straight on), regardless of façade insets, offsets or angles. See *Figure F*.
- (2) For multi-tenant buildings, the portion of a building that is owned or leased by a single occupant or tenant shall be considered a building unit. The façade width for a building unit shall be measured from the centerline of the party walls defining the building unit.



*Figure F: Illustration of façade width measurement on varied façade shapes.*

1286.11 PERMANENT SIGN ALLOWANCES.

The following are the types of permanent signs allowed in the City of North Ridgeville and the applicable regulations for each sign type.

- (a) Building Signs. Building signs shall not be permitted as accessory to single-family or two-family dwellings. In residential districts, building signs may be accessory to nonresidential permitted or conditional uses. In all other districts, building signs are permitted on principal structures in accordance with the following:
- (1) Building Sign Allowance. The building sign area allowed in this section shall include the total amount of all wall, canopy and projecting signs on each façade.
- A. Maximum permitted building sign area for a single tenant building shall be two (2) square feet per lineal foot based on the façade width of the principal building.
- B. Maximum permitted building sign area for a building unit in a multi-tenant building shall be two (2) square feet per lineal foot based on the façade width of the individual building unit, provided that the building unit has an exterior entrance.
- C. For buildings or building units on lots with frontage on more than one public street, maximum permitted building sign area shall be 1.5 square feet per lineal foot of the sum of the façade widths that face a public street.
- D. Building signs may contain up to 25 percent changeable copy in sign area; however, building signs shall not include electronic message centers.
- (2) Wall Signs. Any wall sign shall comply with the following standards:



- A. A wall sign shall be mounted on or flush with a wall and shall not project more than 24 inches from the wall of the building to which it is attached.
  - B. A wall sign may be mounted on the façade wall or mounted on a raceway.
  - C. No wall sign shall be painted directly on a building.
  - D. No wall sign shall extend above the parapet of the main building to which it is attached, nor beyond the vertical limits of such building.
  - E. A wall sign shall maintain a minimum six-inch clearance from the top and side edges of the surface or wall to which it is attached.
  - F. Signs attached to roofed structures over fueling stations shall be considered wall signs.
  - G. Wall signs may be internally or externally illuminated.
- (3) Canopy Signs. Any canopy sign shall comply with the following standards:
- A. Signage shall not cover more than 50 percent of any individual awning, canopy or marquee.
  - B. Signage may be mounted above any canopy provided that the sign does not extend above the top of the roofline of the building.
  - C. Canopy signs may be internally or externally illuminated.
- (4) Projecting Signs. Any projecting sign shall comply with the following standards:
- A. Only one projecting sign shall be permitted for each building unit.
  - B. The maximum sign area for a projecting sign shall be six (6) square feet.
  - C. Decorative supporting structures for projecting signs shall not count toward the maximum square footage of signs allowed, however, in no case shall the supporting structure exceed six (6) square feet.
  - D. A projecting sign shall be perpendicular to the wall of the building to which it is attached and shall not extend more than four (4) feet from the façade wall to which it is attached. Such a sign shall maintain a minimum six-inch clearance from the façade of any building.
  - E. Projecting signs shall not encroach into any right-of-way.
  - F. Projecting signs may only be externally illuminated.
- (b) Window Signs. No sign permit shall be required for window signs provided that any such sign complies with the following standards:
- (1) Window signs shall not occupy more than 50 percent of the window area. The sign area is based on the total window area. Window areas separated by piers, architectural elements or similar features that are not glass or window framing or support shall be considered separate and distinct window areas.
  - (2) Window signs may be temporarily or permanently attached to the window surface.
  - (3) Window signs are not permitted in any window of a space used for residential uses or purposes unless allowed as a temporary sign in accordance with Section 1286.12.
- (c) Monument Signs. Monument signs shall not be permitted as accessory to single-family or two-family dwellings. In residential districts, monument signs may be accessory to nonresidential permitted or conditional uses. In all other districts, monument signs are permitted on lots in accordance with the following:
- (1) One monument sign shall be permitted per lot with the exception of lots having either a total area in excess of five (5) acres or total street frontage in excess of 500

linear feet, in which case two (2) monument signs are permitted provided each sign complies with the standards of this section.

- (2) The maximum sign area of an individual monument sign shall be 65 square feet. In no case shall a monument sign exceed eight (8) feet in height.
- (3) Monument signs shall be set back a minimum of five (5) feet from every right-of-way line and a minimum of 20 feet from any side or rear lot line.
- (4) The base of any monument sign shall be composed of stone, brick or other decorative material complimentary to the building material used for the principal structure.
- (5) Monument signs shall be located in a landscaped area equal to or larger than the total sign area of the applicable sign. The landscaped area shall include all points where the sign's structural supports attach to the ground.
- (6) Monument signs may be internally or externally illuminated.
- (7) Monument signs may contain up to 75 percent changeable copy in sign area.
- (8) Electronic Message Centers.
  - A. Only one monument sign per lot may have an electronic message center.
  - B. No additional changeable copy sign area shall be permitted on a monument sign if there is an electronic message center.
  - C. Messages can only change once every ten minutes.
  - D. Any message change shall be a static, instant message change.
  - E. Only Light Emitting Diodes (LED) technology or similar quality signs shall be permitted for electronic message centers.
  - F. The electronic message center shall come equipped with an automatic dimming photocell, which automatically adjusts the display's brightness based on ambient light conditions.

(d) Drive-Through Signs.

- (1) Drive-through signs shall only be permitted in Business Districts, accessory to a nonresidential use containing a drive-through facility.
- (2) In no case shall a single drive-through sign exceed 32 square feet in sign area. The total aggregate sign area of all signs associated with a drive-through facility shall not exceed 72 square feet.
- (3) No drive-through sign shall exceed seven (7) feet in height measured from the grade of the adjacent driving surface to the top of the sign.
- (4) Such signs shall be oriented so as to only be visible to occupants of vehicles in the stacking lanes of the drive-through facility.
- (5) Drive-through signs may be internally or externally illuminated. Up to 100 percent of each sign may be changeable copy, including an electronic message center in compliance with Section 1286.11(c)(8)(D) through (F), above. Further, such electronic message center shall be turned off during the hours when the related establishment is closed.

(e) Driveway Signs.

- (1) Driveway signs shall only be permitted at driveway entrances to a public street where there is limited access ingress or egress (e.g., enter-only or exit-only driveways) or where the driveway provides access to a drive-through facility. Driveway signs shall not be permitted as accessory to single-family or two-family dwellings.
- (2) Only one driveway sign is permitted per individual driveway.

- (3) Driveway signs shall be set back at least five feet from all lot lines but in no case shall the sign be set back more than ten (10) feet from the edge of the driveway.
  - (4) Each driveway sign shall not exceed six (6) square feet in area and three (3) feet in height.
  - (5) Driveway signs may be internally or externally illuminated but shall not include changeable copy.
- (f) Entrance Signs.
- (1) For residential subdivisions, residential complexes and non-residential development parks that contain a minimum of 10 units/lots, such subdivision, complex or park may install one (1) entrance sign within 150 feet of an entrance point from a public street into the subdivision, complex or park.
  - (2) The proposed placement of any entrance sign either on private property or within the right-of-way (i.e., landscaped median) shall ensure safety and traffic visibility and must be approved by Planning Commission.
  - (3) Entrance signs shall be designed as monument signs with a maximum sign area of 32 square feet and maximum height of six (6) feet.
  - (4) Any entrance sign shall be in addition to the signage allowed in this chapter.
  - (5) Entrance signs may be internally or externally illuminated but shall not include changeable copy.

#### 1286.12 TEMPORARY SIGNS.

The following are the types of temporary signs allowed in the City of North Ridgeville and the applicable regulations for each type of sign.

- (a) Standards Applicable to All Temporary Signs.
- (1) Temporary signs shall not be mounted, attached, affixed, installed or otherwise secured in a manner that will make the sign a permanent sign.
  - (2) No temporary sign shall be mounted, attached, affixed, installed or otherwise secured so as to extend above the roofline of a structure.
  - (3) Temporary signs shall not be posted in any place or in any manner that is destructive to public property including, but not limited to, rights-of-way, utility poles and public trees.
  - (4) All temporary signs shall be secured in such a manner as to prevent swinging or other significantly noticeable movement resulting from the wind that could pose a danger to people, vehicles or structures.
  - (5) Temporary signs shall be required to comply with vision clearance requirements and shall be set back a minimum of five (5) feet from any public right-of-way.
  - (6) No temporary sign shall require a foundation, support, wiring, fittings or elements that would traditionally require a building permit or electrical permit.
  - (7) Temporary signs shall not be illuminated.
  - (8) Temporary signs shall not be affixed to any permanent sign or permanent structure except when a banner sign is permitted to cover a permanent sign in accordance with Section 1286.12(e)(3) or when such sign is attached to the principal building as permitted in this chapter.
  - (9) No streamers, spinning, flashing, windblown devices or similarly moving devices shall be allowed as part of or attachments to temporary signs.
  - (10) Mobile signs on wheels, runners, casters, parked trailers or parked vehicles shall not be permitted.

- (11) Because of the nature of materials typically used to construct temporary signs and to avoid the unsightliness of deteriorating signs and all safety concerns which accompany such a condition, temporary signs shall be removed or replaced when such sign is deteriorated.
- (b) Standards for Temporary Sign Types.
  - (1) Yard Signs.
    - A. Where permitted, there shall be no maximum number of yard signs provided the aggregate total square footage of all temporary signs does not exceed the maximum sign area allowed in this chapter.
    - B. There shall be a maximum of two (2) faces to any yard sign, mounted back-to-back.
  - (2) Window Signs.
    - A. Where permitted, there shall be no maximum number of window signs provided the aggregate total square footage of all temporary signs does not exceed the maximum sign area allowed in this chapter.
    - B. Temporary window signs shall be attached to the inside of the window.
  - (3) Banner Signs.
    - A. Where permitted, the maximum number of banner signs per lot is two (2).
    - B. Banner signs may be attached to a building, fence or other similar structure. A banner sign attached to posts and mounted in a yard or landscaped area shall be regulated as a temporary yard sign.
    - C. The maximum height standard for temporary signs shall not apply to a banner sign but such signs shall not be mounted in a manner that extends above the roofline of a building or the top of the structure on which it is mounted.
  - (4) Sidewalk Signs.
    - A. Where permitted, the maximum number of sidewalk signs per business unit is one (1).
    - B. Sidewalk signs shall only be placed outside during the establishment's hours of operation.
    - C. Any sidewalk sign shall be located within ten (10) feet of the establishment's entrance on a private sidewalk, walkway or landscaped area, but may not obstruct pedestrian traffic or interfere with the use of parking and loading facilities. Sidewalk signs may not be placed in the public right-of-way.
    - D. No sidewalk sign shall exceed six (6) square feet in area or three (3) feet in height.
  - (5) Feather Signs.
    - A. Where permitted, the maximum number of feather signs per lot is one (1).
    - B. No feather sign shall exceed six (6) feet in height.
- (c) Temporary Signs with a Noncommercial Message.
  - (1) In all zoning districts, temporary signs with a noncommercial message shall be permitted on any lot for an unrestricted period of time. No permit shall be required.
  - (2) Permitted sign types include yard and window.
  - (3) Total area of temporary signs with a noncommercial message shall not exceed 64 square feet per lot. No individual yard sign shall exceed 24 square feet or four (4) feet in height.

- (d) Temporary Signs with a Commercial Message in Residential Zoning Districts.
- (1) In residential zoning districts, one (1) yard or window sign with a commercial message shall be permitted on any single lot. No permit shall be required.
  - (2) No individual sign shall exceed eight (8) square feet or four (4) feet in height.
  - (3) In lieu of the regulations in this Section, any nonresidential use located in a residential zoning district shall be permitted the same amount of temporary signage with a commercial message as allowed in (e) below.
- (e) Temporary Signs with a Commercial Message in Nonresidential Zoning Districts.
- (1) Signs Allowed for an Unrestricted Time. No permit shall be required for the following temporary signs:
    - A. A maximum of 12 square feet of temporary signs with a commercial message shall be permitted for every 100 lineal feet of street frontage per lot.
    - B. Permitted sign types include yard, banner and sidewalk.
    - C. No individual sign shall exceed 12 square feet or six (6) feet in height.
  - (2) Signs with Time Limitations. In addition to the temporary signs allowed in (e)(1), the following temporary signs are allowed by permit:
    - A. A maximum of 36 square feet of temporary signs with a commercial message per building unit shall be permitted for up to 15 consecutive days, four (4) calendar times per year.
    - B. Permitted sign types include yard, banner and feather.
    - C. No individual sign shall exceed six (6) feet in height.
  - (3) Signs for New Uses. For zoning permit applications related to the establishment of a new use within an existing building where there is either no sign or an existing permanent sign, a banner sign may be approved for up to 60 consecutive days. Such banner sign shall not exceed the allowable building sign area or the sign area of the permanent sign to be covered, as applicable, and shall require a sign permit.

#### 1286.13 NONCONFORMING SIGNS.

- (a) Any sign that was lawfully in existence at the time of the effective date of this ordinance, or amendment thereto, that does not conform to the provisions herein, shall be deemed a legal nonconforming sign and may remain except as qualified below. Minor repairs and maintenance of legal nonconforming signs shall be permitted. However, no legal nonconforming sign shall be enlarged, extended, structurally altered or reconstructed in any manner, except to bring it into full compliance with these regulations. These regulations shall not prohibit the replacement of the content of a sign without the structural modification of its size, location or configuration.
- (b) A sign shall lose its legal nonconforming status if any of the following occurs:
- (1) If such sign is damaged to an amount exceeding 50 percent of the sign's replacement value not including the cost or value related to the foundation or work below grade, as determined by at least two sign companies requested to provide a quote by the City;
  - (2) The structure of the sign is altered in any form;
  - (3) The sign is relocated;
  - (4) The principal use of the property is voluntarily discontinued for a period of at least six months; or

- (5) The nonconforming sign and its structure (including support and frame and panel) are determined by the Chief Building Official to be unsafe or in violation of this code and are declared a nuisance.
- (c) Any sign that loses its legal nonconforming status must be brought into compliance with the provisions of this chapter and any other City laws and ordinances by an application for, and issuance of, a sign permit or by complete removal.
- (d) Failure to bring a sign into compliance after loss of a legal nonconformity status shall cause the sign to be considered an illegal sign.

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