

RESOLUTION NO. 25-06

**RESOLUTION ADOPTING TEXT AMENDMENTS  
OF THE TOWNSHIP ZONING RESOLUTION MODIFYING  
ARTICLE 1, PURPOSE STATEMENT AND ARTICLE 30, SIGNS**

WHEREAS, under O.R.C. Section 519.12 (A), the Board of Trustees may initiate changes to its Zoning Resolution, in accordance with the procedures set forth therein; and

WHEREAS, the Board of Trustees desires to conserve and protect property and property values, to secure the most appropriate use of land within Colerain Township, and to facilitate the reasonable improvement and development of said land, all in accordance with the Colerain Township Comprehensive Plan adopted by the Board of Trustees on April 12, 2005; and

WHEREAS, the Hamilton County Regional Planning Commission, after public hearing on April 6, 2006 voted unanimously to recommend approval of the proposed text with suggested changes; and

WHEREAS, the Colerain Township Zoning Commission, after public hearing on April 18, 2006, voted unanimously to recommend approval of the proposed text with the further request that the Board of Trustees consider, in its deliberations, the suggestions made by the Hamilton County Regional Planning Commission; and

WHEREAS, the Board of Trustees determines it is necessary to modify the text of the Colerain Zoning Resolution, Article 1, Purpose Statement in accordance with the provisions of O.R.C Section 519 et seq.; and

WHEREAS, the Board of Trustees determines it is necessary to modify the text of the Colerain Zoning Resolution, Article 30, Signs for the purpose of encouraging the effective use of signs as a means of communication in the Township; to maintain and enhance the aesthetic environment and the Township's ability to attract sources of economic development and growth; to eliminate, to the maximum extent feasible, clutter and to improve corridor visibility; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to ensure the protection of the public's first amendment rights; and

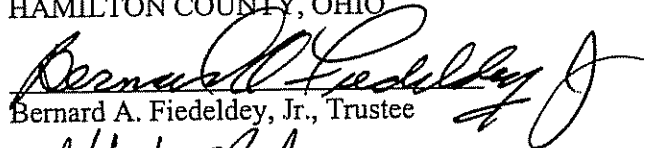
WHEREAS, the Board of Trustees finds and determines that the adoption of such amendments to the Colerain Township Zoning Resolution including modifications to Article 1, Purpose Statement and Article 30, Signs is in keeping with good land use planning and is in the interest of the public health, safety, public convenience, comfort, prosperity, and general welfare; and

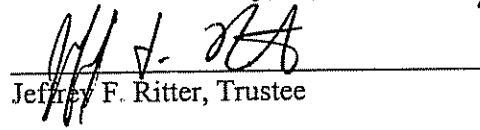
NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, that:

1. The Board of Trustees does hereby Approve the amendment of the Colerain Township Zoning Resolution by incorporating therein the text amendment regulations with the suggestions made by the Hamilton County Regional Planning Commission and Colerain Township Zoning Commission as modified and attached hereto as Article 1, Purpose Statement and Article 30, Signs; and
2. This resolution shall be effective on the earliest date permitted by law.

Adopted this 23<sup>rd</sup> day of May, 2006 in regular session.

BOARD OF TRUSTEES  
COLERAIN TOWNSHIP,  
HAMILTON COUNTY, OHIO

  
Bernard A. Fiedeldey, Jr., Trustee


  
Jeffrey F. Ritter, Trustee

\_\_\_\_\_  
Keith N. Corman, Trustee and Chairman

CERTIFICATE OF ADOPTION

This resolution was adopted at a Regular Meeting scheduled for the Board of Township Trustees of Colerain Township, Ohio, in session the 23<sup>rd</sup> day of May, 2006 and shall become effective at the earliest time permitted by law.

\_\_\_\_\_  
Mr. Corman

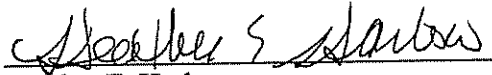
\_\_\_\_\_  
Mr. Fiedeldey 

\_\_\_\_\_  
Mr. Ritter AYE


CERTIFICATION

The Township Fiscal Officer of Colerain Township, Hamilton County, Ohio, hereby certifies that the foregoing is a true copy of a Resolution duly passed at a Regular Meeting of the Board of Trustees of said Township on the 23<sup>rd</sup> day of May, 2006, together with a true record of the roll call vote thereon, and said Resolution has been duly entered upon the Journal of said Township.

This 23<sup>rd</sup> day of May, 2006.

  
Heather E. Harlow  
Fiscal Officer

Approved as to form:

  
James E. Reuter  
3025 W. Galbraith Road  
Cincinnati, Ohio 45239-4222  
(513) 521 - 8400  
Attorney for Board of Trustees

# **Article 1: Purpose**

## **1 Purpose Statement**

### **1.1.1**

Except as otherwise provided in this section, in the interest of the public health and safety, the Colerain Township Board of Township Trustees may regulate by resolution, in accordance with a comprehensive plan, the location, height, bulk, number of stories, and size of buildings and other structures, including tents, cabins, and trailer coaches, percentages of lot areas that may be occupied, building setback lines, sizes of yards, courts, and other open spaces, the density of population, the uses of buildings and other structures, including tents, cabins, and trailer coaches, and the uses of land for trade, industry, residence, recreation, or other purposes in the unincorporated territory of the Township. Except as otherwise provided in this section, in the interest of the public convenience, comfort, prosperity, or general welfare, the Board of Trustees by resolution, in accordance with a comprehensive plan, may regulate the location of, set back lines for, and the uses of buildings and other structures, including tents, cabins, and trailer coaches, and the uses of land for trade, industry, residence, recreation, or other purposes in the unincorporated territory of the Township, and may establish reasonable landscaping standards and architectural standards excluding exterior building materials in the unincorporated territory of the Township. Except as otherwise provided in this section, in the interest of the public convenience, comfort, prosperity, or general welfare, the Board of Trustees may regulate by resolution, in accordance with a comprehensive plan, for nonresidential property only, the height, bulk, number of stories, and size of buildings and other structures, including tents, cabins, and trailer coaches, percentages of lot areas that may be occupied, sizes of yards, courts, and other open spaces, and the density of population in the unincorporated territory of the Township. For all these purposes, the Board of Trustees may divide all or any part of the unincorporated territory of the Township into districts or zones of such number, shape, and area as the Board of Trustees determines. All such regulations shall be uniform for each class or kind of building or other structure or use throughout any district or zone, but the regulations in one district or zone may differ from those in other districts or zones.

### **1.1.2**

For any activities permitted and regulated under Chapter 1513(Coal Surface Mining) or 1514(Other Surface Mining) of the Ohio Revised Code and any related processing activities, the Board of Township Trustees may regulate under the authority conferred by this section only in the interest of public health or safety.

# Article 30: Signs

## 1 Purpose

The purposes of these sign regulations are:

- 1 To encourage the effective use of signs as a means of communication in the Township;
- 2 To maintain and enhance the aesthetic environment and the Township's ability to attract sources of economic development and growth;
- 3 To eliminate, to the maximum extent feasible, clutter and to improve corridor visibility;
- 4 To improve pedestrian and traffic safety;
- 5 To minimize the possible adverse effect of signs on nearby public and private property; and
- 6 To ensure the protection of the public's first amendment rights.

## 2 Applicability

The regulations contained within this Article shall apply to all signs and to all zoning districts.

### 30.2.1

### 30.2.2

Unless otherwise provided by this Article, all signs shall require a Zoning Certificate and a payment of fees. No Zoning Certificate is required for the maintenance of a sign or for a change of copy on painted, printed, or changeable copy signs.

### 30.2.3

Governmental signs are excluded from the scope of these regulations.

## 3 Compliance Required

### 30.3.1

It shall hereafter be unlawful for any person to erect, place, or maintain a sign in the Township except in accordance with the provisions of these regulations.

### 30.3.2

All wiring, fittings, and materials used in the construction, connection and operation of electrically illuminated signs shall be in accordance with the provisions of the local electrical code in effect.

### 30.3.3

No sign of any classification shall be installed, erected, or attached to a structure in any form, shape, or manner that is in violation of Hamilton County's or Ohio's building or fire codes.

## 4 Computations

The following principles shall control the computation of sign area and sign height.

### 1 Computation of the Area of Individual Signs

The area of a sign face, which is also the sign area of a wall sign or other sign with only one face, shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that shall encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color that is an integral part of the background of the display or used to differentiate the sign from backdrop or structure against which it is placed. This measurement does not include any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning resolution regulations and is clearly incidental to the display itself. See Figure 30-1.

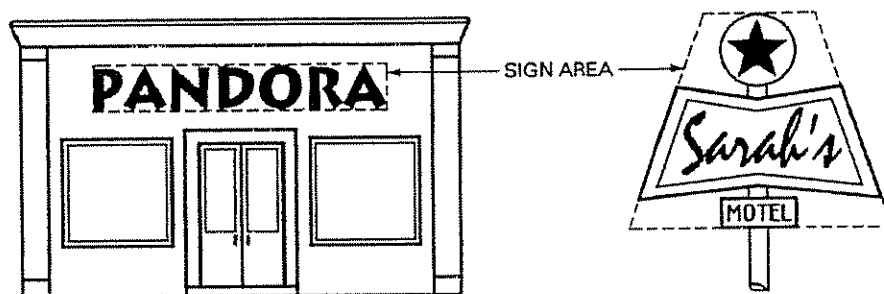


Figure 30-1: Examples of Measuring Sign Area

### 2 Computation of the Area of Multi-Faced Signs

(A) The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point.

(B) When 2 identical sign faces are placed back to back, so that both faces cannot be viewed from any one point at the same time, and when such sign faces are part of the same sign structure and are not more than 24 inches apart, the sign area shall be computed by the measurement of one of the faces.

### **3 Computation of 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.

### **4 Street/Lot Frontage**

When a computation is based on the street or lot frontage, the longest street or lot frontage, and not the total street frontage, shall be used.

## **5 General Sign Standards**

### **1 Signs in the Right-of-Way; Obstructing Vision or Traffic**

(A) No signs shall be placed in any public right-of-way except:

(1) Publicly owned signs, such as traffic control signs, township identification signs, and freestanding signs as permitted in Subsection 30.7.8.

(2) Projecting, canopy, and awning signs may project over a public right-of-way if they are in conformity with all other applicable standards of this Article.

(B) No sign or other advertising structure as regulated by this Article shall be erected:

(1) At the intersection of streets in such a manner as to obstruct free and clear vision; or

(2) At any location where, by reason of the position, shape or color, it may interfere with traffic, obstruct the view of traffic, or be confused with the use of words such as "stop," "danger," or any other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse traffic.

### **2 Illumination**

(A) The light from any illuminated sign or from any light source shall be so shaded, shielded, or directed that the light intensity or brightness shall not adversely affect surrounding or facing residential districts, or adversely affect the safe vision and operation of vehicles moving on public or private roads, highways, or parking areas. Light shall not directly shine or reflect on or into residential structures.

(B) Signs shall be subject to the outdoor lighting provisions of Subsection 30.5.6 (Signs on Awnings, Canopies, Fascia, or Marquees) and other applicable regulations in this Article.

### **3 Message Changes**

(A) Message changes are permitted and do not require a permit on any permitted or legal nonconforming sign with changeable copy. However, signs that flash intermittently are prohibited.

(B) Signs shall not have moving or rotating parts that change position more than 4 times per minute.

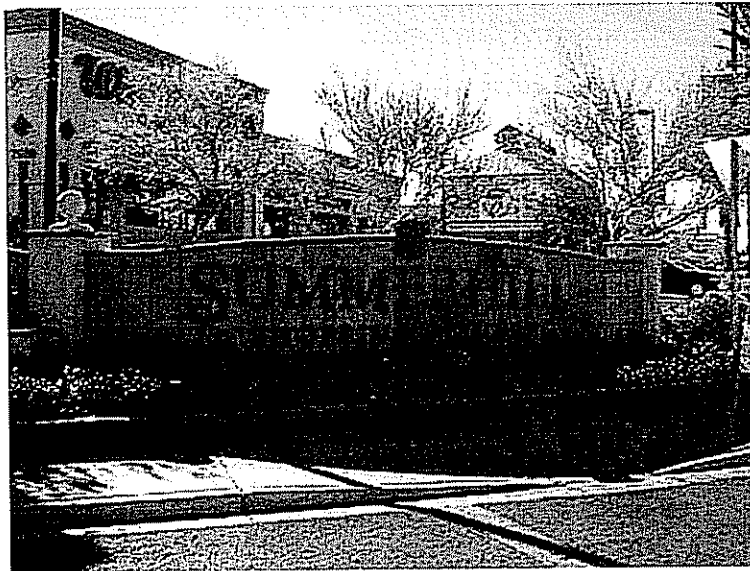
### **4 Address Signs**

All development shall have a sign providing the numeric address of the identification purposes to assist in fire and safety protection.

### **5 Required Landscape Area for Signs**

(A) Unless otherwise provided in this Article, all permanent freestanding signs (ground-mounted or pole) shall be located in a landscaped area with a minimum area equal to the total sign area. See Figure 30-2.

(B) The landscape area for permanent freestanding signs shall consist of shrubs, flowers, and/or ground cover. Areas covered in sod or similar grass ground cover shall not count toward the landscape area requirement.



**Figure 30-2: Landscaping for Freestanding or Ground-Mounted Signs**

## **6 Signs on Awnings, Canopies, Fascia, or Marquees**

(A) Awnings, canopies, fascia, or marquees shall be designated as permanent parts of the building and shall meet all of the requirements of all applicable building and electrical codes.

(B) Unless otherwise provided in this Article, the sign area of the awning, canopies, fascia, or marquee shall be included as part of the wall sign area calculation.

(C) In cases where the awning, canopy, fascia, or marquee is constructed of translucent material, is illuminated from within or behind the structure, and contains sign copy, the entire area of the structure shall be calculated in determining the sign area.

## **7 Wall Signs**

Wall signs shall not extend more than 12 inches as measured from the face of the building or extend above the roof of the structure.

## **6 Prohibited Signs**

The following types of signs are prohibited in all districts:

### **30.6.1**

#### **Abandoned Signs**

(A) Any sign now or hereafter existing that no longer advertises a commercial message for a bona fide business conducted on the premises or a product sold on the premises for a period of one year shall be deemed abandoned.

(B) Such a sign shall be taken down and removed by the owner, agent, or person having the beneficial use of the building or structure upon which the sign may be found within 30 days after notification to the owner from the Zoning Administrator.

(C) The face of the abandoned sign shall be replaced with a blank face so as to cover all internal light or structural systems.

(D) All signs shall be in conformance with Section 30.11 (Maintenance) regarding the maintenance of all signs.

**2** No sign shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners, or other similar moving devices for the purpose of advertising or attracting attention for commercial or advertising purposes except where otherwise permitted in this Article

**3** Air activated graphics or balloons used for commercial or advertising reasons shall not be permitted except where otherwise permitted in this Article

**4** No person shall erect any sign which rotates, revolves, or otherwise moves



unless otherwise expressly permitted under this Article;

**30.6.5**

No person shall erect any additional attractions devices or objects, or continue in the operation of such signs for the purpose or result of which is to attract attention to a business or business services and/or which serves to divert the attention of the public whether such devices or objects are stationary, mobile, or otherwise revolve, rotate, or move;

**6** Signs placed on vehicles or trailers that are parked or located for the primary purpose of displaying such signs. This provision does not apply to portable signs or lettering on buses, taxis, or vehicles operating during the normal course of business;

**7** Signs imitating or resembling official traffic or governmental signs or signals;

**8** No person shall display upon any sign or other advertising structure any obscene, indecent, or immoral matter;

**9** Signs that consist of lights that revolve or flash are prohibited in all districts with the exception of electronic information signs;

**10** Bench signs;

**11** Portable signs or daisy signs;

**30.6.12**

Snipe signs;

**30.6.1**

**3**

**30.6.1**

**4**

Graffiti; or

Roof signs.

## **7 Signs not Requiring a Zoning Certificate**

The following sign types shall be exempted from permit requirements but shall be in conformance with all other requirements of this Article:

**1** Signs conforming with the Manual of Uniform Traffic Control Devices and bearing no commercial message;

**2** Signs bearing no commercial message and installed by employees or officials of a state or federal agency in the course of their governmental duties;

**3** Signs required by a state or federal statute;

4 Signs required by an order of a court of competent jurisdiction;

**30.7.5**

**30.7.6**

**30.7.7**

Signs installed by public utilities in their rights-of-way or on their facilities and bearing no commercial message other than such message is necessary to identify the use;

Signs installed by a transit company with a franchise or other right to operate in Hamilton County, where such signs are installed along its routes and relate to schedules or other information about the transit route.

Certain temporary signs as regulated by Section 30.10 (Temporary Signs);

**8** Permanent freestanding sign on a lot that is considered agricultural land based exempt from zoning certificates pursuant to the ORC and provided the sign meets the following requirements:

(A) Such sign shall be located a minimum of 15 feet from a right-of-way.

(B) The maximum sign area shall be 32 square feet.

(C) The maximum sign height shall be 6 feet.

**9** One non-illuminated wall sign of 4 square feet or less in a residential zoning district as part of a permitted home occupation;

**10** Commemorative plaques placed by recognized historical agencies;

**11** Mailbox identification when such is an integral part of such mailbox;

**12** Warning signs including "no hunting," "no trespassing," "keep off grass," "no dumping," or signs of a similar nature provided that they do not exceed 2 square feet in area.

**13** Window signs not to exceed 50 percent of the window surface. The window signs shall be so located as to allow clear visibility into the building for the purposes of fire and police protection.

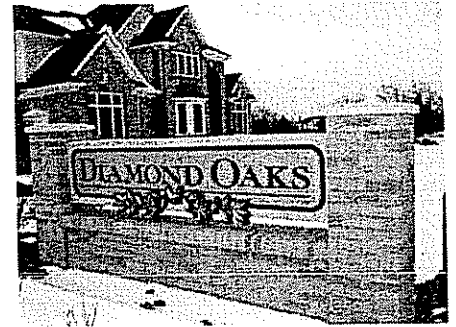
## **8 Permanent On-Premises Signs**

### **1 Signs Permitted in any Residential or "H" Zoning District**

The following on-premises signs may be permitted in a residential district or in the "H" District.

(A) All signs not requiring a Zoning Certificate pursuant to Section 30.7 (Signs not Requiring a Zoning Certificate);

(B) Permanent freestanding signs for a subdivision, open space residential development, multi-family dwelling, public/institutional use, or commercial enterprise permitted in a residential zoning district (kennel, riding stable, etc.) provided that the signs meet the following requirements (See Figure 30-3):



**Figure 30-3:  
Development  
Sign**

(1) Two permanent freestanding signs may be permitted, by Zoning Certificate, at each development entrance along a county or state road;

(2) The signs shall be ground mounted signs;

(3) The signs shall be set back 15 feet from the public right-of-way and 20 feet from any adjacent property lines.

(4) The maximum sign area for each sign shall be 24 square feet in area;

(5) No such sign or any portion of the structure shall exceed 6 feet in height; and

(6) The sign may only be illuminated through external lighting.

(C) Permitted public and institutional uses may permitted to have one permanent freestanding sign provided the sign meets the following requirements:

(1) The sign shall be a ground mounted sign;

(2) The signs shall be set back 15 feet from the public right-of-way and 20 feet from any adjacent property lines.

(3) The sign shall have a maximum sign area of 32 square feet in area;

(4) No such sign or any portion of the structure shall exceed 6 feet in height; and

(5) The sign may only be illuminated through external lighting.

## **2 Signs Permitted in any "O" or "O-O" District**

The following on-premises signs may be permitted in a "O" or "O-O" District.

(A) All signs not requiring a Zoning Certificate pursuant to Section 30.7 (Signs not Requiring a Zoning Certificate);

(B) All signs shall be set back a minimum of 10 feet from the right-of-way.

### **(C) Ground Mounted Signs**

One permanent ground mounted sign per parcel, lot, or site subject to the following requirements:

(1) The height of the sign shall not exceed 6 feet.

(2) The total sign area permitted shall be based on the lot frontage of the street where the sign shall be located.

(3) The maximum sign area of the freestanding sign shall be equivalent to 0.5 square feet for each lineal foot of lot frontage. In no case shall the sign area exceed 70 square feet.

### **(D) Wall Signs**

(1) Wall signs may be permitted at a ratio of 1.0 square foot for each lineal foot of building frontage.

(2) The maximum height of any wall sign, measured from the bottom of the sign to the top of the sign, shall be 4 feet in height.

(3) The total sign area of all wall signs on a single building frontage shall not exceed 100 square feet.

(4) Buildings located on a corner lot may be permitted to have wall signs on each frontage provided that they meet the requirements of this section.

## **3 Signs Permitted in any "E", "E-E", "E-F", "F", "F-F", "G", or "G-G" District**

The following signs may be permitted in a "E", "E-E", "E-F", "F", "F-F", "G", or "G-G" District.

(A) All signs not requiring a Zoning Certificate pursuant to Section 30.7 (Signs not Requiring a Zoning Certificate);

(B) Temporary signs pursuant to Section 30.10 (Temporary Signs);

(C) All signs shall be set back a minimum of 10 feet from the right-of-way.

### **(D) Freestanding Signs**

One freestanding pole or ground mounted sign per parcel, lot, or site subject to the following requirements:

- (1) The height of the sign shall not exceed 15 feet.
- (2) The maximum sign area of the freestanding sign shall be equivalent to 0.5 square feet for each lineal foot of lot frontage. In no case shall the sign area exceed 150 square feet.

**(E) Freestanding Driveway Signs**

Permanent freestanding signs in a "E", "E-E", "E-F", "F", "F-F", "G", or "G-G" District under the following provisions:

- (1) The sign shall be located within 10 feet of the intersection of a public street and a private driveway;
- (2) The sign may contain commercial message;
- (3) The sign may be an off-premises sign but shall not be subject to Section 30.9 (Off-Premises Signs) provided it meets all requirements of this subsection.
- (4) One sign may be permitted per individual driveway;
- (5) The maximum sign area shall be 4 square feet in area; and
- (6) The maximum sign height shall be 3 feet.

**(F) High Rise Signs**

One high-rise pole sign is permitted on each lot located in the "E" or "E-E" District within 600 feet of an interchange ramp along Interstate 275 or Interstate 74. All such signs shall be subject to the following:

- (1) A Zoning Certificate shall be required.
- (2) All high-rise pole signs shall have a maximum height of 45 feet.
- (3) The maximum sign area shall be 150 square.
- (4) All high-rise signs shall be set back a minimum distance equal to the height of the sign.

**(G) Wall Signs**

- (1) Wall signs may be permitted at a ratio of 1.0 square foot for each lineal foot of building frontage.
- (2) The maximum height of any wall sign, measured from the bottom of the sign to the top of the sign, shall be 4 feet in height.
- (3) The total sign area of all wall signs on a single building frontage shall not exceed 150 square feet.
- (4) Buildings located on a corner lot may be permitted to have wall signs on each frontage provided that they meet the requirements of this section.

**(H) Electronic Information Signs**

(1) Lighted electronic information signs whose only movement is the periodic changing of information against a solid, colorless background shall be considered a changeable copy sign for the purpose of this Article.

(2) Bulbs with automatic dimmers and glare screens shall illuminate all such signs.

(3) Any sign under this section shall meet all other zoning requirements.

## **9 Off-Premises Signs (Billboards)**

Off-premises signs shall be classified as a business and shall be permitted on agricultural land exempt from zoning regulations pursuant to the ORC or in a business or industrial district subject to the provisions of this section.

### **1 General Standards**

(A) A Zoning Certificate shall be required for the sign.

(B) Only one off-premises sign may be permitted per lot.

(C) The sign shall not be located on a parcel that contains another principal structure or use.

(D) The sign shall be classified as a business and shall be subject to the lot area and setback requirements of the zoning district where it is located.

(E) The maximum sign area shall not exceed the equivalent of 1.0 square feet per each lineal foot of lot frontage. In no case shall the sign area exceed 150 square feet.

(F) The maximum permitted sign height shall be 40 feet.

(G) Off-premises signs shall be located a minimum of 300 feet from any recorded subdivision or any residential lots less than one acre in size.

### **2 Spacing of Off-Premises Advertising Signs**

(A) On Interstate (Federal) or primary (State) systems, spacing shall be in accordance with the agreement entered into by the state of Ohio and the U.S. Secretary of Transportation, and shall be pursuant to state regulation.

(B) On all other streets and highways within Colerain Township, off-premises signs shall not be constructed within 500 feet of any other off-premises sign. However, a single sign structure may support a single face sign or a back-to-back sign.

### **3 Lighting**

(A) Lighting shall not be used in connection with any off-premises sign unless it is effectively shielded to prevent light from being directly, or indirectly, cast on any portion of the street or highway, or is of such low

intensity or brilliance as not to cause glare or to impair the vision of the driver of any motor vehicle or to otherwise interfere with any driver's operation of a motor vehicle.

(B) Lighting shall conform to Article 31 (Outdoor Lighting) of this Resolution.

## **10 Temporary Signs**

### **1 General Standards for All Temporary Signs**

(A) No temporary sign shall be mounted, attached, affixed, installed or otherwise secured by any permanent means to any building, permanent sign, other structure or improvement, or to the ground upon which it is erected.

(B) No temporary sign shall be mounted, attached, affixed, installed or otherwise secured so as to protrude above the roof of a structure.

(C) No temporary sign that is 8 square feet or less in size shall be illuminated by anything other than non-reflected daylight, except by variance issued by the Board of Zoning Appeals

(D) Temporary signs shall be set back as follows:

(1) A minimum of 10 feet from the edge of street pavement or the edge of a street right-of-way, whichever is the greater setback;

(2) A minimum of 20 feet from all lot lines adjacent to a residential use or residential zoning district;

(3) A minimum of 5 feet from all other property lines; and

(4) A minimum of 5 feet from any other temporary sign.

(E) Use of temporary displays on days without approval by Zoning Certificate, when required, or beyond the stated date of approval, when applicable, shall be deducted from the allotted number of days.

(F) Violations of zoning regulations applying to temporary signs shall be corrected within 24 hours of written notification of the violation.

### **2 Temporary Signs without Commercial Messages**

Temporary signs that have no commercial message are permitted in all districts as follows:

(A) Zoning certificates and fees shall not be required;

(B) There shall be no maximum sign area requirement;

(C) There shall be no maximum number of signs;

(D) The maximum height of the sign shall be 6 feet unless attached to a structure in which case the sign shall not be attached in such a manner as to extend above the roof line of the building.

### **3 Temporary Signs Permitted in a Residential Zoning District**

This section addresses permitted temporary signs, with commercial messages, in a residential district or in the "H" District.

- (A) The maximum height of all temporary signs in a residential district shall be 6 feet.
- (B) A maximum of 2 temporary signs are permitted on each property with a maximum sign area of 6 square feet per sign.
- (C) Such signs shall not require a Zoning Certificate or payment of a fee.
- (D) The following time limits shall apply:
  - (1) One temporary sign with a commercial message is permitted all year long with no time limit.
  - (2) An additional temporary sign may be permitted for a 14 day period up to 6 times per year.
- (E) Temporary signs greater than 6 square feet in size may be permitted during the construction of a development under the following provisions:
  - (1) The owner of the property where the sign will be located applies for, and receives a Zoning Certificate for the sign;
  - (2) There shall be a limit of one sign per premises and such sign shall not exceed 32 square feet per side with a maximum of two sides; and
  - (3) The temporary sign may be posted during construction and/or development of the subject property without a specific time limit. The sign shall be removed within 14 days of completion of construction or development.

### **4 Temporary Signs Permitted in a Business or Industrial District**

This section addresses permitted temporary signs, with commercial messages, in a business or industrial district.

- (A) The maximum height of all temporary signs shall be 8 feet unless they are attached to a building as a wall sign in which case they shall not be attached in a manner as to exceed the height of the structure.
- (B) A maximum of 2 temporary signs are permitted on each property with a maximum sign area of 8 square feet per sign.
- (C) Such signs shall not require a Zoning Certificate or payment of a fee.
- (D) No more than 2 of the permitted temporary signs may include commercial messages for the following time limits:
  - (1) One temporary sign with a commercial message is permitted all year long with no time limit.
  - (2) An additional temporary sign may be permitted for a 14 day period



up to 6 times per year.

(E) Temporary signs greater than 8 square feet in area may be permitted under the following provisions:

(1) The owner of the property where the sign will be located applies for, and receives a Zoning Certificate for the sign;

(2) There shall be a limit of 1 sign per premises and such sign shall not exceed 32 square feet per side with a maximum of 2 sides;

(3) The time limit for the Zoning Certificate shall comply with the following:

a.) A temporary sign under this section may be posted during construction and/or development of the subject property without a specific time limit. The sign shall be removed within 14 days of completion of construction or development.

b.) New businesses shall be permitted a promotional display period of up to 30 consecutive days, during which a temporary sign may be displayed. This display period allowed for new businesses shall not run concurrently with display periods otherwise allowed in this section, but signage is subject to the same limitations of this section.

(4) Temporary signs consisting of banners, pennants, ribbons, streamers, spinners may be permitted in addition to other signs permitted as part of this Article provided:

a.) A Zoning Certificate shall be required for a banner sign or similar special event sign.

b.) The signs may be permitted for a maximum of 4 periods in a calendar year not to exceed 30 days each period.

c.) A minimum of 30 days between each 30-day period is required.

d.) Any certificate issued in the same calendar year as provided in paragraph (b) above shall count as one of the 4 - 30 day periods permitted in this section.

e.) Only 1 banner sign or one special event sign shall be used at a time.

f.) The maximum sign area shall be 24 square

feet. g.) The maximum sign height shall be 8 feet.

h.) Lettering on banners shall be silk-screened, stenciled, created with vinyl letters or sewn into the fabric or material.

- i.) All signs are subject to the minimum setback requirements of temporary signs.

## **11 Maintenance**

**1** All on-site advertising signs as herein permitted shall be constructed and maintained and illuminated in a safe manner, comply with applicable codes and kept in good repair.

(A) Signs shall be free from rust, dust, dirt, and other such debris

(B) Exposed surfaces shall be clean and painted if paint is required.

(C) Defective parts shall be replaced.

(D) The Zoning Administrator shall have the right to order the repair or removal of any sign that is defective, damaged, or substantially deteriorated.

**2** Should any sign be or become unsafe or be in danger of falling, the owner, tenant, or lessee shall, upon receipt of written notice from the Zoning Administrator, proceed at once to correct the unsafe condition and/or remove the sign in question.

**3** Signs shall not be constructed, maintained, and/or illuminated in such a manner as to create or allow the obstruction of vision or drivers, pedestrians, or the general public, or create a fire or safety hazard.

## **12 Nonconforming Signs**

### **1 Determination of Legal Nonconformity**

(A) Existing signs that do not conform to the specific provisions of this Article may be eligible for the designation of a "legal nonconforming sign" provided that they are not in violation of either of the following:

(1) The Zoning Administrator determines that such signs are properly maintained and do not in any way endanger the public or constitute a nuisance.

(2) The sign was covered by a valid permit or variance, or complies with all applicable laws on the effective date of this Resolution.

(B) Portable signs shall not be designated a legal nonconforming sign and shall be removed within 120 days of the effective date of this Resolution. Portable signs altered to be made non-portable shall still be considered to be portable.

### **2 Loss of Legal Nonconforming Status**

A legal nonconforming sign loses the legal nonconforming designation if:

(A) The sign is relocated;

(B) The sign is replaced;

(C) The structure or size of the sign is altered in any way except towards

compliance with this Article. This provision does not refer to general maintenance, changeable marquees, or face and copy changes.

(D) The sign is part of an establishment that discontinues its operation for a period of 2 years.

### **3 Maintenance and Repair of Nonconforming Signs**

Legal nonconforming signs are subject to all requirements of this Resolution regarding safety, maintenance, and repair. However, if the sign suffers damage to an extent greater than 60 percent of the estimated replacement value, unless such damage was caused by vandalism, an act of God, or other causes outside the influence of the owner or user, the sign shall be replaced with a sign that complies with this Article.

### **4 Definitions**

(A) **Commercial Message** shall mean 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.

(B) **Sign** shall mean any medium, including its structure, words, letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names, or trade marks by which anything is made known and which are used to advertise or promote an individual, firm, association, corporation, profession, business, commodity, or product and which is visible from any public street or highway.

a.) **Sign, Abandoned** shall mean a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found.

b.) **Sign, Awning** shall mean a sign painted on, printed on, or permanently attached flat against the surface of a canopy, marquee, or awning. See Figure 30-4.

c.) **Sign, Bench** shall mean a sign located on the seat or back of a bench or seat placed on or adjacent to a public right-of-way.

d.) **Sign, Canopy**. See Sign, Awning.

e.) **Sign, Electronic Information** shall mean a sign whose alphabetic, pictographic, or symbolic information content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments.

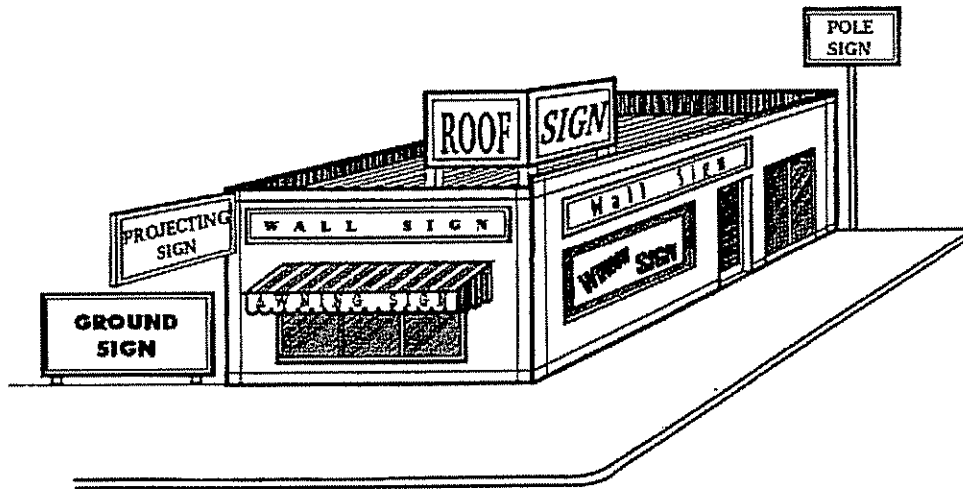
f.) **Sign, Freestanding Pole** shall mean a sign that is mounted on a freestanding pole or other support so that the bottom of the sign copy area is 5 feet or more above grade. See "Pole Sign" in Figure 30-4.

g.) **Sign, Ground Mounted** shall mean any sign placed upon or supported by the ground independent of any other structure. See "Ground Sign" in Figure 30-4.

- h.) **Sign, High Rise** shall mean a sign, permitted in limited locations, that due to proximity to the interstate system, is permitted to exceed the typically permitted sign height of the applicable district.
- i.) **Sign, Marquee.** See Sign, Awning.
- j.) **Sign, Nonconforming** shall mean a sign that is erected legally but which does not comply with subsequently enacted sign restrictions and regulation. A nonconforming sign is also a sign that does not conform to the sign resolution requirements but for which a special permit has been issued.
- k.) **Sign, Off-Premises** shall mean any sign, including billboards, that advertises or otherwise directs attention to an activity not on the same lot where the sign is located.
- l.) **Sign, On-Premises** shall mean a sign, which advertises or otherwise directs attention to an activity on the same lot where the sign is located.
- m.) **Sign, Portable/Daisy** shall mean a sign not permanently affixed to the ground, building, or other structure, which may be moved from place to place, including, but not limited to, signs designed to be transported by means of wheels, menu and sandwich board signs, and signs attached to or painted on a vehicle parked and visible from the public right-of-way, unless such vehicle is used in the day to day operations of a business.
- n.) **Sign, Projecting** shall mean a sign that is wholly or partly dependent upon a building for support and which projects more than 12 inches from the wall of such building. See Figure 30-4.
- o.) **Sign, Roof** shall mean a sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eaves line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof. See Figure 30-4.
- p.) **Sign, Snipe** shall mean a sign that is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, or to other objects and which is located within the public right-of-way.
- q.) **Sign, Temporary** shall mean a nonpermanent sign erected, affixed, and maintained on a premises for a short, usually fixed, period of time.
- r.) **Sign, Wall** shall mean a sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of

the sign and which does not project more than 12 inches from such building or structure. See Figure 30-4.

s.) **Sign, Window** shall mean a sign that is applied or attached to the exterior or interior of a window or located in such manner within the building that it can readily be seen from the exterior of the building through a window. See Figure 30-4.



**Figure 30-4: Examples of Sign Types**

(3) **Sign Area** shall mean the entire area of the sign as measured according to Article 30 (Signs).

(4) **Sign Copy** shall mean any graphic, word numeral, symbol, insignia, text, sample, model, device or combination thereof which is primarily intended to advertise, identify, or notify.

(5) **Sign Copy Changes or Message Changes** shall mean the ability to modify or change displays, words, lines, logos, or symbols on a sign to provide different information. Changeable copy signs include computer signs, reader boards with changeable letters, and time and temperature units.

(6) **Sign Face** shall mean the area or display surface used for the message.

(7) **Sign Height** The vertical distance measured from the lowest adjacent grade to the highest point of the sign or sign structure.