North Canton City Council
Ordinance, Rules and Claims Committee

Amended Ordinance No. 58 - 2018

An ordinance amending CHAPTER 1151 - SIGNS, of the Codified Ordinances of the City of North Canton, specifically sections 1151.01(b), 1151.01(i), 1151.02(b)(3)(b), 1151.03(a)(4), 1151.04(a)(2), 1151.05(a) - (g), 1151.06, 1151.07(b), 1151.08(2), and 1151.16(b)(1)(c).

WHEREAS, upon the Planning Commission's recommendation, Council wishes to amend portions of the City's Planning and Zoning Code so that signs are in harmony with the character of the associated use and surrounding area, and consistent with the community's development objectives, thereby maintaining our City's heritage. A copy of the proposed amendments is attached hereto as Exhibit "A" and incorporate herein.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That, pursuant to the Planning Commission's recommendation, portions of the City's Planning and Zoning Code regarding signs shall be amended as detailed in Exhibit "A," so that the use, location, and size of signs is in harmony with the character of the associated use and surrounding area, and consistent with the community's development objectives, thereby maintaining our City's heritage.

Section 2. That specifically, North Canton Codified Ordinances, TITLE THREE - Zoning Regulations, CHAPTER 1151 - SIGNS, Sections 1151.01(b), 1151.01(i), 1151.02(b)(3)(b), 1151.03(a)(4), 1151.04(a)(2), 1151.05(a) - (g), 1151.06, 1151.07(b), 1151.08(2), and 1151.16(b)(1)(c), as described in Exhibit "A" attached hereto.

Section 3. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that it shall not affect the validity or enforceability of any other provision of this ordinance.

Section 4. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this 22nd day of October, 2018

David Held, Mayor

SIGNED: 10/29, 2018

ATTEST:

Mary Beth Bailey, Clerk of Council

1151.01 PURPOSES

In the interest of promoting the general health, safety and welfare of the residents of the City, these regulations are herein established to provide for the use, location and size of signs in a manner that ensures that signs are in harmony with the character of the associated use and surrounding area. More specifically, the purpose of these regulations is to:

(a) Ensure that signs are consistent with the community's development objectives, thereby maintaining the community's heritage.

(b) Promote and maintain attractive, high value residential, retail, *institutional*, commercial and industrial districts, and preserve the scenic and natural beauty of designated areas.

(c) Provide reasonable, yet appropriate, conditions for identifying institutions, businesses, and commercial and industrial establishments.

(d) Ensure that signs are located and designed to maintain a safe and orderly pedestrian and vehicular environment.

(e) Provide review procedures that enable the City to comprehensively evaluate the appropriateness of a sign to the site, building and surroundings.

(f) Eliminate any confusion or hazardous conflict between identification signs and traffic control signs and devices.

(g) Recognize the commercial communication requirements of all sectors of the business community.

(h) Guarantee equal treatment under the law through accurate record keeping and consistent enforcement.

(i) Provide the businesses *and institutions* with equitable sign standards, based on the values of fair competition and aesthetic standards acceptable to the community.

(j) Prohibit all signs not expressly permitted by this Chapter.

In establishing these purposes, the City has determined no sign shall be permitted as a main or accessory use except in accordance with the provisions of this ordinance. Any sign that does not conform to the regulations of this Resolution, or any subsequent amendment thereto, is a public nuisance and, as such, must be abated. Nonconforming signs are unduly distracting to motorists and pedestrians, and thereby create a traffic hazard and reduce the effectiveness of signs needed to direct the public. The regulations contained in this Chapter are the minimum regulations necessary to abate the nuisance and to achieve the stated purpose of this Chapter.

1151.02 CLASSIFICATION OF SIGNS.

For the purposes of these regulations, a sign shall include any device that is intended to announce, direct or advertise, and may be represented by words or letters, figures, symbols or characterizations, or other insignia, or devices. Signs shall further be classified by physical design or structure, and function or purpose based on the following.

(a) Physical Characteristics.

(1) Abandoned Sign: A sign that 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.

(2) Animated Sign: Any sign that uses movement or change of lighting to depict action or to create a special affect or scene.

(3) Banner Sign: Any sign of lightweight fabric or similar material with no enclosing framework that is mounted to a building at one or more edges. National flags, state or the official flag of any institution or business shall not be considered banners.

(4) Building Marker: Letters, words, or insignia cut into the building surface, or otherwise permanently mounted on the building, at the time the building was constructed to convey a memorial, the name of the building, address or date of construction, or similar message.

(5) Canopy or Awning Sign: A sign painted on, printed on or attached to the soffit or fascia of an awning, canopy, or other fabric, plastic, or structural protective cover over a door entrance or window.

(6) Changeable Copy Sign: A sign such as a bulletin board or announcement board, where the message or graphics is not permanently affixed to the structure, framing or background and may be periodically replaced or covered over manually or by electronic or mechanical devices.

(7) Face of Sign: The area of a sign on which the copy is placed.

(8) Flashing Sign: A sign that contains an intermittent or sequential flashing light source used primarily to attract attention but does not include changeable copy signs or animated signs.

(9) Freestanding Sign: A sign that is supported from the ground or a structure other than a building.

(10) Festoons: A string of ribbons, tinsel, small flags, or pinwheels.

(11) Illuminated Sign: A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

(12) Marquee Sign: A sign attached to or supported by a permanent roof-like structure or canopy of rigid materials supported by and extending from the facade of a building.

(13) Nonconforming Sign: A sign that was erected legally but which does not comply with subsequently enacted sign restrictions and regulations.

(14) Projecting Sign: A sign, other than a flat wall sign, that is attached to and projects from a building wall or other structure not specifically designed to support the sign.

(15) Roof Sign: A sign erected on or over the roof of a building.

(16) Rotating Sign: A sign in which the sign itself or any portion of the sign moves in a revolving or similar manner.

(17) Under-Canopy Sign: A sign suspended beneath a canopy, ceiling, roof or marquee intended to be viewed by pedestrians from the sidewalk beneath the canopy, ceiling, roof or marquee.

(18) Wall Sign: A sign erected parallel to, or painted on the surface or on the outside wall of any building, and not extending more than 12 inches therefrom, and which does not project above the roof line or beyond the corner of the building:

(19) Window Sign: A sign on the inside of a building affixed to, or near a window for the purpose of being visible to and read from the outside of the building.

(b) Function.

(1) Billboard Sign: An outdoor sign advertising an establishment, merchandise, service, or entertainment that is not sold, produced, manufactured or furnished at the property on which said sign is located.

(2) Directional Sign: A permanent sign located on private property, at or near the public right-of-way, directing or guiding traffic and parking from the street onto private property.

(3) Identification Sign: A sign intended to identify the principal use of a lot, development, building or building unit according to the following:

A. Business Identification Sign: A sign intended to announce or promote the use, activity, service or business on the premises of any business, commercial or industrial establishment, and which may include a directory of occupants.

B. Institution Identification Sign: A sign displaying the name and/or organization occupying the premises of a public or quasi-public use such as but not limited to: churches and other places of worship, hospitals, surgery centers, public or semi-public recreational facilities, schools *and/or a sign intended to announce or promote the use, activity, service or business on the premises by any institutional establishment.*

C. Development Identification Sign: A freestanding sign identifying the name and address of a completed residential subdivision or multi-family development.

(4) Instructional Sign: A sign that has a purpose secondary to the use on the lot that is intended to instruct employees, customers or users as to specific parking requirements, the location or regulations pertaining to specific activities on the site or in the building, specific services offered, or methods of payments accepted.

(5) Name Plate: A sign indicating only the name and address of the person, business, profession or activity occupying the lot, building(s) or part of the operation or maintenance of any equipment which is placed on the building or site.

(6) Project Construction Sign: A temporary sign identifying the name of a subdivision, building or public works project or facility or an architect, contractor, subcontractor, and/or material supplier participating during the time of construction.

(7) Public Regulation and Information: A sign erected by a public authority, utility, public service organization or private industry upon the public right- of-way or, when required by law, on private property and which is intended to control traffic, direct, identify or inform the public or provide needed public service as determined by the rules and regulations of governmental agencies or through public policy. Such signs include "No Parking Fire Lane".

(8) Temporary Sign: A sign that is designed to be used only temporarily and is not permanently, or intended to be permanently, attached to a building, structure or on the ground.

1151.03 COMPUTATIONS.

The following principals shall control the computation of sign area and sign height:

(a) Determining Sign Area or Dimension.

(1) For a sign that is framed, outlined, painted or otherwise prepared and intended to provide a background for a sign display, the area or dimensions shall include the entire portion within such background or frame.

(2) For a sign comprised of individual letters, figures or elements on a wall or similar surface of the building or structure, or an irregular shaped freestanding sign, the area of the sign shall encompass a regular, or a combination of regular geometric shapes which form or approximate the perimeter of all the elements in the display. When separate elements are organized to form a single sign, but the elements are separated by open space, the area shall be calculated by determining the geometric form, or combination of forms, which comprise all the display areas, including the space between the elements.

(3) The sign area shall include the frame but shall not include the pole or other structural support unless such pole or structural support is illuminated or otherwise so designated to constitute a display device.

(4) The 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. When two identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than *72* inches apart *at their narrowest*, the sign area shall be computed by the measurement of one of the faces.

(5) In the event there is a dispute in determining the sign area or any sign dimension, the Superintendent of Permits and Inspections shall have the final responsibility for making such determination.

(b) Determining Sign Height. The height of a sign shall be measured from the base of the sign or supportive structure at its point of attachment to the ground to the top most element of the sign. A freestanding sign on a man-made base, including a graded earth mound, shall be measured from the grade of the nearest street, drive or parking area.

(c) Determining Clearance of a Sign. The smallest vertical distance between the grade of the adjacent street or street curb and the lowest point of any sign, including framework and embellishments, extending over that grade.

(d) Determining Building Frontage and Building Unit. The length of the building that faces the principal street or the length of the wall of the building that contains the main entrance to the uses therein shall be considered the building frontage.

(1) The building frontage shall be measured along the front wall between the exterior faces of the exterior sidewalls.

(2) In the case of an irregular wall surface, a straight line extended along such wall surface shall be used to measure the length.

(3) For lots fronting on two or more streets, or where the building has its main entrance on a wall other than the wall that faces the street, the building frontage shall be calculated separately for each building wall facing a street or having a main

entrance. The sign area that is located on a particular building wall shall not exceed the area permitted for such building wall.

(4) For multi-tenant buildings, the portion of a building that is owned or leased by a single tenant shall be considered a building unit. The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.

1151.04 MAXIMUM SIGN AREA PERMITTED.

Signs as permitted in the respective zoning districts shall conform to the maximum area limitations set forth in Schedule 1151.05, in compliance with the regulations set forth below.

(a) Business/*Institution* Identification Signs. The area of business/institution identification signs shall comply with the following:

(1) Signs Attached to Buildings. The maximum permitted area for signs attached to a building shall comply with the following:

A. The total area of all identification signs shall not exceed the area determined by the formula set forth in Schedule 1151.05.

1. This maximum area shall be the sum of the areas of all identification signs attached to the building including projecting signs, marquee signs, awning signs, and canopy signs, except as otherwise specified, and shall include the area of instructional signs unless the Superintendent of Permits determines that such instructional signs are exempt pursuant to subsection (b) below.

2. Notwithstanding the above standard, each building shall be permitted a minimum of 30 square feet of identification signs attached to the building.

B. Certain types of signs shall be further limited in size according to Schedule 1151.05.

C. Under-canopy signs shall comply with the maximum area set forth in Schedule 1151.05; the area of which shall not be included in the sum total set forth in subsection A.1. above.

(2) Freestanding Identification Signs. The area of freestanding business/*institution* identification signs shall comply with the maximum permitted area specified in Schedule 1151.05 and the regulations of sections 1151.07 and 1151.08.

(3) Window Signs. The maximum area for permanent identification signs placed in or painted on a window shall be the percentage of the window area specified in Schedule 1151.05.

(b) Instructional Signs. The area of instructional signs that are clearly intended for instructional purposes, as determined by the Superintendent of Permits, shall not be included in the sum of the area of identification signs, provided such signs comply with the following:

(1) The sign is not larger than necessary to serve the intended instructional purpose; and

(2) The sign is not in a location and does not possess design characteristics that constitute or serve the purposes of an identification sign.

(c) Architectural Features. Architectural features that are either part of the building or part of a freestanding structure are not considered signs and are thus exempt from these regulations. An architectural feature is any construction attending to, but not an integral part of the sign, and which may consist of landscape or building or structural forms complementing the site in general. (Ord. 2-04. Passed 3-12-04.)

1151.05 SCHEDULE OF MAXIMUM SIGN AREA

The maximum area of freestanding signs, when permitted, shall conform to the standards set forth in schedule 1151.05 below.

Schedule 1151.05
Maximum Area of Freestanding Signs

Sign Type	Single Family Districts	Multi Family Districts	Park and Institutional & Office Building Districts	Mixed Use Overlay and Main Street Districts	General Business and Industrial Districts
(1) Nameplate	2 sq ft	2 sq ft	2 sq ft	2 sq ft	2 sq ft
(2) Residential Development Identification Signs	16 sq ft (a)	16 sq ft (a)	16 sq ft (a)	16 sq ft (a)	16 sq ft (a)
(3) Institution Identification Signs					
(A) Attached to Building	32 sq ft	32 sq ft	1.5 sq ft/foot of building front (b)	1.5 sq ft/foot of building front (b)	1.5 sq ft/foot of building front (b)
(B) Freestanding sign	32 sq ft	32 sq ft	40 sq ft	40 sq ft	40 sq ft
(C) Marquee signs	*NP*	*NP*	*1 sq ft/foot of marquee face*	*1 sq ft/foot of marquee face*	*1 sq ft/foot of marquee face*
(D) Projecting signs	*NP*	*NP*	*NP*	*12 sq ft*	*NP*
(E) Freestanding sign	*NP*	*NP*	*40 feet*	*40 feet*	*40 feet (c)*
(F) Window Sign	*NP*	*NP*	*25% of window area*	*25% of window area*	*25% of window area*
(G) Under Canopy sign	*NP*	*NP*	*8 sq ft*	*8 sq ft*	*8 sq ft*

(4) Business Identification Signs					
(A) Attached to Building	NP	NP	1.5 sq ft/foot of building front (b)	1.5 sq ft/foot of building front (b)	1.5 sq ft/foot of building front (b)
(B) Awning or canopy sign	NP	NP	50% of awning or canopy face	50% of awning or canopy face	50% of awning or canopy face
(C) Marquee signs	NP	NP	1 sq ft/foot of marquee face	1 sq ft/foot of marquee face	1 sq ft/foot of marquee face
(D) Projecting signs	NP	NP	NP	12 sq ft	NP
(E) Freestanding sign	NP	NP	40 feet	40 feet	40 feet (c)
(F) Window Sign	NP	NP	25% of window area	25% of window area	25% of window area
(G) Under Canopy sign	NP	NP	8 sq ft	8 sq ft	8 sq ft
(5) Directional Sign	NP	4 sq ft	4 sq ft	4 sq ft	4 sq ft
(6) Instructional Signs	(d)	(d)	(d)	(d)	(d)
(7) Temporary Signs					
A. Project Construction sign	24 sq ft (e)	24 sq ft (e)	32 sq ft (e)	32 sq ft (e)	32 sq ft (e)
B. Window signs	6 sq ft (f)	6 sq ft (f)	25% of window area (g)	25% of window area (g)	25% of window area (g)
C. Other Signs	16 sq ft (f)	16 sq ft (f)	32 sq ft (h)	32 sq ft (h)	32 sq ft (h)

Notes For Schedule 1151.05

(a) One per street entrance

(b) Per linear foot of building frontage, see also Section 1151.03 and 1151.04(a).

(c) Except that for lots with frontage on Whipple Avenue, the maximum area permitted shall be 200 sq. ft. of sign area.

(d) Considered an identification sign unless exempt pursuant to Section 1151.04(b).

(e) See Section 1159.09(a) for project construction signs.

(f) See Section 1151.09(b) for temporary signs in residential districts.

(g) See Section 11591.09© for temporary window signs

(h) See Section 1151.09© for other temporary signs.

NP = Not Permitted

1151.06 BONUS SIGN AREA FOR BUSINESS *OR INSTITUTION* IDENTIFICATION SIGNS ATTACHED TO BUILDINGS.

Additional area for business *or institution* identification signs attached to buildings shall be permitted for lots in *institution*, business, mixed-use overlay, and industrial districts in compliance with the following:

(a) Corner Lots and Side and Rear Entrances. The maximum allowable area for identification signs attached to a building shall be increased beyond the allowable area set forth in Schedule 1151.05 in compliance with the following:

(1) Additional area shall be permitted when a building has a secondary frontage because of one or more of the following characteristics.

A. The building is located on a corner lot and faces both the primary street and the secondary street;

B. The building is located on a corner lot and faces both the primary street and the secondary street;

(2) The sign area for each secondary building frontage shall be 50 percent of the area computed using the formula set forth in Schedule 1151.05, based on the length of the secondary building frontage provided that:

A. The additional sign area is utilized only on the secondary building frontage; and

B. The sign area permitted on the primary building frontage may be redistributed along the secondary building frontage(s) provided that the total sign area facing the secondary street(s) or parking lot does not exceed the formula set forth in Schedule 1151.05 based on the length of the building frontage.

(b) Large Building Setbacks. The maximum allowable area for identification wall signs may be increased by one-half square foot of sign area for each foot of building frontage when the principal building is set back more than 200 feet from the primary street on which the building is located.

1151.07 REGULATIONS FOR FREESTANDING SIGNS.

Freestanding signs shall be permitted in compliance with the following regulations:

(a) Freestanding Residential Development Identification Signs. A freestanding residential development identification sign shall be permitted for a residential development in compliance with the following requirements.

(1) Maximum Number of Freestanding Signs. A maximum of two sign faces shall be permitted per street entrance: either as a double-sided freestanding sign or as two single-sided signs either freestanding or mounted on a wall or other entrance feature.

(2) Minimum Setback from Street. Such signs shall be located no closer than 10 feet from the street right-of-way line and shall be placed so as not to obstruct sight lines for vehicles or pedestrians.

(3) Minimum Setback from Side Lot Lines. Such signs shall be located no closer than 25 feet to a side lot line.

(b) Freestanding Business *and Institution* Identification Signs. A freestanding business *or institution* identification sign shall comply with the following.

(1) Maximum Number of Freestanding Signs. One freestanding sign shall be permitted per project or development, except for facilities on corner lots pursuant to Section 1151.07(b)(4) and bonuses established for large lots pursuant to Section 1151.07(b)(5).

(2) Minimum Sign Setback from Street. Freestanding signs shall be located no closer than two feet from any vehicular public right-of-way in the Main Street District and a distance equal to the height of the sign in all other districts.

(3) Multi-Tenant Facilities. When a freestanding sign is erected on a site that has more than one tenant, it is the property owner's responsibility to determine the sign area devoted to identification of the development, building, anchor tenant, all tenants, or some combination thereof:

(4) Additional Freestanding Sign and Sign Area for Corner Lots. One additional freestanding sign shall be permitted for a corner lot provided that:

A. The total frontage of both streets is not less than 300 feet;

B. The area of each freestanding identification sign complies with Schedule 1151.05, and the total area of both freestanding signs shall not exceed 175 percent of the maximum area permitted for a single sign;

C. The second freestanding sign is clearly located to provide identification along the secondary street; and

D. The two signs may be aggregated into a single sign at the corner provided that the area of any freestanding sign face shall not exceed 70 square feet, except as otherwise permitted in subsection (5) below.

(5) Additional Freestanding Sign and Sign Area for Large Lots. The area and number of freestanding signs on large lots may be increased according to the following:

A. The allowable area of any freestanding sign face may be increased by 5 square feet of area for every 20 lineal feet of lot frontage or fraction thereof greater than 200 lineal feet. See also illustration 1151.07(b)(5)D for application.

B. The allowable area pursuant to this section may be distributed to one freestanding sign for each 250 feet of lot frontage or fraction thereof. See also illustration 1151.07(b)(5)D for application.

C. Notwithstanding any provision of this section, the area of any freestanding sign shall not exceed 70 square feet, except that freestanding signs located on lots with frontage on Whipple Avenue shall not exceed 200 square feet.

1151.08 MAXIMUM HEIGHT OF FREESTANDING SIGNS

The maximum height of freestanding signs, when permitted, shall conform to the standards set forth in schedule 1151.08 below.

Schedule 1151.08
Maximum Height of Freestanding Signs

Sign Type	Single Family Districts	Multi Family Districts	Park and Institutional & Office Building Districts	Mixed Use Overlay and Main Street Districts	General Business and Industrial Districts
(1) Residential Development Identification Signs	6 feet	6 feet	6 feet	6 feet	6 feet
(2) Institution Identification Signs	6 feet	6 feet	6 feet	6 feet	*25 feet (a)*
(3) Business Identification Signs	NP	NP	6 feet	6 feet	25 feet (a)
(4) Directional Signs	NP	3 feet	3 feet	3 feet	3 feet
(5) Instructional Signs	(b)	(b)	(b)	(b)	(b)
(6) Temporary Signs					
A. Project Construction Signs	6 feet	6 feet	6 feet	6 feet	8 feet
B. Other Signs	4 feet	4 feet	6 feet	6 feet	8 feet

Notes To Schedule 1151.08
NP = Not Permitted
(a) Except that for signs located on lots with frontage on Whipple Avenue, the maximum sign height shall be 35 feet.
(b) No height limit provided sign complies with 1151.04(b)

1151.16 REGULATIONS FOR NONCONFORMING SIGNS.

(a) Maintenance of Nonconforming Signs. Nonconforming signs shall be maintained in good condition pursuant to Section 1151.14.

(b) Alteration and Removal of Nonconforming Signs.

(1) Nonconforming signs shall be removed and any subsequent modification or replacement, excluding maintenance pursuant to Section 1151.14, shall conform to all requirements of this Chapter:

A. When more than 50 percent of the value of the sign has been destroyed or has been taken down; or

B. When the use which the nonconforming sign is accessory to is vacant for 90 consecutive days.

C. Except an existing free standing sign that is nonconforming only because of sign area surface or sign height, as determined in Section 1151.05 and Section 1151.08 respectively, may be modified or replaced, provided the modification or replacement improves comformity as to area by at least 30% and as to height by at least 20%.

(2) A nonconforming sign shall not be altered, modified or reconstructed other than to comply with this Chapter except:

A. When the existing use has new ownership which results in a change in the name of the use or business on the property;

B. When the space is reoccupied by a similar use and the new occupant requires no external building or site renovation; or

C. An existing sign pursuant to this subsection may be changed by replacing a sign panel or by repainting a sign face only. Such alterations shall not require changes to the structure, framing or erection or relocation of the sign unless such changes conform to this Chapter. (Ord. 25-08. Passed 4-28-08.)