

RESOLUTION TO AMEND THE CHESTER TOWNSHIP ZONING RESOLUTION
TO PROVIDE FOR SIGN REGULATIONS IN ALL DISTRICTS

WHEREAS, Chester Township is presently experiencing trouble in the interpretation and enforcement of current sign regulations as contained in the Zoning Resolution; and

WHEREAS, the Zoning Commission and Board of Township Trustees both consider it essential that reasonable regulations be enacted to control the use, location and size of signs in order to preserve protect and promote property values and appearance, and to accommodate legitimate advertising needs;

NOW, THEREFORE BE IT RESOLVED THAT THE CHESTER TOWNSHIP ZONING COMMISSION MOVED TO INITIATE THE FOLLOWING ZONING RESOLUTION AMENDMENT Z-84-2:

SECTION 1. Section 8 of the Chester Township Zoning Resolution entitles "Signs" is hereby enacted to read as follows:

8.1 Purposes

The section creates the legal framework for signage regulations that is intended to facilitate a lawfully acceptable communication between people. It recognizes the need to protect safety and welfare of the public, the need for well maintained and attractive appearance in the Township, and the need for adequate business identification and advertising and communication. This section recognizes that aesthetics and design quality cannot be satisfactorily legislated, as individual opinions vary and local public sentiment vary from one place and era to another. It is recognized, however, that a great percentage of that which is unattractive can be eliminated by sensible quality control, through adequate maintenance and inspection and by reasonable guidelines formulated to minimize clutter. This section intends to achieve the specific purposes to preserve, protect and promote property values and the community appearance, and to accommodate legitimate advertising and quality signage.

8.2 Definitions

As used in this section, certain terms are defined as follows:

- a. "Sign" means any device designed to inform or attract the attention of persons whether on or off the premises on which the sign is located.
- b. "Freestanding ground sign" means a sign supported from the ground by one (1) or more poles, upright or braces, but not from a building or other structure.
- c. "Wall sign" means a sign erected parallel to the outside building wall and extending not more than eighteen (18) inches from such wall, but which does not project above the roof line or beyond the building corner.

8.2 Definitions (continued)

- d. "Projecting sign" means a sign erected on the outside building wall which projects at an angle therefrom.
- e. "Sign face area" measurement or calculation shall include all sign frame appurtenances, supports or structural members above the average finished grade at the sign base. Only one (1) side of a double or multi-faced sign shall be used to calculate face area provided such sign faces are not joined at an angle greater than fifteen (15) degrees.
- f. "Roof sign" means any sign placed or attached by any means to the roof of the building.
- g. "Billboard" means a free-standing sign or wall sign exceeding 82.5 square feet of face area.

8.3 Exemptions

The following signs are exempt from provisions of this section:

- 1. Governmental signs, notices posted by Governmental authority or as required by law, and religious insignia.
- 2. Historical or commemorative signs issued by a recognized historical agency.
- 3. Residential security signs limited to a maximum one (1) square foot of face area and two (2) such signs per lot.
- 4. Traffic and directional signs indicating points of entry or exit for a facility or off-street parking area, provided such signs are limited to a maximum two (2) square feet in face area and three (3) feet in height, do not interfere with safe traffic circulation and do not interfere with or obstruct the view of drivers exiting onto streets or highways and do not contain information other than the words "in", "enter", "entrance", "out" or "exit" and/or arrows indicating desired traffic movement.

8.4 Regulations for All Signs

All signs permitted by this section shall be subject to the following:

- a. No sign shall be located on any public property, in the public right-of-way or affixed to any utility pole, tree or screening, except with approval of lawful authority.
- b. No part of any sign shall be less than ten (10) feet from any lot line or right-of-way line.
- c. Permanent freestanding ground signs shall not exceed eight (8) feet in height from the average finished grade at the sign base to the top of the sign and shall be landscaped

8.4 Regulations for All Signs (continued)

- c. with all season planting or ground cover having a minimum eighteen (18) inches in height and extending a minimum eighteen (18) inches around the sign support circumference.
- d. Not more than one (1) permanent freestanding ground sign per lot is permitted.
- e. Illumination where permitted shall be of light with constant intensity and shielded or directed to prevent excessive brightness or glare or create a nuisance.
- f. Off-site signs, when permitted, shall be posted on private property only with permission of the owner or agent of such property.

8.5 Residential District Signs

- a. No person shall erect or post any sign in any R, R3A or R5A district except as follows:
 1. One (1) permanent nameplate sign for each dwelling unit in a single-family or two-family dwelling, with a maximum three (3) square feet of face area, containing the name of the occupant or property or any home occupation.
 2. One (1) permanent or temporary on-site roadside sign for lands used for agricultural purposes with a maximum eighteen (18) square feet of face area for any lot five (5) acres or more and a maximum four (4) square feet of face area for any lot less than five (5) acres, and which advertises only goods sold on the premises. In addition, each agricultural lot shall be allowed two (2) off-site directional signs, each with a maximum one (1) square foot of face area.
 3. One (1) temporary building construction sign with a maximum eighteen (18) square feet of face area which may be exhibited only during the construction period.
 4. One (1) temporary "for sale" or "for rent" sign with a maximum eight (8) square feet of face area.
 5. One (1) temporary subdivision, development or model home sign with a maximum thirty (30) square feet of face area per subdivision. Such sign shall be removed or the permit renewed annually not later than one (1) year after initial issuance.
 6. Two (2) temporary political signs each with a maximum four and two-tenths (4.2) square feet of face area may be located on any lot zoned residential which contains an inhabited dwelling. Two (2) temporary political signs each with a maximum six (6) square feet of face

8.5 Residential District Signs (continued)

6. area may be located on any school property as authorized by appropriate school authorities. Political signs may be exhibited not more than thirty (30) days before nor more than seven (7) days after the date of any election.
7. Temporary signs promoting school, church or community service activities may be exhibited not more than fourteen (14) days before the commencement of such activity nor more than seven (7) days after such activities ended. Each activity is limited to one (1) on site sign with a maximum of twenty-five (25) square feet of face area, and four (4) off-site locations, each sign with a maximum sixteen (16) square feet of face area.
8. One (1) permanent identification sign with a maximum fifteen (15) square feet of face area for each church, school, memorial park or golf club use.
9. One (1) garage sale sign with a maximum four (4) square feet of face area, which may be exhibited only during the conduct of such sale and only on the lot where conducted. "Garage sale" as used herein means a sale of residential household goods, equipment, utensils, appliances, personal clothing or effects, or other similar personal property, and includes without limitation the following types of sales: house, barn, basement, attic, porch, carport, lawn, yard, driveway, clothesline, casual, rummage, flea market and the like.
10. All signs permitted in Residential Districts shall be subject to the following:
 1. No sign shall be illuminated except for nameplate signs not denoting a home occupation or identification signs for a church, school, memorial park or golf club.

8.6 Commercial and Industrial District Signs

- a. No person shall erect or post any sign in any C General Commercial, SC Shopping Center or I Restricted Industrial District except as follows:
 1. One (1) freestanding ground sign with a maximum face area of thirty (30) square feet per business or industrial property lot or combination of lots or portions thereof combined to form one (1) parcel.
 2. One (1) wall sign per building occupant limited to three-fourths (0.75) square feet of face area for each lineal foot or part thereof of building width occupied or one (1) sign on a mansard placed in the center one-third at a height not greater than one-fourth the mansard height, but neither sign exceeding a maximum seventy-five (75) square feet of face area.

8.6 Commercial and Industrial District Signs (continued)

a. continued

3. One (1) identification sign per rear door limited to a maximum six (6) square feet of face area for a public rear entrance and limited to a maximum three (3) square feet of face area for a service entrance.
4. One (1) temporary building construction sign as provided for in Section 8.5 a.3.
5. One (1) temporary "for sale" or "for rent" sign as provided for in Section 8.5 a.4.
6. Temporary service activities sign as provided for in Section 8.5 a.7.

b. All signs permitted in Commercial or Industrial Districts shall be subject to the following:

1. Signs shall be exhibited only on the property being developed or used in connection with such sign.
2. All signs may be illuminated and have changeable copy.
3. Abandoned signs relating to any business or industry which has moved or discontinued operations shall be removed by the property or building owner or his agent within thirty (30) days after such vacation or discontinuance.

8.7 Prohibited Signs

a. The following signs are hereby prohibited in the Township:

1. Roof signs.
2. Projecting signs.
3. Murals or signs painted on walls.
4. Strings, banners, pennants, ribbons, streamers, spinners or other moving devices.
5. Flashing, blinking, intermittent illumination, revolving, oscillating or otherwise moving light signs.
6. Mobile or portable signs.
7. Pole signs which permit pedestrians or vehicles to pass under such signs.
8. Searchlights, balloons and similar advertising devices.
9. Signs resembling traffic control devices.

8.7 Prohibited Signs (continued)

a. continued

10. Unsafe signs or signs causing a hazard.

11. Abandoned signs.

12. Billboards.

13. Political signs in Commercial and Industrial Districts.

8.8 Construction and Maintenance Standards

a. All signs and supports shall be installed and maintained subject to the following:

1. Signs and supports shall be structurally sound, safe and pose no danger to persons or property.
2. Signs and supports shall be fabricated on and of materials which are good quality, good durability and conform to allowable stresses and temperatures for such materials.
3. Signs and supports shall be structurally designed to withstand a wind force of seventy-five (75) miles per hour.
4. Electric wiring shall be installed and maintained according to safe practice and in weatherproof condition.
5. Signs and supports shall not constitute a blight or deteriorating influence on adjacent or neighboring properties.

8.9 Repair, Restoration and Nonconforming Signs

- a. All sign framing and supports shall be repaired or repainted as required to preclude blight or deteriorating influence. Any conforming sign or support blown down, destroyed or otherwise involuntarily taken down may be rebuilt, restored or relocated upon obtaining a new permit, complying with this Zoning Resolution and subject to approval of the Zoning Inspector.
- b. All legally nonconforming signs and supports shall not be graphically or structurally altered, added to or enlarged, changed, or relocated except in conformity with or to conform to this Zoning Resolution. Any legally nonconforming sign which is involuntarily removed or damaged or destroyed for any cause, by sixty percent (60%) or more of its replacement value at the time of such damage or destruction, may be rebuilt, restored or relocated only after obtaining a new permit from the Zoning Inspector, upon complying with this Zoning Resolution, and subject to approval of the zoning Inspector., Lawfully permitted change

8.9 Repair, Restoration and Nonconforming Signs (continued)

- b. of copy and minor repairs such as cleaning, painting and refurbishing is permitted at any time. Legally nonconforming signs damaged or destroyed by less than forty percent (40%) of replacement value may be restored to previous nonconforming condition if commenced within thirty (30) days of such damage or destruction and diligently pursued to completion.

8.10 Permit Application, Issuance and Revocation

- a. Required. No person shall erect, alter or relocate any sign without first obtaining a permit from the Zoning Inspector and paying the fee required herein, except that nonstructural repairs or maintenance may be made without a permit. A permit is required for all signs except political signs, for sale or for rent signs not exceeding six (6) square feet in face area, nameplate signs not denoting any home occupation, and not more than two (2) temporary school, church or community service activity signs which are not more than sixteen (16) square feet each in face area and which may be displayed not more than 48 consecutive hours.
- b. Application. Application for a sign permit shall be made upon a form provided by the Zoning Inspector and shall contain or have attached thereto, the following information:
1. Name, address and telephone number of the applicant.
 2. Location of the building or lot to which or upon which the sign is to be attached or erected, and position of the sign in relation to nearby buildings and structures and the lot lines or right-of-way lines.
 3. Plans and specifications indicating method of construction attachment to building or installation in the ground and method of illumination.
 4. Name of person, firm, corporation or association erecting the sign.
 5. Written consent of the owner of the building, structure or land to which or on which the sign is to be attached or erected.
 6. Scaled drawing indicating the sign dimensions, materials, color and copy, and the building face and sign position for a wall sign.
 7. Such other information as the Zoning Inspector may require to show full compliance with this section and other laws.

8.10 Permit Application, Issuance and Revocation (continued)c. Issuance.

It shall be the duty of the Zoning Inspector, upon an application being filed for an erection permit, to examine such plans and specifications and other data and the premises upon which it is proposed to erect the sign. If it appears that the proposed sign is in compliance with all the requirements of this section and other laws, the sign permit shall be issued. If the work authorized by a sign permit has not been completed within six (6) months after the date of issuance the permit shall become null and void.

d. Fees.

Every sign permit applicant, before being granted a permit, shall pay a fee or deposit as required by the Trustees.

e. Revocation.

The Zoning Inspector is authorized and empowered to revoke any sign permit issued upon failure of the permittee to comply with any provision of this Zoning Resolution.

8.11 Variances

- a. The Board of Zoning Appeals may grant sign variances as authorized by Ohio R. C. 519.14(B), subject to complying with the procedures and affirmatively determining the findings specified in Section 7.9 c. of this Zoning Resolution, but, however, subject to the following conditions and limitations which are deemed necessary to accomplish the purposes of this section, the current Chester Guide Plan, and the respective districts involved.
1. No variance shall permit any sign in any district if such sign is prohibited in such district by this section.
 2. No variance shall provide for more signs by type or number than is permitted in any district by this section.
 3. No variance shall increase sign face area by more than ten percent (10%) of the maximum face area permitted for such sign by this section.
 4. No variance shall increase the height of any free-standing ground sign by more than twenty percent (20%) of the maximum height permitted by this section.
 5. No variance shall decrease the distance of any sign from any lot line or right-of-way line by more than twenty percent (20%) of the minimum distance required by this section.

8.11 Variances (continued)

a. continued

6. No variance shall be granted without a minimum of three (3) Board members physically viewing the premises or building involved and the sign, if reasonably available, or a photograph, drawing or rendering of such sign.

b. Any variance once granted shall not be changed, and shall automatically terminate if the work authorized by such variance is not completed within six (6) months after being granted. If an appeal or variance has been denied by the Board, the Board shall not reconsider the same appeal or variance within one (1) year of the date of such decision, unless the underlying conditions have substantially changed.

8.12 Violations

If any sign is installed, erected, constructed or maintained in violation of any provision of this Zoning Resolution, the Zoning Inspector shall notify in writing the permittee, owner or lessee thereof to alter such sign or remedy the violation so as to comply with this Zoning Resolution. Failure to comply shall be deemed a violation and shall be punishable under Section 7.7 of this Zoning Resolution.

SECTION 2. The following provisions of the current Zoning Resolution are hereby repealed:

<u>Section</u>	<u>Subject</u>
2.3	Advertising sign defined
2.11	Business sign defined
2.50	Sign defined
4.3 e.	Private golf club signs
4.5	Residential District sign regulations
4.22	C General Commercial District sign regulations
4.31 f.	Gasoline filling station sign regulations
4.44 c.	SC Shopping Center District sign regulations
4.52	I Restricted Industrial District sign regulations
7.5 h.	Schedule of fees for signs

Section 3. If any provision of Section 8 of the Zoning Resolution as adopted herein is held to be invalid or unconstitutional by a court of competent jurisdiction for any reason, such decision shall not affect the validity of the remaining provisions of Section 8 or Section 8 as a whole. It is the intention of the Zoning Commission and Board of Township Trustees that Section 8 would have been passed the same if such invalid or unconstitutional provisions had not been included therein.

Effective date 1-25-85.