

ORDINANCE NO. 21-126

OFFERED BY: MAYOR SHUBERT

AN ORDINANCE AMENDING CHAPTER 1207.17, "SIGNS," OF THE LAND DEVELOPMENT CODE TO IMPLEMENT REVISIONS TO SIGN ILLUMINATION STANDARDS.

WHEREAS, the bulk of the City's current Land Development Code was adopted in 1999 and has now been codified in Part Twelve of the City's Codified Ordinances as the "Planning and Zoning Code"; and

WHEREAS, City Council adopted the 2015 Comprehensive Plan on January 19, 2016; and

WHEREAS, the City Administration routinely reviews the Land Development Code standards to address language in need of clarification, respond to development trends, and consider amendments based on feedback from City Council and residents; and

WHEREAS, the City Administration has received multiple inquiries and variance requests related to the use of internal illumination for signs located within the interior of commercial/industrial parks within zoning districts 6 and 8; and

WHEREAS, this Council has introduced the within Ordinance and referred it to the Planning Commission pursuant to its obligation under Land Development Code Section 1203.03 to follow said procedure; and

WHEREAS, the Planning Commission has submitted its recommendation to Council and Council has held its own public hearing on this Ordinance, and upon which Council determines that the proposed amendments to Section 1207.17, "Signs," of the Land Development Code should be adopted as being consistent with the public health, safety, and general welfare of the City of Hudson.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hudson, County of Summit, State of Ohio, that:

Section 1. Codified Ordinance Chapter 1207.17, "Signs," of the Land Development Code, be amended in part to read as follows:

"1207.17 SIGNS

(g) Sign Illumination, Construction and Maintenance Standards. In addition to ensuring compliance with the numerical standards of these regulations, the AHBR shall consider the proposed sign according to the following standards:

(1) Illumination. Signs shall be permitted to be illuminated in compliance with the following:

A. External illumination: All signs that are permitted to be illuminated as enumerated in divisions (d) and (e) of this section shall be externally illuminated, except as otherwise permitted in division (g)(1)B. below and the external illumination shall comply with the following:

1. Only direct lighting from an external source shall be used to illuminate the sign.
2. The source of light shall not be visible from the street or adjacent property.
3. No variances to this division (g)(1)A. shall be sought or granted.

B. Internal illumination:

~~1. Internal illumination of signs shall only be permitted for an existing ground sign used by two or more occupants on a lot in Districts 7 and 8 that fronts on Darrow Road provided the lot is occupied by a legally permitted use(s) and the existing sign(s) for the use(s) is internally illuminated on the effective date of this provision, which effective date is September 4, 2002.~~

~~a. All existing internally illuminated ground signs described in division (g)(1)B.1. above shall be removed or comply with division (g)(1)A. of this section when five years have elapsed from the effective date of this provision as set forth in division (g)(1)B.1. of this section.~~

~~b. Within said five year period an occupant of the lot may be permitted by the AHBR to replace an individual sign panel in an existing internally illuminated ground sign described in division (g)(1)B.1. above, when the individual sign panel is consistent in design with the existing type of sign(s). This division b. is, however, subject to the provisions of division (h) "Regulations for Nonconforming Signs" below.~~

12. Internal illumination of signs shall be permitted for wall signs in Districts 6 and 8 **on building units larger than 50,000 square feet of gross floor area** where the sign and the building wall it is attached to are set back more distant than 500 feet from the nearest edge of the **public arterial** street **(as defined in Chapter 1213.02)** or highway-right-of-way to which the sign is oriented. Generally, that orientation is the **arterial** street or highway frontage that is parallel to the wall with the sign. Where internal illumination is permitted under this division **12.**, the illumination shall be contained within individual letters, numbers and figures and a box type of illumination is not permitted.

(h) Regulations for Nonconforming Signs.

(4) Termination. A legal nonconforming sign shall immediately lose its legal nonconforming status, and therefore shall be brought into conformance with this section or removed, when any of the following occur:

A. The size or shape of the sign is changed; or

B. The sign face (except otherwise permitted for changeable copy ~~or the ground signs described in division (g)(1)B. of this section~~) or sign structure is altered; or

C. In addition to division (h)(4)A. and B. above, all nonconforming internally illuminated wall signs shall be removed and redesigned to comply with division (g)(1)A. of this section whenever one or more of the following occur:

1. The building is renovated or remodeled to the extent that more than fifty percent of the gross floor area is removed or replaced, or otherwise affected by renovation or remodeling; or
2. The building is expanded and the total sign area permitted for the expanded building is more than fifty percent greater than the existing sign area; or
3. There is a change in occupancy.

~~D. In addition to division (g)(1)A. and B. above, all internally illuminated ground signs shall be removed when five years have elapsed from the effective date of this provision, which effective date is September 4, 2002.~~

***”

Section 2. Codified Ordinance Chapter 1207.17, “Signs,” of the Land Development Code, to the extent not amended by this Ordinance, shall remain in full force and effect.

Section 3. All formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, or otherwise in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED:

Craig A. Shubert, Mayor

ATTEST:

Elizabeth Slagle, Clerk of Council

I certify that the foregoing Ordinance No. 21-126 was duly passed by the Council of said Municipality on _____, 2021.

Elizabeth Slagle, Clerk of Council

First Reading & Referral to Planning Commission: October 19, 2021

Public Hearing: December 21, 2021

Second Reading: December 21, 2021

Third Reading: January 4, 2022