

CITY OF FOSTORIA, OHIO

Ordinance No.: 2019 - _____

Introduced by: _____

Requested by: SSD

AN ORDINANCE

Amending section 1133.07 of Chapter 1133 of the Codified Ordinances of the City of Fostoria, Ohio.

WHEREAS, the Director of Public Service and Safety has determined that it is necessary for the City of Fostoria to regulate digital signage.

WHEREAS, section 1133.07 must be amended to include regulation of digital signage.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Fostoria, Seneca, Hancock, and Wood Counties, Ohio:

SECTION 1: The Codified Ordinances of the City of Fostoria, Ohio be, and the same hereby is, amended by adding language to section 1133.07, of Chapter 1133, "Standards for Specific Sign Types", which shall read as follows:

1133.07 STANDARDS FOR SPECIFIC SIGN TYPES

(a) Awning and Canopy Signs. Awning and canopy signs may be permitted only as an integral part of the awning or canopy to which they are attached or applied and shall meet the following conditions:

(1) Location. Signs may be placed only on awnings that are located on first- and second-story building frontages, including those fronting a parking lot or pedestrian way.

(2) Extension. Such signs shall not extend more than three (3) feet from the face of the building to which they are attached.

(3) Minimum clearance. A minimum clearance of ten (10) feet shall be maintained above sidewalks.

(4) Setbacks. The awning shall comply with the same setbacks established for the building.

A. Exception: In B-3 District-It may overhang the street right of way line not exceeding 75% of the distance between the street right-of-way line and the street curb line. The minimum vertical height of nine (9) feet above finished grade.

(5) Copy. The copy on an awning sign shall not exceed fifty (50) percent of the sign's total area.

(6) Illumination. Internal illumination is prohibited.

(b) Blade Signs.

(1) Location. Blade signs shall be placed only on a ground floor facade, except for businesses located above the ground level with direct exterior pedestrian access.

(2) Height above finished grade. The lowest point of a blade signs shall be at least eight (8) feet but no more than fifteen (15) feet above finished grade. Blade signs shall not extend beyond the roof line.

(3) Sign structure. Sign supports and brackets shall be compatible with the design and scale of the sign. Brackets and/or hardware for the sign may not extend more than four inches from the outside face of the sign.

(4) Square footage. A maximum of six (6) square feet will be allowed.

(5) Illumination. Internal illumination is prohibited.

(c) Banner Signs. Banner signs are temporary signs and subject to the following conditions:

(1) Number. No more than one (1) banner may be displayed on the property at any one time.

(2) Maximum area and height. The maximum area and height of the banner sign shall not exceed that allowed for a permanent wall sign.

(3)Permits per year. No site will be issued more than two (2) temporary banner Sign Permits per year.

(4)The banner sign shall not be displayed above the roof line of any structure.

(5)The banner sign shall be safely secured to a building, structure, or stake. If a stake or structure is used, the stake or structure must be removed at the time the banner is removed.

(6)The banner sign shall have ventilated faces to reduce wind load if the banner is more than five (5) feet in length.

(d)Freestanding Signs.

(1)Posts. Pylon signs shall not have posts with a diameter greater than twelve (12) inches. Posts may not be higher than two (2) feet above finished grade and no more than two (2) posts may be used. The height of the posts will be included in the maximum height permitted for the sign.

(2)Base material of monument signs. The base of monument signs shall be brick, stone, or stucco. The exposed base of a monument sign may not exceed two (2) feet in height. The height of the base will be included when calculating the height of the sign.

(3)Cantilever signs. The post used to anchor cantilever signs shall be wood or another natural material such as brick or stone.

(4)Landscaping. Landscaping shall be provided at the base of the supporting structure equal to twice the area of one face of the sign. Landscaping is not required on temporary, freestanding signs.

(5)Location. The sign must be located along frontage adjoining a public street.

(6)Setbacks. The front setback for freestanding signs shall be at least one-half of the depth of the required front yard from the public right-of-way line unless otherwise stated. The sign must also meet the side yard setback for the applicable zoning district unless otherwise stated.

(e)Joint Identification Signs.

(1)Type. Primary and secondary freestanding joint identification signs must be monument signs.

(2)Setbacks. The front setback for freestanding joint identification signs shall least one-half of the depth of the required front yard from the public right-of-way. The sign must also meet the side yard setback for the applicable zoning district unless otherwise stated.

(f)Portable Signs.

(1)Zoning districts where permitted. Portable signs are only permitted in General Business (B-2), Central Business District (B-3), Restricted Industrial (M-1), and General Industrial (M-2).

(2)Maximum area and height. Such signs shall be not more than four (4) feet high and three (3) feet in width. There shall be no more than two (2) sides to such sign.

(3)Illumination. Portable signs shall not be illuminated.

(4)Use during operating hours. The sign shall be taken inside the establishment when the business closes each night and shall not be placed outside again until the business opens each morning. Three (3) or more violations of this provision during any sixty day (60) period shall be grounds for the City to suspend or revoke the right of the violator to have a portable sign.

(5)Placement. The sign shall be located directly in front of the business establishment and within ten (10) feet of the principal public entrance to the establishment.

(6)Permit requirements. A permit is not required.

(g)Wall Signs.

(1)Location. All wall signs shall be mounted on the building which houses the establishment advertised by such signs, except as otherwise specifically authorized by this Zoning Code. Such signs shall be located on or along a wall of such a building which faces a street, parking lot, or service drive, and shall not project above the roof line or the cap of parapets of such building, whichever is higher.

(2)Projection from wall. All wall signs shall be parallel to the wall on which they are installed. The sign shall not project above the edge of the roof of the structure and from the surface upon

which it is attached more than twelve (12) inches in a non-residential district. In a residential district, a wall sign shall not project more than three (3) inches.

(h) Window Signs. Window signs are permitted in any zoning district and do not require a Sign Permit. However, all window signs shall meet the following conditions:

(1) Number. No more than one (1) permanent or temporary window sign is permitted per window.

(2) Surface coverage. Window signs may not be larger than twenty-five percent (25%) of the aggregate window area.

(3) Illumination. Window signs shall not be illuminated.

(i) Permanent Electronic Message Boards/Digital Signs. Electronic Message Boards/Digital Signs are allowed in B-1, B-2, B-3, M-1, M-2, S-1, RMH, and Corridor Business Overlay District. Electronic Message Boards/Digital Signs are prohibited in R-1, R-2 and R-3 districts. The Compliance/Project Manager may grant a permit for an Electronic Message Board/Digital Sign if the following conditions are met:

(1) Has a luminance of no more than 3,000 nits during daylight sunrise to sunset and no more than 150 nits at night from sunset to sunrise;

(2) Signage must automatically dim to these levels at sunset or if dimming is not available, signage must be turned off at sunset.

(3) Electronic Message Board/Digital Sign Display Regulations:

A. One image, animation, or video must remain visible for an interval of at least six (6) seconds;

B. Display must go dark if there is a malfunction

C. Electronic Message Board/Digital Sign must be in good working order at all times

(4) An Electronic Message Board/Digital Sign will be in violation of the terms of its permit if the Compliance/Project Manager finds one or more of the following:

A. Animation and motion of images and messages is too fast and distracting using dwell time calculation and, as such compromises public safety. An example of Dwell Time Calculation: An electronic sign is proposed. Determine the greatest distance the sign becomes visible: 500 feet. The posted speed limit of the adjacent roadway is 35 MPH. The sign becomes visible for drivers on the adjacent roadway at a distance of 500 feet from the sign. Multiply the road's speed limit by 5280 and then divide by 3600 (to calculate feet per second): $35 \times 5280 / 3600 = 51.33$ feet/sec. Divide the visibility distance by the speed limit (in feet per second). $500 \text{ ft} / 51.33 \text{ fps} = 9.7$ seconds. Add 10% of the value: $9.7 \text{ seconds} + 10\% = 10.6$ seconds. The minimum dwell time for this sign is 10.6 seconds.

B. An Electronic Message Board/Digital Sign is defunct in operation, bulbs are missing, structure is falling and in disrepair

SECTION 2: 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 actions were in meetings open to the public, and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3: That in order to preserve the public peace, health, safety and welfare of the City of Fostoria and its inhabitants, this measure shall take effect at the earliest time allowed by law after its passage for the reason that this ordinance is necessary for the inhabitants of the City of Fostoria.

THEREFORE, upon the affirmative vote of two-thirds (2/3) of all members elected to Council, and signature by the Mayor, this ordinance shall go into immediate force and effect.
Passed this _____ day of _____, 2019.

Steve Kauffman, Council President

ATTEST:

Tamara L. Drake, Clerk of Council

Filed with me and approved by me this _____ day of _____, 2019.

Eric J. Keckler, Mayor