

# Signs

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Effective December 18, 2020

# Chapter 1163

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### 1163.01 Purpose

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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 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;
- B. 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;
- C. 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; 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. All regulations in this chapter are to be construed, whenever possible, in favor of vigorous political debate and accommodation of the rights of persons to speak freely.

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### 1163.02 Severability

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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.

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### 1163.03 Substitution Clause

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The commercial message sign area allowed for any sign permitted in this chapter may be substituted with a noncommercial message.

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### 1163.04 Reclassification of Signage

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If any legal existing sign permitted by variance at the time of this ordinance falls within the definition of a new sign type permitted by right under this chapter, then any variances for sign quantity associated with the preexisting signs that have been reclassified shall terminate.

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### 1163.05 General Applicability

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- 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 1163.14*.

## 1163.06 Prohibited Signs

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

- A. 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;
- B. Signs that interfere with, obstruct the view of or are similar in appearance to any authorized traffic sign, signal or device because of its position, shape, use of words or color;
- C. Signs that constitute a hazard to safety or health due to inadequate or inappropriate design, construction, repair or maintenance, as determined by the Building Commissioner;
- D. Windblown devices and signs that flutter, with the exception of flags, as allowed by the City of North Olmsted;
- E. Signs that employ any parts or elements which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention. This shall not include changeable copy signs as allowed in this chapter;
- F. Signs with moving or flashing lights except as noted in the changeable copy sign section;
- G. Beacons, lasers and searchlights, except for emergency purposes;
- H. Signs or other structures that advertise a business which is no longer in existence or a product which is no longer sold at the business, because such signs are misleading to the public, create undue visual clutter and pose a hazard to traffic control and safety;
- I. 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 (6) consecutive months unless the use is determined to be seasonal in nature;
- J. Pennants and streamers;
- K. Signs that are applied to trees, bus shelters, utility poles, benches, trash receptacles, newspaper vending machines or boxes or any other unapproved supporting structure, or otherwise placed in the public right-of-way except as provided for in *Section 1163.10.H*;
- L. Signs that obstruct or substantially interfere with any window, door, fire escape, stairway, ladder or opening intended to provide light, air, ingress or egress to any building;
- M. Pole signs except as allowed in *Section 1163.12.D* and *1163.12.E*;
- N. Signs which are not securely affixed to the ground or otherwise affixed in a permanent manner to an approved supporting structure unless specifically permitted as a temporary sign;
- O. Signs mounted on or above the roofline of any building or structure except as permitted on canopy signs in *Section 1163.12*;
- P. Portable signs;
- Q. Vehicle signs; except as permitted as temporary signs in *Table 1163.13-1*:
  1. Vehicle signs viewed from a public road with the primary purpose of advertising through signage not otherwise allowed by this chapter. A vehicle sign shall be considered to be used for the primary purpose of advertising if:
    - (a) The vehicle or trailer has signage attached to it and fails to display current license plates and registration; or

- (b) The vehicle or trailer is inoperable and has signage attached to it.
- 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:
  - (a) A vehicle parked at a driver's residence that is the primary means of transportation to and from his or her place of employment;
  - (b) Fleet and delivery vehicles that are actively used as part of a local business establishment; or
  - (c) Any vehicle that is painted or otherwise covered with signage that is used by any person as a personal means of transportation or is actively used as part of a local business establishment.
- R. Any sign not specifically allowed or addressed by this chapter shall be prohibited.

### 1163.07 Sign Permit Requirement and Exemptions

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- A. **Sign Permit Required.** Unless otherwise stated in this chapter, all signs shall require a sign permit.
- B. **Sign Permit Exemptions.** The following signs are subject to the requirements of this chapter but 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. Signs and/or notices issued by any court, officer or other person in performance of a public duty. Any such sign shall be removed no later than seven (7) days after the last day it is required to be displayed;
  - 2. 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;
  - 3. Any sign that is located completely inside a building that is not visible from the exterior (see also definition of window sign);
  - 4. 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;
  - 5. Sign face changes where the sign structure is designed with interchangeable panels and one of the panels is replaced without changing the structure, including any changes to the total sign face area, height or alteration of the sign cabinet;
  - 6. Certain temporary signs as established in *Section 1163.13*;
  - 7. A single wall sign placed on the façade of an individual dwelling unit that is not illuminated and does not exceed two (2) square feet in area;
  - 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 any agency or body of the governments of the United States, State of Ohio, Cuyahoga County or City of North Olmsted;
  - 9. 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;

10. Ground signs and markings located completely within the interior of a lot used for a cemetery where such signs are not designed to be visible from a public street;
11. Signs that are part of a public art installation. For the purposes of this chapter, public art shall include any artwork commissioned, sponsored or endorsed by the North Olmsted Arts Commission;
12. Any sign on a truck, bus or other vehicle that is used in the normal course of business (e.g., deliveries or fleet vehicles for contractors) for transportation (see also *Section 1163.06.Q*), or signage required by the State or Federal government;
13. Signs installed or required by a governmental agency including the City of North Olmsted, Cuyahoga County, State of Ohio and United States, including local and regional transit agencies;
14. Any warning signs or traffic safety signs required by construction contractors and public utility providers;
15. Hand-held signs not set on or affixed to the ground;
16. Any address numbers required by the *Section 1363.303.3* of the Codified Ordinances;
17. Changes of copy on signs with changeable copy;
18. 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; and
19. General maintenance, painting, repainting, cleaning and other normal maintenance and repair of a sign or any sign structure unless a structural change is made.

## **1163.08 Sign Permit Application and Process**

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### **A. Permit Application Requirements.**

1. Each sign permit application submitted shall contain the information set forth below, as applicable.
  - (a) Name, address and telephone number of the applicant;
  - (b) Location of building, structure or lot to which or upon which the sign is to be installed;
  - (c) Scaled drawing(s) depicting the position of the sign in relation to any buildings and structures on the site and adjacent sites and adjacent streets or drives;
  - (d) Scaled drawing(s), plans and specifications, including method of construction and attachment of the sign to the building or ground;
  - (e) Sufficient information to demonstrate compliance with the regulations of this chapter;
  - (f) Name, address and telephone number of the person erecting the sign or advertising structure;
  - (g) Written consent of the owner of the building, structure or land to which or on which the sign or advertising structure is to be erected; and
  - (h) Any information, calculations or documentation required by the Ohio Building Code or the Codified Ordinances of the City of North Olmsted.

2. Every applicant, upon applying for a permit pursuant to this section shall pay to the City the nonrefundable fee established by separate ordinance.

**B. Permit Review and Issuance.**

1. Upon receipt of a complete and accurate application for a sign permit, the Planning Director and/or Building Commissioner 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, whichever is applicable.
3. If the proposed sign complies with this chapter, all other applicable laws and ordinances of the City and the Ohio Building Code, if applicable, the Building Commissioner shall forthwith issue the requested permit upon receipt of the appropriate fees. Plan approval and subsequent granting of a permit for any sign subject to the Ohio Building Code is governed by the requirements and time restrictions of the Ohio Building Code. If the Building Commissioner 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 has not begun within six (6) months of the date of issuance, the permit shall become null and void.

**C. Violation and Revocation of Sign Permit.**

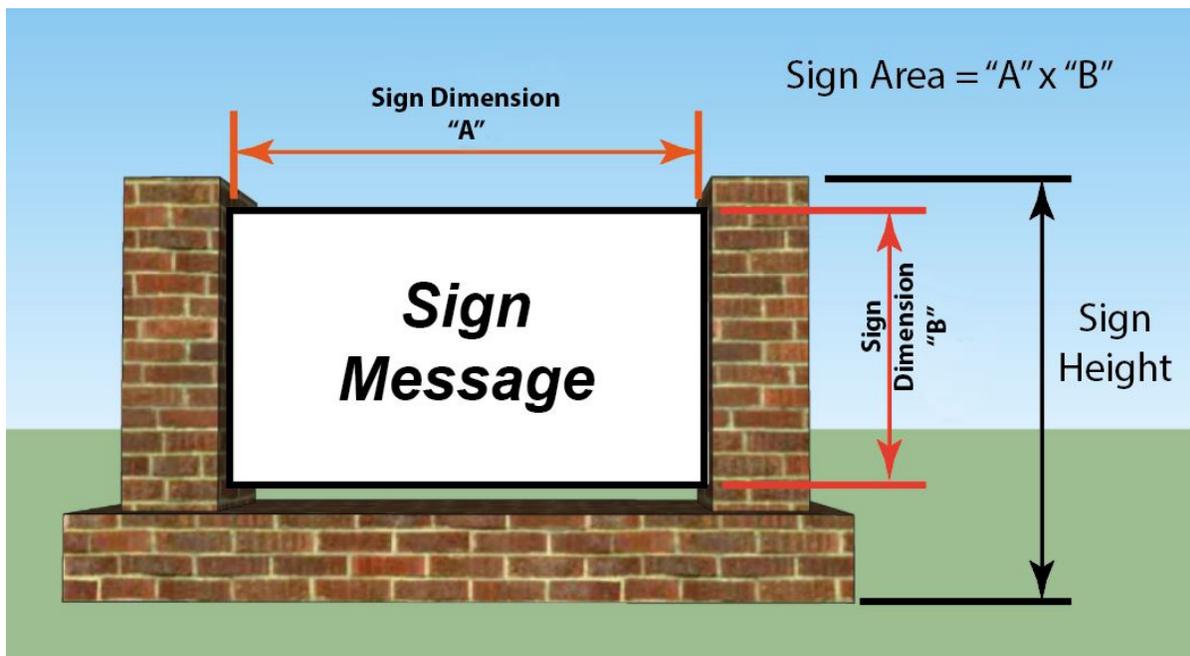
The Building Commissioner may revoke a sign permit where there has been a violation of the provisions of this chapter or a misrepresentation of fact on the permit application. The Building Commissioner shall issue a written statement with their decision explaining the reasons for revocation.

**D. Appeals.**

1. If the applicant is dissatisfied with any determination of the Planning Director or Building Commissioner made during the application process related to the requirements of this chapter or zoning review, including but not limited to requirement of additional materials, the classification of a proposed sign, the denial of a permit or the revocation of a permit, the applicant may, within ten (10) business days following that determination, file an appeal by making application to the Building and Zoning Board of Appeals.
2. The Building and Zoning Board of Appeals shall hear the applicant's appeal at a meeting which shall be scheduled and held no later than 30 days following the date of the filing of the application. The Building and Zoning Board of Appeals may decide to affirm, modify, reverse or vacate the Planning Director or Building Commissioner's decision and shall render its decision and any order necessary to effectuate its decision within five (5) days following its hearing of the applicant's appeal.
3. The decision of the Building and Zoning Board of 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 Building Commissioner related to a decision based on the requirements of the building code, the applicant may appeal such decision to the Ohio Board of Building Appeals in a manner established in the Ohio Building Code.

### 1163.09 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, whichever is applicable, to the closest point on 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 sign.
- C. **Sign Area.** The surface of a sign to be included when computing maximum allowable square footage of sign area shall be calculated as established in this section. For the purposes of calculating sign area, one of the following shapes may be used: 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 commercial message, as determined by the Planning Director or Building Commissioner. See *Figure A*.
  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 A* and *Figure B*.



*Figure A: 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 B: 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 C.

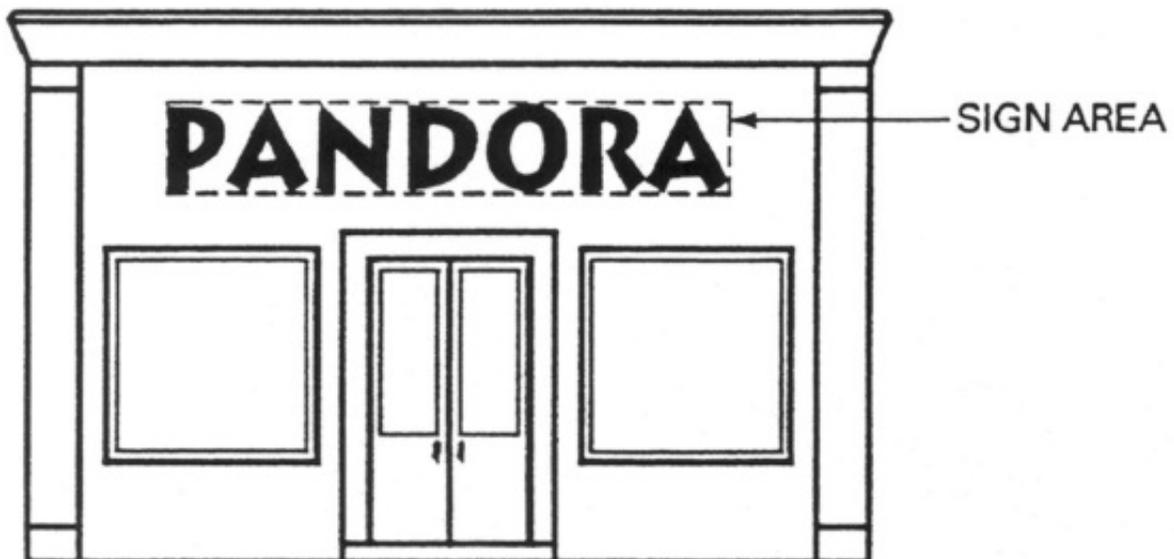


Figure C: Illustration of sign area calculation for wall signs with individual letters.

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 D*.

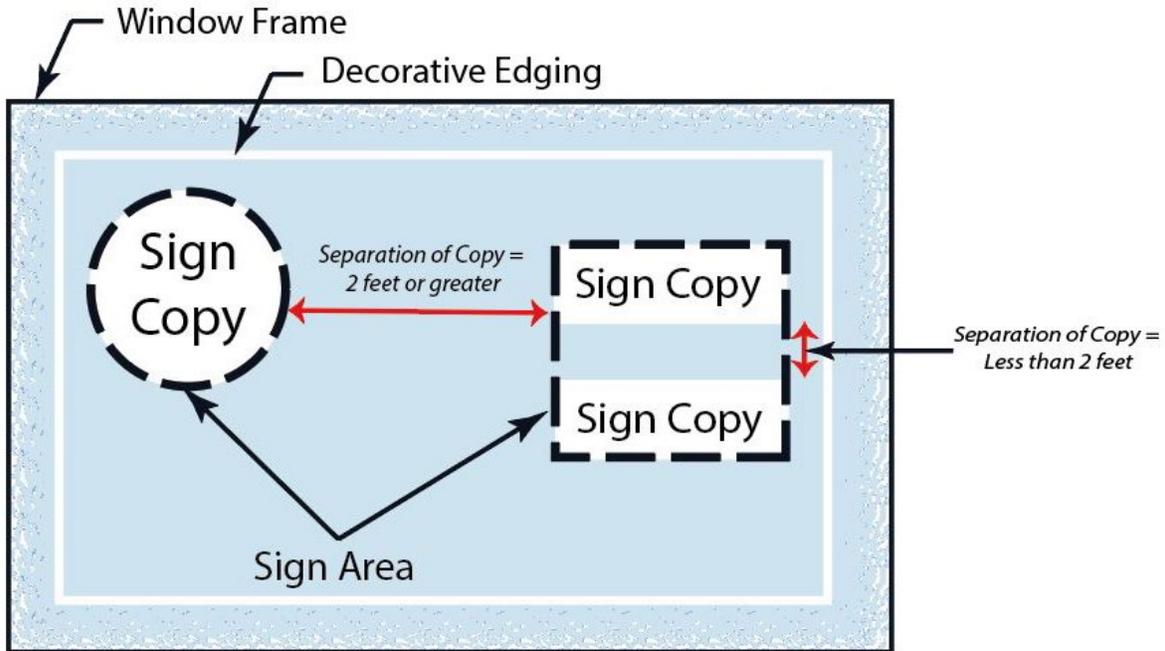


Figure D: Illustration of sign area calculations for multiple sign areas on a window sign.

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 for the purposes of this chapter. See *Figure D*.
6. Except for three-dimensional signs, the sign area for a sign with more than one (1) face (multi-faced signs) shall be computed by adding together the area of all sign faces when the interior angle is greater than 45 degrees.
7. When two (2) 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 (1) point at the same time, the sign area shall be computed by the measurement of one (1) of the sign faces. If the two (2) faces are unequal, the sign area shall be calculated based on the larger of the two (2) faces.
8. In the case of a three-dimensional sign where the sign faces are not mounted back-to-back, 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 one (1) point. See *Figure E*.

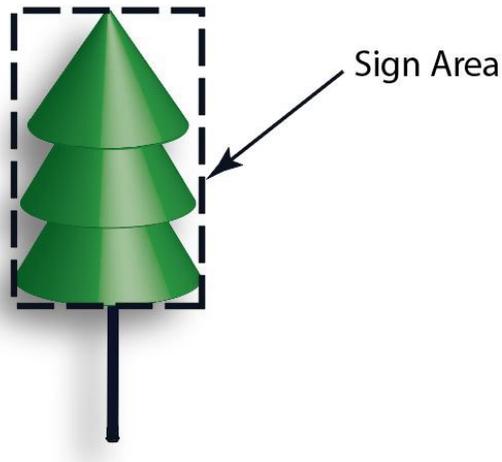


Figure E: Illustration of sign area calculations for three-dimensional sign.

#### 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*.

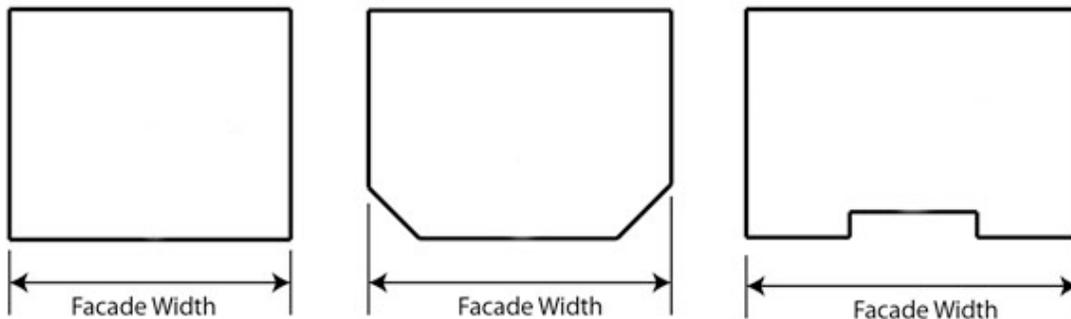


Figure F: Illustration of façade width measurement on varied façade shapes.

2. A primary façade shall be the length of the building wall that faces a public street unless another façade on the same building contains a majority of the customer entrances (regardless if the façade faces a public street or not), in which case the façade with the majority of customer entrances shall be deemed the primary façade.
3. For buildings that have additional façades that face a public street, other than the primary façade, up to one (1) additional façade that faces a public street shall be deemed the secondary façade.
4. 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.
5. The Planning Director shall have the authority to make the determination of what façades are primary facades and secondary façades for the purposes of this chapter.

### 1163.10 General Regulations for All Sign Types

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

- A. Permanent signs are considered accessory uses and shall be accessory to a principal use provided for by the North Olmsted 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 be erected, relocated or maintained so as to prevent free ingress or egress, or block any light or ventilation openings.
- D. No sign shall obstruct or interfere with fire ingress or egress from any door, window or fire escape, nor shall it obstruct or interfere with traffic or traffic visibility, or resemble or imitate signs or signals erected by the City or other governmental agency for the regulation of traffic or parking.
- E. All signs shall be secured in such a manner as to prevent swinging or other significant noticeable movement, not including movement related to permitted electronic message centers.
- F. 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.
- G. **Vision Clearance Requirements.**
  1. A traffic safety visibility triangle area, which may include private property and/or public right-of-way, is a triangle area defined by measuring 35 feet from the intersection of the extension of the front and side street curb lines (or the right-of-way lines where there is no curb) and connecting the lines across the property. See *Figure G*.
  2. No sign shall exceed 30 inches in height, measured from the top of the curb, within the traffic safety visibility area.

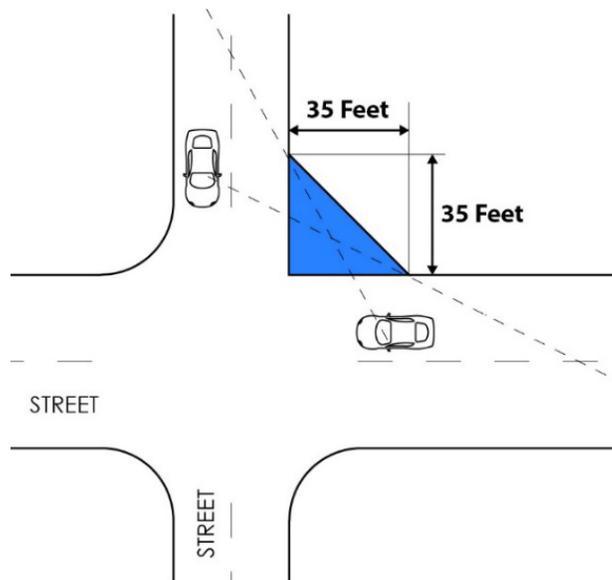


Figure G: Traffic safety visibility triangle for intersecting streets.

**H. Signs in Rights-of-Way.**

1. Signs shall be prohibited in the right-of-way with the exception of:
  - (a) Signs installed by the City of North Olmsted, Cuyahoga County, State of Ohio or United States, including local and regional transit agencies; or
  - (b) Any warning signs or traffic safety signs required by public utility providers.
2. The Building Commissioner may remove or cause to be removed any unlawful sign in the public right-of-way.

**I. Maintenance.**

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 to be removed pursuant to the requirements of this section, all parts of the sign and supporting structure (e.g., pole, foundation, cabinet structure, etc.), excluding buildings for wall, projecting or similar signage, shall be removed in its entirety. This section shall not require the removal of a raceway if mounted to such structure on a building.

**J. Removal of Signs.**

1. The Building Commissioner is authorized to order the removal, repair or maintenance of any sign in violation of any code, for which the required permit has not been obtained or which is in violation of any provision of this chapter. Every such order shall be served upon the owner or 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.
2. Whenever the removal, repair or maintenance of any permanent sign has been ordered by the Building Commissioner, the owner or person in possession of such sign shall comply with such order within 14 days after notice is served upon him. Whenever the removal, repair or maintenance of a temporary or portable sign has been ordered by the Building Commissioner, the owner or person in possession of such sign shall comply with the order immediately after notice is served upon him.
3. In the event of noncompliance, the Building Commissioner 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.
4. If, following an inspection, the Building Commissioner determines that any sign constitutes an immediate danger to the public safety, the Building Commissioner may affect the immediate removal of said sign without regard to the time intervals for compliance cited above, at the sign owner's expense. 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.

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**1163.11 Sign Illumination**

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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. No light source or lamp shall be visible by any pedestrian or from any surrounding property or motor vehicle and shall have a translucent or solid cover if an internal lighting source or solid shield if an external lighting source.
- B. Illuminated signs shall not exceed the maximum luminance level of 300 cd/m<sup>2</sup> or Nits at least one-half (1/2) hour before sunset until sunrise, except as follows:
  - 1. Illuminated signs on zoning lots adjacent to, within 100 feet and visible from a residential lot or use shall not exceed the maximum luminance level of 150 cd/m<sup>2</sup> or Nits at least one-half (1/2) hour before sunset until sunrise. Additionally, such signs may not be illuminated between 11:00 p.m. and 7:00 a.m. except at the time a business associated with the sign at the same location is in operation during this period.
- C. Sign illumination shall not increase the light levels within 30 feet of all points of any sign face by more than 3.0 lux above the ambient lighting level.
- D. Electronic message centers shall come equipped with dimming technology that automatically adjusts the display's brightness based on ambient light conditions.
- E. No illumination of signs shall flash.

### **1163.12 Permanent Sign Allowances**

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

- A. **Building Signs.** Building signs shall not be permitted in One or Two Family Residence Districts or Residential Cluster Districts, except as accessory to an approved conditional use. In all other districts, building signs are permitted on principal structures in accordance with the following:
  - 1. The building sign area allowed in this section shall include the total amount of all wall, canopy and projecting signs on each façade wall. Standards for each individual building sign type are established in this section.
  - 2. Building signs shall not extend above the top of the roofline of the building to which it is attached. For canopy signs, the signs may be attached above the canopy, which is attached permanently to the building, provided that the sign does not extend above the top of the roofline of the building.
  - 3. Building signs may not be attached to mechanical equipment or roof screening.
  - 4. Building signs shall not include electronic message centers.
  - 5. Building Sign Allowance.
    - (a) There is no maximum number of permitted building signs.
    - (b) Maximum permitted building sign area shall be based on the primary façade width of the principal building.
    - (c) If the Planning Director determines that a secondary façade exists, up to 40% of the sign area as calculated in *Table 1163.12-1* based upon the secondary façade width shall be permitted in addition to that allowed by *Table 1163.12-1*.

<b>Table 1163.12-1, Maximum Building Sign Area</b>	
<b>Occupancy</b>	<b>Calculation</b>
Building	1.0 square foot of sign area per lineal foot of primary façade width
Building Unit	1.0 square foot of sign area per lineal foot of façade width of the individual building unit provided that the building unit has an exterior entrance

6. Wall Sign Standards. Any wall sign shall comply with the following standards:
- Wall signs shall be mounted on or flush with a wall and shall not project more than 24 inches from the wall or face of the building to which it is attached.
  - A wall sign may be mounted on the façade wall or mounted on a raceway or wireway.
  - A wall sign shall not be painted directly on a building.
  - No wall sign shall extend any closer than 12 inches to either the top or side edges of the surface or wall to which it is attached. No wall sign shall cover or obscure any wall opening.
  - No wall sign shall be nearer than two (2) feet to any other sign, nor nearer than five (5) feet to any other building or structure.
  - 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.
  - The wall sign allowance may be used for signs attached to roofed structures over fueling stations.
7. Canopy Sign Standards. Any canopy sign shall comply with the following standards:
- Signage shall not cover more than 15 square feet of any individual awning, canopy or marquee.
  - Signage may be mounted above any canopy that extends over a customer entrance provided that the maximum sign height over the canopy shall be 18 inches as measured from the top of the canopy to the top of the sign.
  - Only the area of the sign may be illuminated internally on a canopy. The remainder of any canopy shall not be illuminated or may only be illuminated by an external source such as gooseneck lighting.
8. Projecting Sign Standards. Any projecting sign shall comply with the following standards:
- Only one (1) projecting sign shall be permitted for each building unit.
  - The maximum sign area for a projecting sign shall be six (6) square feet.
  - Decorative supporting structures for projecting signs are encouraged and shall not count toward the maximum square footage of signs allowed, however, in no case shall the supporting structure exceed six (6) square feet.
  - Projecting signs must be suspended from brackets approved by the Building Commissioner and contain no exposed guy wires or turnbuckles unless determined to be a decorative supporting structure, as permitted in (c) above.
  - 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 (6)-inch clearance from the façade of any building.

- (f) Projecting signs shall not be internally illuminated.
- (g) Projecting signs shall not encroach into any right-of-way.

**B. Window Signs.** No sign permit shall be required provided that any window sign complies with the following standards:

1. Window signs shall not occupy more than 33% of the window area. The sign area is based on the total window area, regardless of the presence of an awning. 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. See *Figure H*.



*Figure H: The window area is illustrated within the dashed line areas for the two (2) storefronts above. The dashed lines indicate two (2) distinct window areas due to separation by an architectural feature not related to the windows.*

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 1163.13*.

### **C. Ground Signs**

1. Ground signs shall not be permitted in One or Two Family Residence Districts, except as accessory to an approved conditional use. In all other districts, one (1) ground sign shall be permitted per lot with the exception for lots having either a total area in excess of ten (10) acres or a total street frontage in excess of 600 feet, in which case two (2) ground signs are permitted provided each sign complies with the standards of this section and the signs are separated by a minimum of 200 feet.
2. The maximum sign area of an individual ground sign shall be 65 square feet if the sign does not exceed a height of eight (8) feet or a maximum sign area of 50 square feet if the sign does not exceed a height of 12 feet. In no case shall a ground sign exceed 12 feet in height.
3. Ground signs shall be set back a minimum of five (5) feet from every right-of-way line, a minimum of 20 feet from any side or rear lot line and a minimum of 75 feet from any

property line abutting a One or Two Family Residence District.

4. Exposed sign foundations shall be constructed with a finished material such as brick, stone or wood.
5. Permitted ground signs shall be located in a landscaped area equal to or larger than the total sign area of the applicable sign. Such landscaped area may be an area that fulfills any landscaping requirements of this code. The landscaped area shall include all points where sign structural supports attach to the ground.
6. All illumination of signs shall be subject to *Section 1163.11*.
7. Ground signs may contain changeable copy. A ground sign may contain up to 75% of manual changeable copy in sign area or up to 50% of an electronic message center in sign area subject to the provisions of this chapter.
8. Electronic Message Centers.
  - (a) Only one (1) ground sign on each lot may have an electronic message center, except that electronic message centers shall be prohibited on lots within any locally-designated historic district.
  - (b) No additional changeable copy sign area shall be permitted on a ground sign if there is an electronic message center.
  - (c) Any message change shall be a static, instant message change.
  - (d) Messages can only change four (4) times every 24 hours.
  - (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.
  - (g) The sign shall consist of one (1) color of light lettering, symbols or logos on a black or similarly dark colored background that does not produce glare.

#### **D. Drive-Through Facility Signs.**

1. Drive-through facility signs shall only be permitted in Business Districts.
2. In no case shall a single drive-through facility 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 facility sign under this section shall exceed six (6) 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 facility signs may be pole signs provided the poles are no taller than 18 inches as measured from the grade to the bottom of the sign structure.
6. Drive-through facility signs may be internally or externally illuminated. Up to 100% of each sign may be an electronic message center if they comply with the following standards:
  - (a) Any message change shall be a static, instant message change.

- (b) Only Light Emitting Diodes (LED) technology or similar quality signs shall be permitted for electronic message centers.
  - (c) 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) The electronic message center shall be turned off during the hours when the related business is closed.
7. Drive-through facility signs attached to a wall of building shall be calculated as part of the building signage allowance in *Section A*.

#### **E. Driveway Signs.**

1. Driveway signs shall not be permitted in One or Two Family Residence Districts or Residential Cluster Districts, except as accessory to an approved conditional use. In all other districts, driveway signs shall be permitted provided each sign complies with the standards of this section.
2. 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.
3. Only one (1) driveway sign is permitted per individual driveway.
4. Driveway signs shall be set back at least five (5) 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.
5. Each driveway sign shall not exceed four (4) square feet in area and 30 inches in height.
6. Driveway signs may be pole signs provided the poles are no taller than 18 inches as measured from the grade to the bottom of the sign structure.
7. Driveway signs may be internally or externally illuminated.

### **1163.13 Temporary Sign Allowances**

The following are the types of temporary signs allowed in the City of North Olmsted 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 protrude above the roofline of a structure.
3. Temporary signs shall not be posted in any place or in any manner that is injurious 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 (see *Section G*) and shall be set back a minimum of five (5) feet from any public right-of-way.
6. Unless otherwise specifically stated, temporary signs shall not be illuminated.

7. No temporary sign shall require a foundation, support, wiring, fittings or elements that would traditionally require a building permit or electrical permit.
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 1163.13.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, parked vehicles or other temporary or movable signs shall not be permitted unless otherwise specifically stated in this chapter.
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 Sign Types.**

1. Banner Signs.

- (a) Unless otherwise specifically stated, there shall be no maximum number of banner signs provided the aggregate total square footage of all banner signs does not exceed the maximum sign area allowed in this section.
- (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.

2. Yard Signs.

- (a) Unless otherwise specifically stated, there shall be no maximum number of yard signs provided the aggregate total square footage of all yard signs does not exceed the maximum sign area allowed in this section.
- (b) There shall be a maximum of two (2) faces to the sign, mounted back-to-back.

3. Window Signs.

- (a) Unless otherwise specifically stated, there shall be no maximum number of window signs provided the aggregate total square footage of all window signs does not exceed the maximum sign area allowed in this section.
- (b) Temporary window signs shall be attached to the inside of the window.

**C. Temporary Signs with a Noncommercial Message.** Temporary signs with a noncommercial message shall comply with the sign-specific standards in *Section 1163.13.B* and meet the requirements contained in *Table 1163.13-1*.

**D. Temporary Signs with a Commercial Message in Residential Zoning Districts.** Temporary signs with a commercial message located in residential zoning districts shall comply with the sign-specific standards in *Section 1163.13.B* and meet the requirements contained in *Table 1163.13-1*.

**E. Temporary Signs with a Commercial Message in Nonresidential Zoning Districts.**

Temporary signs with a commercial message located in nonresidential zoning districts or on lots in residential zoning districts where the principal use is conditionally permitted shall comply with the sign-specific standards in *Section 1163.13.B* and shall be categorized as follows:

1. Signs Allowed for an Unrestricted Time. These temporary signs do not require a sign permit and are allowed for an unrestricted amount of time provided they comply with *Table 1163.13-1*.
2. Signs Allowed for a Restricted Time. These temporary signs require a sign permit and are allowed on a restricted time basis in addition to that allowed in *Section 1163.13.D*, provided they comply with *Table 1163.13-1*.
3. Temporary Signs for New Uses (Restricted Time). These temporary signs require a sign permit and are allowed on a restricted time basis in addition to that allowed in *Section 1163.13.D*, for applications related to the establishment of a new use within an existing building where there is existing permanent sign, provided they comply with *Table 1163.13-1*.

**Table 1163.13-1: Temporary Sign Allowances**

Message	Non-Commercial Message	Commercial Message			
		Residential Districts <sup>1</sup>	Nonresidential Districts	Nonresidential Districts	Nonresidential Districts (New Use) <sup>2</sup>
<b>Zoning</b>	All Districts	Residential Districts <sup>1</sup>	Nonresidential Districts	Nonresidential Districts	Nonresidential Districts (New Use) <sup>2</sup>
<b>Time Limit</b>	Unrestricted	Unrestricted	Unrestricted	30 days, twice per year	60 days
<b>Maximum Number or Area per Lot</b>	Unlimited	2 signs	12 sq. ft. per each 100 lineal feet of frontage	64 sq. ft.	Equal to number of existing permanent signs
<b>Maximum Area per Sign</b>	32 sq. ft.	8 sq. ft.	12 sq. ft.	64 sq. ft.	Equal to area of permanent sign to be covered
<b>Maximum Height</b>	4 ft.	4 ft.	6 ft.	6 ft.	Equal to height of existing sign to be covered
<b>Permitted Types</b>	Yard, Window	Yard, Window	Yard, Banner	Yard, Banner, Vehicle <sup>3</sup>	Banner
<b>Permit Required</b>	No	No	No	Yes	Yes

Note 1: Any conditionally permitted use located in a residential zoning district shall be permitted the same amount of temporary signs with a commercial message as allowed in nonresidential zoning districts.

Note 2: Regulations applicable to the establishment of a new use within an existing building where there is existing permanent sign to be covered by a temporary sign.

Note 3: Notwithstanding the provisions of *Section 1163.06.Q*, temporary signs may be permitted on vehicles (not trailers) that are operable, display current plates and registration and are parked in paved parking areas in a manner not obstructing traffic circulation.

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**1163.14 Nonconforming Signs**

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- 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 on a lot of record except as qualified below. 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% 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 (2) 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 (see *Section 1163.10.A*) is voluntarily discontinued for a period of at least six (6) months;
  5. The sign is defined as a temporary sign and has been in use for more than one (1) year following the effective date of this ordinance; or
  6. The nonconforming sign and its structure (including support, frame and panel) are determined by the Building Commissioner 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.
- E. Minor repairs and maintenance of legal nonconforming signs shall be permitted.