

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTERS 1207.17 AND 1213 AND AT APPENDIX D OF THE CITY OF HUDSON'S LAND DEVELOPMENT CODE, nka THE "PLANNING AND ZONING CODE".

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, City Council initiated discussions regarding the necessity for amendments to the City's sign regulations within the Land Development Code in light of: (1) the land use regulation recommendations contained in the 2015 Comprehensive Plan; (2) the age of the current Land Development Code; (3) community concerns and (4) the Community Development Department staff's experiences in administration and enforcement of the current Land Development Code with respect to its sign code regulations; and

WHEREAS, City Council adopted a moratorium on April 2, 2019 via Ordinance No. 19-41 which suspended the enforcement of the regulations concerning the nonresidential use of temporary and permanent window signage to allow the Community Development Department to study and consider new signage regulations; and

WHEREAS, the Community Development Department (CD) conducted both internal and external stakeholder outreach to gather input on the community's desired revisions to the Code; and

WHEREAS, CD studied the recommendations contained in the City's most recently-adopted Comprehensive Plan; and

WHEREAS, CD has suggested certain amendments to the City of Hudson Land Development Code; and

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

WHEREAS, the Planning Commission has held its public hearing on the within Ordinance and 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 administrative amendments to 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 Hudson, Summit County, Ohio, that:

Section 1: The “Land Development Code” of the City of Hudson is hereby amended at the sections of Chapters 1207.17 and 1213 and at Appendix D as are fully set forth in an amended Exhibit “A” and attached hereto and on file with the Clerk of Council, which amended Exhibit “A” is fully incorporated herein by reference.

Section 2: The existing Sections of Part Twelve, “Land Development Code” (nka “Planning and Zoning Code” which have been amended by Section 1 of this Ordinance, are hereby repealed.

Section 3: It is found and determined that 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 that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, 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. 19-173 was duly passed by the Council of said Municipality on _____, 2020.

Elizabeth Slagle, Clerk of Council

First Reading & Referral to Planning Commission: November 19, 2019

Public Hearing:

Second Reading:

Third Reading:

Exhibit A - Ordinance No. 19-173

1207.17. - Signs.

- (a) Purpose. The purpose of this section is to promote the public health, safety and welfare through the provision of standards for existing and proposed signs of all types. More specifically, this section is intended to:
 - (1) Enhance and protect the physical appearance of the community.
 - (2) Promote and maintain visually attractive, residential, retail, commercial and industrial districts.
 - (3) Ensure that signs are located and designed to reduce sign distraction and confusion that may be contributing factors in traffic congestion and accidents, and maintain a safe and orderly pedestrian and vehicular environment.
 - (4) Provide review procedures that enable the City to comprehensively evaluate the appropriateness of a sign to the site, building and surroundings.
 - (5) Prohibit all signs not expressly permitted by this section.
- (b) Application of Sign Regulations.
 - (1) The regulations contained in this section shall apply to signs outside of the public right-of-way, except when specifically stated otherwise.
 - (2) A sign may only be erected, established, painted, created or maintained in Hudson in conformance with the standards, procedures, exemptions and other requirements of this section.
 - (3) In addition to the regulations contained in this section, all permanent signs shall comply with the sign design guidelines set forth in the Architectural and Design Standards.
 - (4) 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. Architectural features include:
 - (A) Any construction attending to, but not an integral part of the sign, and which may consist of landscape or building or structural forms that enhance the site in general.
 - (B) Graphic stripes and other architectural painting techniques applied to a structure that serves a functional purpose or to a building when the stripes or other painting technique do not include lettering, logos or pictures.
- (c) Computations and Rules of Measurement. The following regulations shall control the computation and measurement of sign area, sign height, window area and building frontage:
 - (1) Determining Sign Area or Dimension.
 - (A) Sign area shall include the face of all the display area of the sign. Sign area shall not include the frame and structural support unless such structural support is determined to constitute an integral part of the sign design.
 - (B) For a sign that is framed, outlined, painted or otherwise prepared and intended to provide a background for a sign display, the area of the sign shall be the area of one (1) rectangular shape that encompasses the entire background or frame.
 - (C) For a sign comprised of individual letters, figures or elements on a wall or similar surface of a building or structure, or an irregular shaped ground sign, the area of the sign shall be the area of one (1) rectangular shape that encompasses the perimeter of all the elements in the display.
 - 1. When separate elements are organized to form a single sign, but the elements are separated by open space, the area shall be the area of one (1) rectangular shape that comprises all the display areas, including the space between the elements.
 - 2. One (1) minor protrusion may be permitted to extend above or below the sign area when the area of the protrusion is less than twenty-five percent (25%) of the open space

included in the sign area. For the purposes of this section, only the open space within the sign area that is located above and below the majority of the letters shall be included in the calculation. See Figure 1.

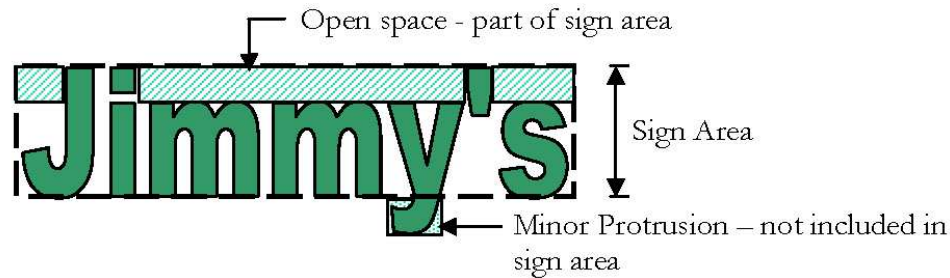


Figure 1. Calculation of open space area and area of minor protrusion

(D) For ground signs, ~~and~~ projecting signs, ~~and~~ A-Frame signs:

1. The sign area shall be computed by the measurement of one (1) of the faces when two (2) identical display faces are joined, are parallel or within thirty (30) degrees of being parallel to each other and are at no point separated by a distance that exceeds two (2) feet apart.
2. No more than two (2) display faces shall be permitted.
3. The portion of a solid sign base that is mostly screened by landscaping, up to a maximum height of two (2) feet, shall not be calculated as sign area.

(E) Air under a ground sign between supporting posts, air between a projecting sign and the wall to which it is attached, and lighting fixtures and associated brackets shall not be included in the calculation of sign area. See Figure 2.

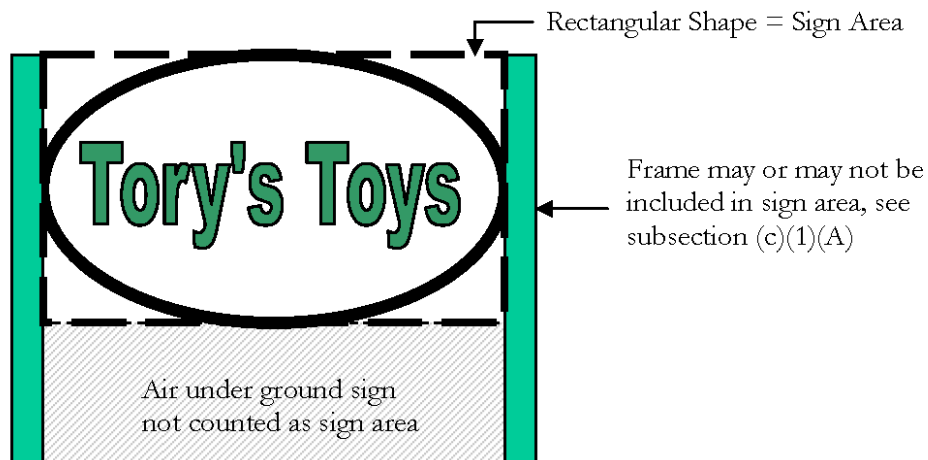


Figure 2. Calculation of sign area

- (2) **Determining Sign Height.** The height of a sign shall be measured from the average natural grade at the base of the sign or support structure to the tallest element of the calculated sign area. A ground sign on a man-made base, including a graded earth mound, shall be measured from the average site grade prior to the addition of the sign.
- (3) **Determining Building Frontage and Building Unit.** For the purposes of these sign regulations, the length of the building wall that faces a public street or that contains a public entrance to the uses therein shall be considered the building frontage.

- (A) The building frontage shall be measured along such building wall between the exterior faces of the exterior side walls.
 - (B) In the case of an irregular wall surface, a single straight line extended along such wall surface shall be used to measure the length.
 - (C) A building shall have only one (1) building frontage except as otherwise set forth below.
 - (D) A building shall have two (2) frontages whenever the lot fronts on two (2) or more streets, or the building has a public entrance on a wall other than the wall that faces the street. The property owner shall determine which wall shall be the primary building frontage and which wall shall be the secondary building frontage. Only one (1) outside wall of any business shall be considered its primary frontage and only one (1) additional wall considered its secondary frontage.
 - (E) For multi-occupant buildings, the portion of a building that is owned or leased by a single occupant 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.
- (4) Determining Window Area. The window area of a building shall be the total glass area of a framed window opening ~~windows on the building frontage. For the purposes of determining window area for ground floor occupants, the ground floor shall be considered to be no more than fifteen (15) feet in height above grade.~~

(GRAPHIC TO BE INSERTED)

- (d) Signs in Nonresidential Districts. Signs in nonresidential districts (Districts 5, 6, 7, 8, 9, and 10) shall conform to the standards set forth in this subsection, except for residential uses which shall comply with the standards set forth in subsection (e).
- (1) Maximum Number and Area of Permanent Signs Attached to Buildings. Permanent signs attached to buildings shall conform to the maximum number and area limitations set forth in Table 1207.17(d)(1). In addition to the sign area permitted in Table 1207.17(d)(1), each building shall be permitted to display numerals indicating the building's street address, provided the numerals and letters do not exceed four (4) inches in height.

Table 1207.17(d)(1)		
Permanent Signs Attached to Buildings		
Type	Maximum Number Permitted	Maximum Area
(A) Signplate	2/address and 1/entry	2 sq. ft.
(B) Building Sign	1/ground floor occupant frontage	1.5 square ft. per linear ft. of building frontage, not to exceed 100 sq. ft. ^(a)
<u>(C) Window Sign</u>	<u>No limit</u>	<u>33% of window area.</u>
<u>(C)</u> Projecting Sign	1/ground floor occupant frontage ^(b)	6 sq. ft.

(DE) Instructional Sign	See subsection (d)(5)
(a) See Section 1207.17(d)(2). (b) See subsection (d)(3)	

- (2) Building Signs. The building sign permitted in Table 1207.17(d)(1) shall be either a wall sign, or awning sign ~~or window signs~~ erected in compliance with the following additional regulations.

~~(A) Window Sign.~~

~~1. Ground Floor Occupants. Notwithstanding the permitted number and area set forth in Table 1207.17(d)(1), window signs shall not exceed twenty-five percent (25%) of the total glass area of the ground floor windows and shall comply with the design standards for signs set forth in Part V of the Architectural and Design Standards. An identical sign may be approved and displayed in more than one (1) ground floor window at the same position of height and placement.~~

~~2. Upper Story Occupants. For a multi-story building, each occupant above the ground floor shall be permitted one (1) permanent sign to be placed in a window of the occupant's space, not to exceed six (6) square feet or twenty-five percent (25%) of the area of the window in which the sign is placed, whichever is smaller. These signs shall be in addition to the maximum allowable area for building signs pursuant to Table 1207.17(d)(1).~~

(BA) Awning Signs. Awning signs may be permitted to extend over a public right-of-way provided such awning signs comply with the regulations of this section.

(CB) Corner Lots and Public Entrances Not Fronting a Street. The maximum allowable area for building signs set forth in Table 1207.17(d)(1) shall be the area allowed for the occupant's primary frontage. In the event an occupant has a secondary frontage as defined in subsection (c)(3) additional sign area shall be permitted in compliance with the following:

1. The sign area for the secondary building frontage shall be sixty percent (60%) of the sign area permitted for the primary frontage.
2. The property owner may choose to locate the permitted building sign area on any exterior building wall provided the sign area on any one (1) wall does not exceed the formula set forth in Table 1207.17(d)(1) and signs are attached to no more than two (2) exterior walls.

(DC) Large Building Setbacks. The maximum allowable area for a building sign may be increased by twenty-five percent (25%) for each one hundred (100) feet or fraction thereof of building setback when the principal building is located more than one hundred (100) feet from the principal street on which the building is located and the building is visible from the street, not to exceed two hundred percent (200%) of the maximum allowable area.

(ED) Illumination. Building signs shall be illuminated only in compliance with subsection (g).

- (3) Projecting Signs.

~~(A) Projecting signs shall be limited to occupants that have a minimum of twelve (12) feet of occupant frontage.~~

(BA) All projecting signs shall have a maximum height of fourteen (14) feet and a minimum clearance of seven (7) feet from the ground to the bottom of the sign, except when the

projecting sign is located above a landscaped area or other area that does not permit pedestrian traffic beneath the sign.

(~~CB~~) A projecting sign may be permitted to extend into the street right-of-way provided such sign extends no closer than one (1) horizontal foot to the curb.

(~~DC~~) Illumination. Projecting signs shall be illuminated only in compliance with subsection (g).

(4) Permanent Ground Signs. Permanent ground signs permitted in nonresidential districts shall comply with the following regulations:

(A) Maximum Number, Area and Height, Minimum Setback of Permanent Ground Signs. Permanent ground signs shall comply with the maximum number, area and height limitations and minimum setback from the street right-of-way set forth in Table 1207.17(d)(4).

Table 1207.17(d)(4)				
Permanent Ground Signs				
	Maximum Number	Maximum Area	Maximum Height	Minimum Setback ^(b)
1. Primary Ground Sign ^(a)				
a. Building Setback ≥ 30 feet ^(b)	1 per lot ^(c)	40 sq. ft.	8 ft.	15 ft.
b. Building Setback ≥ 12 but < 30 feet ^(b)	1 per lot ^(c)	30 sq. ft.	6 ft.	Equal to height of sign
2. Entrance/Exit Signs	2 per driveway (1 in, 1 out)	2 sq. ft.	3 ft.	0
3. Instructional Signs	See Section 1207.17(d)(5)			
(a) Not permitted on the site when the building is setback less than 12 feet from the street right-of-way.				
(b) From the street right-of-way.				
(c) Except as otherwise permitted in Section 1207.17(d)(4)(B) for lots that exceed 500 feet in street frontage.				

- (B) Additional Ground Signs. One (1) additional primary ground sign shall be permitted for ~~every five hundred (500) properties exceeding three hundred (300)~~ feet of street frontage or fraction thereof ~~per lot greater than five hundred (500) feet~~. For corner lots, each street frontage shall be calculated separately. Ground signs on the same lot shall be separated by a minimum of ~~two hundred (200) one hundred fifty (150)~~ feet, as measured along the street right-of-way line. For corner lots, both sides of the intersection shall be used in measuring spacing.
- (C) Minimum Sign Setback from Intersection. On corner lots, ground signs shall comply with the minimum sign setback from both streets right-of-way, as set forth in Table 1207.17(d)(4).
- (D) Minimum Sign Setback from Side Lot Lines. Ground signs shall be located a minimum of fifteen (15) feet from any side lot line, except that when a side lot line coincides with a District 1, 2, 3, or 4 boundary line or a lot used for residential purposes, the minimum setback shall be thirty (30) feet.
- (E) Support Requirements. Ground signs that exceed two (2) square feet in area shall be erected with a minimum of two (2) supporting posts or on a solid base.
- (F) Landscaping. Ground signs shall be erected in a landscaped setting and not on sidewalks, drives or in parking lots. Neither the landscaping nor the ground sign shall obstruct the view of vehicles entering or exiting the property.
- (G) Changeable Copy. Ground signs may have up to thirty percent (30%) of the sign area set forth in Table 1207.17(d)(4) devoted to changeable copy.
1. The changeable copy shall not be changed more than once per day.
 2. Changeable copy may be either computer driven or manually changed.
 3. All changeable copy shall comply with the lettering style, lettering color, background color and all other elements approved by the AHBR. No alphabetic letter or number shall be used as a substitute for a different alphabetic letter or number or a different color of letter.
- (H) Multi-Occupant Facilities. When a ground sign is permitted on a site that has more than one (1) occupant, it is the property owner's responsibility to determine if the sign area shall be devoted to identification of the building(s), the anchor occupant, all occupants, or some combination thereof.
- (I) Illumination. Ground signs shall be illuminated only in compliance with subsection (g).
- (5) Instructional Signs. Instructional signs that are clearly intended for instructional purposes shall be permitted as needed provided such signs comply with the following:
- (A) The signs are not larger than necessary to serve the intended instructional purpose;
 - (B) The number of instructional signs located on the site are the minimum needed to serve the intended instructional purpose;
 - (C) Lettering on the sign does not exceed two (2) inches in height; and
 - (D) The signs are not in a location and do not possess design characteristics that constitute or serve to attract attention beyond the perimeter of the site.
- (6) Temporary Signs in Nonresidential Districts. The following regulations for temporary signs in nonresidential districts are in addition to the maximum sign area set forth in Tables 1207.17(d)(1) and 1207.17(d)(4).
- (A) Temporary signs may be ground signs, window signs or banner signs.
 - (B) The total area of temporary window signs, together with permanent window signs, shall not exceed ~~twenty-five thirty-three~~ percent (~~25% 33%~~) of the total transparent glass area of the window in which the sign is placed.

- (C) The total maximum number and area permitted for temporary ground signs and temporary banner signs shall be regulated based on the district in which the lot is located. Note: Pursuant to subsection (c)(1)(D)(1), only one (1) side of a two-sided temporary sign is considered in calculating the maximum area of a two-sided sign.
1. In District 5 a maximum of two (2) signs per parcel shall be permitted provided the total area of all temporary ground signs and temporary banner signs shall not exceed ten (10) square feet per parcel.
 2. In Districts 7, 9 and 10, a maximum of two (2) signs per parcel shall be permitted provided the total area of all temporary ground signs and temporary banner signs shall not exceed twenty (20) square feet per parcel.
 3. In Districts 6 and 8, a maximum of four (4) signs per parcel shall be permitted provided the total area of all temporary ground signs and temporary banner signs shall not exceed thirty-two (32) square feet per parcel.
- (D) Temporary ground signs shall have a maximum height of eight (8) feet and shall be located a minimum distance from the public right-of-way that is equal to the height of the sign.
- (E) One (1) temporary ground sign permitted in subsection (d)(6)(C) may be erected for an unspecified time. All other temporary ground signs and temporary banner signs shall be permitted for a maximum of fifteen (15) consecutive days, and not more than a total of seventy-five (75) days per calendar year.
- (F) Temporary signs that are erected in order to announce or advertise a specific event shall be removed within seven (7) days after the close of such event.
- (e) Signs for Residential Uses and in Residential Districts. Signs for all residential uses and for nonresidential uses in residential districts shall comply with the regulations set forth in this subsection.
- (1) Sign Standards. Signs for all residential uses and for nonresidential uses in residential districts shall be limited in number, area, height and setback based on the type of use, as set forth in Table 1207.17(e)(1).

Table 1207.17(e)(1)					
Signs in Residential Districts					
Type	Maximum Number Permitted	Maximum Total Sign Area per Type	Maximum Area Per Sign	Regulations for Ground signs	
				Maximum Height	Min. Setback from ROW
(A) Signs for Single-Family Dwellings, Duplexes and Townhomes:					
1. Permanent Signs					
a. Signplate or window sign	per DU ^(a)	2 sq. ft.	2 sq. ft.	—	—

b. Ground Sign	1/building	2 sq. ft.	2 sq. ft.	5 ft.	0 ^(b)
2. Ground Sign for Residential Subdivision	2/subdivision entrance	(c)	15 sq. ft.	8 ft.	—
3. Temporary window or ground sign ^(d)	per building ^(a)	20 sq. ft.	10 sq. ft.	5 ft.	0 ^(b)
(B) Multi-Family Buildings:					
1. Permanent Signs					
a. Signplate or window sign	per DU ^(a)	2 sq. ft.	2 sq. ft.	—	—
	1/public entrance to building	2 sq. ft.	2 sq. ft.	—	—
b. Ground Sign	1/development entrance	15 sq. ft.	15 sq. ft.	8 ft.	equal to height of sign
2. Temporary sign ^(d)					
a. Window Sign	per DU ^(a)	2 sq. ft.	2 sq. ft.	—	—
b. Ground Sign	per building ^(a)	20 sq. ft.	10 sq. ft.	5 ft.	0 ^(b)
(C) Nonresidential Uses:					
1. Permanent Signs					
a. Signplate	1/address	2 sq. ft.	2 sq. ft.	—	—
b. Primary Wall Sign	1/building	40 sq. ft.	40 sq. ft.	—	—

c. Primary Ground Sign	1/500 feet of parcel frontage ^(e)	15 sq. ft. plus 5 sq. ft. for every 50 ft of frontage > 100 ft.	40 sq. ft.	8 ft.	15 ft.
2. Temporary ground sign or banner sign ^(d)	per parcel ^(a)	10 sq. ft./200 feet of parcel frontage ^(e)	20 sq. ft.	8 ft.	equal to height of sign
(D) Instructional Sign:	See Section 1207.17(e)(5).				

^(a) No limit on the number provided the total area of this type of sign does not exceed the maximum area permitted.

^(b) But no closer than 10 feet from the pavement of the travel lane of the public or private street.

^(c) See also subsection 1207.17(e)(2)(D).

^(d) See also subsection 1207.17(e)(3).

^(e) 10 square feet per side of sign pursuant to Section 1207.17(c)(1)(D)(1).

^(f) Or fraction thereof, except as otherwise permitted in Section 1207.17(e)(2)(E) for lots that exceed 500 feet in street frontage.

DU = Dwelling Unit

(2) Supplemental Regulations for All Ground Signs.

- (A) Ground signs that exceed two (2) square feet in area shall be erected with a minimum of two (2) supporting posts or on a solid base.
- (B) Ground signs shall be erected in a landscaped setting and not on sidewalks, drives or in parking lots.
- (C) No part of a ground sign, the wall or entry feature on which a sign is mounted, or the landscaping shall obstruct the view of vehicles entering or exiting the property.
- (D) For residential subdivisions, the ground sign shall have a maximum of two (2) sign faces per entrance and be either a double-faced ground sign or two (2) single-sided sign faces attached to walls or entry features located one (1) on each side of the street entrance.
- (E) For nonresidential uses, one (1) additional primary ground sign shall be permitted for ~~every five hundred (500) properties exceeding three hundred (300)~~ feet of street frontage or fraction thereof ~~per lot greater than five hundred (500) feet~~. For corner lots, each street frontage shall be calculated separately. Ground signs on the same lot shall be separated by a minimum of ~~two hundred (200) one hundred fifty (150)~~ feet, as measured along the street right-of-way line. For corner lots, both sides of the intersection shall be used in measuring spacing.
- (F) For nonresidential uses, a maximum of thirty percent (30%) of the permitted ground sign area may be devoted to changeable copy.
 - 1. The changeable copy shall not be changed more than once per day.

2. Changeable copy may be either computer driven or manually changed.
 3. All changeable copy shall comply with the lettering style, lettering color, background color and all other elements approved by the AHBR. No alphabetic letter or number shall be used as a substitute for a different alphabetic letter or number.
- (3) Supplemental Regulations for Temporary Signs:
- (A) Temporary signs for residential uses and temporary window signs for nonresidential uses permitted in Table 1207.17(e)(1) may be erected for an unspecified time.
 - (B) For nonresidential uses, one (1) temporary ground sign that does not exceed ten (10) square feet per sign side may be erected for an unspecified time. All other temporary ground signs and temporary banner signs shall be permitted for a maximum of fifteen (15) consecutive days, not more than seventy-five (75) days per calendar year.
 - (C) Notwithstanding subsections (A) and (B) above, vacant parcels in residential districts shall be permitted one (1) temporary sign that may be erected for an unspecified time. The permitted sign area shall be ten (10) square feet for every two hundred (200) feet of lot frontage or fraction thereof, provided the sign shall not exceed thirty-two (32) square feet.
 - (D) Temporary signs that are erected in order to announce or advertise a specific event shall be removed within seven (7) days after the close of such event.
- (4) Illuminated Signs in Residential Districts. Permanent signs shall be permitted to be illuminated, provided such illumination complies with subsection (g).
- (5) Instructional Signs. Instructional signs that are clearly intended for instructional purposes shall be permitted as needed on a lot in a residential district when the lot is devoted to a multi-family or nonresidential use provided such signs comply with the following:
- (A) The signs are not larger than necessary to serve the intended instructional purpose;
 - (B) The number of instructional signs located on the site are the minimum needed to serve the intended instructional purpose;
 - (C) Lettering on the sign does not exceed two (2) inches in height; and
 - (D) The signs are not in a location and do not possess design characteristics that constitute or serve to attract attention beyond the perimeter of the site.
- (f) Prohibited Signs. All signs not expressly permitted in this section shall be prohibited in the City. Such signs include but are not limited to the following:
- (1) Roof Signs;
 - (2) Billboards;
 - (3) Flags intended for advertising or commercial purposes;
 - (4) Marquee signs;
 - (5) Electronic reader boards;
 - (6) Kiosk signs;
 - (7) No mobile signs shall be erected, constructed, displayed or maintained except those on licensed commercial delivery and service vehicles. Such vehicles shall not be parked in any district closer to the street than the front line of the principal building, unless the principal building has a rear parking area; in which case, all such vehicles shall not be parked closer to the street than the rear line of said building.
 - (8) Temporary directional signs, other than Municipal or emergency signs or those temporary signs as may be approved by City Council.

- (9) Flashing, moving, inflatable, blinker, racer type, intermittent, rotating, moving or revolving signs, whirlingig devices, tethered inflatable signs, pennants, feather banners, ribbons, streamers, spinners, exposed light bulbs, and strings of lights not permanently mounted to a rigid background, and other similar types of attention-getting devices.
 - (10) The interior illumination of signs, except as expressly permitted in subsection (g)(1)(B) and signs with characters, letters, figures, designs or outlines by electric lights or luminous tubes as part of the sign.
 - (11) Merchandise, equipment, products, vehicles or other items not themselves for sale and placed for attention getting, identification or advertising purposes.
 - (12) Permanent signs erected or attached to accessory structures.
- (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 subsections (d) and (e) above shall be externally illuminated, except as otherwise permitted in subsection (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 subsection (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 (2) 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.
 - (i) All existing internally illuminated ground signs described in subsection (B)1. above shall be removed or comply with subsection (g)(1)(A) when five years have elapsed from the effective date of this provision as set forth in subsection (g)(1)(B)1.
 - (ii) 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 subsection (B)1. above, when the individual sign panel is consistent in design with the existing type of sign(s). This subsection (ii) is, however, subject to the provisions of Subsection (h) "Regulations for Nonconforming Signs" below.
 2. Internal illumination of signs shall be permitted for wall signs in Districts 6 and 8 on buildings larger than one hundred thousand (100,000) square feet of gross floor area where the sign and the building wall it is attached to are set back more distant than five hundred (500) feet from the nearest edge of the public street or highway right-of-way to which the sign is oriented. Generally, that orientation is the street or highway frontage that is parallel to the wall with the sign. Where internal illumination is permitted under this subpart 2, the illumination shall be contained within individual letters, numbers and figures and a box type of illumination is not permitted.
 - (C) Signs shall not include animated, flashing, moving or intermittent illumination in which any part of the message changes at a rate of more than once per day.
 - (D) Light shall not be from a colored light source.

- (E) All illumination shall be extinguished by 10:00 p.m. or at close of business, whichever is later.
 - (F) No temporary sign shall be illuminated or have the potential to be illuminated.
 - (G) See also Section 1207.14, Exterior Lighting, for additional requirements as described in Items (c) "Lighting Levels" and (d) "Design Standards".
- (2) Construction Standards.
- (A) The construction, erection, safety and maintenance of signs shall comply with the Ohio Building Code.
 - (B) Signs shall be structurally sound and located so as to pose no threat to pedestrian or vehicular traffic.
 - (C) Permanent signs shall be constructed and erected to withstand wind pressures of at least thirty (30) pounds per square foot of surface, and shall be fastened, suspended or supported so that they will not be a menace to persons or property.
 - (D) Permanent signs shall be fabricated on and of materials that are of good quality and good durability.
 - (E) No sign shall be erected so as to project over and obstruct any window, door, fire escape, balcony, platform, stairway, ladder, vent or other means of ingress of any building.
 - (F) No sign shall be attached to a utility pole, tree, trash receptacle, bench or other structure not intended or approved as a sign support.
 - (G) Temporary signs shall be durable and weather-resistant and fastened or anchored sufficiently, whether attached to the building or positioned in the ground.
 - (H) No sign regulated by any of the provisions of this section shall be erected in the right-of-way, in proximity to railroad crossings, or at the intersection of any streets in such a manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape, or color, it may interfere with, obstruct the view of, or be confused with, any authorized traffic sign signal or device as defined in the Manual of Uniform Traffic Control Devices; or which makes use of the words "STOP," "LOOK," "DANGER", or any other word, phrase, symbol or character in such a manner as to interfere with, mislead, or confuse traffic.
 - (I) No temporary sign shall have moveable lettering or lettering capable of being moved or replaced.
- (3) Maintenance. All signs shall be maintained in accordance with the following:
- (A) The property owner, occupant, or other person responsible for the sign shall maintain the sign in a condition fit for the intended use and he or she shall have a continuing obligation to comply with all building code requirements.
 - (B) If the City Manager finds that any sign is unsafe, insecure, a menace to the public; or constructed, erected, or maintained in violation of the provisions of this Code, notice shall be given in writing by the City Manager to the owner. The owner of the business shall, within forty-eight (48) hours of such notification, correct such unsafe condition or remove the sign. If the correction has not been made within the forty-eight (48) hours, the sign may be removed or altered by the City to comply with these regulations at the expense of the owner or occupant of the property upon which the sign is located. The City Manager may cause any sign, which, in the City's opinion, creates a danger to persons or property to be removed immediately and without notice.
 - (C) Whenever any sign, either conforming or nonconforming to these regulations, is required to be removed for the purpose of repair, refurbishing, or repainting, the same may be done without a permit or any payment of fees provided that all of the following conditions are met:

1. There shall be no alteration or remodeling to the sign face, lettering (except as otherwise permitted for changeable copy), sign base, sign support(s) or the mounting of the sign itself.
 2. There shall be no enlargement or increase in any of the dimensions of the sign or its structure.
 3. The sign shall be accessory to a legally permitted, conditional or nonconforming use.
- (D) The City Manager may order any sign to be painted or refurbished whenever needed to keep the sign in a neat and safe condition. All supports, guys, braces and anchors for such signs shall be maintained in a safe condition, and it shall be unlawful for the owners or person having charge of such sign not to remove the same after receiving notice from the City Manager.
- (E) Any permanent sign which advertises a business no longer conducted on the premises or fails to serve the purposes for which it was intended, or evidences a lack of maintenance, shall be removed by the owner, agent, or person having the beneficial use of the building, structure or land upon which such sign is located, within ten (10) days after written notice by the City Manager. Upon failure to comply with such notice within the time specified in such order, the City Manager is hereby authorized to cause removal of such sign, and any expense incident thereto shall be paid by the owner of the property on which such sign is located. Any temporary sign, found in violation of any part of this Section 1207.17 shall be removed immediately by the City Manager.
- (h) Regulations for Nonconforming Signs.
- (1) Maintenance of Nonconforming Signs. Nonconforming signs shall be maintained in good condition pursuant to Section 1207.17 and may continue until such sign is required to be removed as set forth in this section.
 - (2) Alteration, Relocation or Replacement of Nonconforming Signs. A nonconforming sign shall not be structurally altered, relocated or replaced unless it is brought into compliance with the provisions of this section, except as otherwise permitted in this section.
 - (3) Reconstruction of Damaged Sign. If a sign face and/or its support is damaged to the extent where the repair cost exceeds fifty percent (50%) of the replacement cost of the sign, the sign shall be removed or brought into compliance with this section. If the repair costs do not exceed fifty percent (50%) of the replacement cost of the sign, the sign may be repaired, subject to approval of consistency in design by the AHBR and provided all repair work is completed within sixty (60) days of the date the damage was incurred.
 - (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 subsection (g)(1)(B)) or sign structure is altered; or
 - (C) In addition to (A) and (B) above, all nonconforming internally illuminated wall signs shall be removed and redesigned to comply with subsection (g)(1)(A) whenever one (1) or more of the following occur:
 1. The building is renovated or remodeled to the extent that more than fifty percent (50%) 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 (50%) greater than the existing sign area; or
 3. There is a change in occupancy.

- (D) In addition to (A) and (B) above, all internally illuminated ground signs shall be removed when five (5) years have elapsed from the effective date of this provision, which effective date is September 4, 2002.
- (5) Historic Signs. The AHBR may grant exceptions to these standards whenever a sign has been designated as a historic landmark pursuant to this Code.
- (i) Administrative Provisions.
 - (1) Compliance with this Section. No person shall erect, locate, move, alter, or replace any sign or cause a sign to be located or maintained, unless all provisions of this section have been met.
 - (2) Signs Requiring a Zoning Certificate. To ensure compliance with these regulations, a zoning certificate shall be obtained for all signs, unless specifically exempted below.
 - (3) Signs Requiring Registration but not a Zoning Certificate. All temporary ground signs, A-Frame signs, and banner signs in non-residential districts shall be registered with the Department of Community Development, but need not receive a zoning certificate.
 - (4) Signs That do not Require a Zoning Certificate or Registration. The erection of the following signs shall not require a zoning certificate or registration provided that all applicable regulations of Section 1207.17 are complied with:
 - (A) Signplates for residential uses;
 - (B) Temporary signs for dwelling units;
 - (C) Temporary and permanent window signs;
 - (D) Maintenance of existing signs in compliance with subsection 1207.17(g)(3)(C);
 - (E) Temporary ground and banner signs in residential districts;
 - (3) Application Requirements. An application for a zoning certificate shall be made to the City Manager on the form provided and in the manner required.
 - (4) When any person other than the owner of the property submits an application, the owner of the property or a designated agent for the owner shall also sign such application.
 - (5) Sign Review.
 - (A) The AHBR shall review and act on applications for permanent signs that exceed two (2) square feet, according to the standards set forth in this section and the review procedures for development plan review set forth in Chapter 1203.
 - (B) The City Manager shall review all temporary signs, except as otherwise specifically exempted in this section.
- (6) Referral of Applications to the AHBR. The City Manager, upon receiving an application, shall examine such plans, specifications and other data and the premises upon which it is proposed to erect the sign or other advertising structure.
 - (A) If it appears that the proposed sign is in compliance with this section and all other ordinances of the Municipality, the application shall be referred to the AHBR, when its approval must be obtained before the zoning certificate is issued.
 - 1. The AHBR has the discretion to waive the submission of any items as deemed appropriate.
 - 2. When approved by the AHBR, the application shall be returned to the City Manager, who shall issue the zoning certificate.

3. If the work authorized under a zoning certificate has not been completed within six (6) months after the date of issuance, the permit shall City Manager shall not issue a zoning certificate in connection with any application referred to the AHBR for review unless the Board approves the same. The Board shall conduct such review as a matter over which it has original jurisdiction.
- (7) Sign Variances. In addition to the standards outlined in Section 1204.03, the following factors are applicable to sign variances and shall be weighted by the Board of Zoning and Building Appeals to determine whether a practical difficulty exists, and therefore, a sign variance should be granted:
- (1) Construction of a conforming sign would obstruct the vision of motorists or otherwise endanger public health or safety;
 - (2) A conforming sign would be blocked from the sight of passing motorists due to existing buildings, trees, or other obstructions;
 - (3) Construction of a conforming sign would require removal or severe alteration to significant features on the site, such as removal of trees, alteration of the natural topography, obstruction of a natural drainage course, or alteration or demolition of significant historical features or site amenities;
 - (4) A sign that exceeds the allowable height or area standards of this Code would be more appropriate in scale because of the large size and/or frontage of the premises and/or building;
 - (5) The variance shall not adversely impact the character or appearance of the building and/or lot and/or the neighborhood;
 - (6) The variance sought is the minimum necessary to allow reasonable use, visibility, and/or readability of the sign; and/or
 - (7) The variance will be consistent with the general spirit and intent of this Code.
- (8) A-Frame Signs. A-Frame signs are permitted in non-residential district (Districts 5,6,7,8, and 9) in accordance with the following requirements:
- (a) A-Frame signs shall have a maximum area of six (6) square feet and a maximum height of four (4) feet.
 - (b) One (1) A-Frame sign is permitted per ground floor occupant frontage.
 - (c) A-Frame signs may only be displayed during the hours in which the business is open to the public and must be brought in at the close of business or in the event of high wind conditions.
 - (d) A-Frame signs shall be located directly adjacent to the building wall of the displaying establishment. For purposes of this section (d), directly adjacent shall mean the nearest part of the sign structure shall not be separated by more than two (2) feet from the wall of the building.
 - (e) A-Frame signs may be permitted in the public right-of-way, provided that the property owner also secures a license agreement from the City of Hudson permitting the

placement of the sign in the public right-of-way. A minimum of five (5) feet shall be maintained on the sidewalk between the street and the sign, free from obstruction, so as not to interfere with pedestrian or vehicle circulation.

- (f) A-Frame signs shall be professionally fabricated of durable weather resistant materials.
 - (g) Any person or property owner who erects an A-Frame sign within the public right-of-way shall indemnify and hold harmless the City of Hudson and its officers, agents, and employees from any claim or liability arising out of the presence of the sign on either City of Hudson property or the right-of-way.
- (8) Substitution Clause. A non-commercial message may be substituted for any commercial message displayed on a sign, or the content of any non-commercial message displayed on a sign may be changed to a different non-commercial message, without the need for any approval, provided the size and location of the sign is not altered.
- (9) Severability Clause. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word in this Sign Code is declared invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of the Code.

Chapter 1213. – Definitions

(275) “Sign, A-Frame” shall mean a temporary, pedestrian oriented, portable sign sometimes referred to as a Sandwich Board Sign that is comprised of two separate panels or faces typically joined together at the top of the panels or faces with a hinge and widened at the bottom of the sign to form a shape similar to that of the letter “A”.

Appendix D. Architectural Design Standards

Section V-3. Specific Standards for Window Signs, Projecting Signs, and Ground Signs

~~Window Signs. Permanent window signs should be comprised of individual letters, logos, or design elements that are not encompassed by a solid opaque background so as not to obscure the view through the window.~~

- a. Projecting Signs. The size of the lettering and graphics on a projecting sign should be appropriate for viewing by pedestrians.
- b. Ground Signs. The design and placement of ground signs and associated light fixtures should complement the overall visual appearance of the site.