

## **Bethel Township Zoning Resolution Article 36 – Sign Regulations – September 2018**

### **Section 36.01 Purpose & Objectives**

#### **Section 36.01 Intent**

It is the intent of this article to establish reasonable regulations governing the size, character, and location of signs within Bethel Township in the interest of the public health, safety and morals of its citizens, business concerns, and other affected sections of the Township. Within this framework, these regulations are adopted to achieve the following objectives:

- A. To minimize the possibility that sign size, location, or character will create hazards adversely affecting the public safety.
- B. To establish sign limitations which allow a reasonable capability for advertisement, but which prevents the escalation of sign competition to levels, which are non-productive and create unnecessarily high entrepreneurial costs.
- C. To provide sign regulations, which are directly related to land, use and, therefore, to the functional and economic need for signs of varying sizes, types, and locations.
- D. To create a more aesthetically pleasing environment without unreasonably limiting the right of individuals to employ signs in the legitimate use of their property.
- E. All types of signs are permitted unless specifically prohibited in other sections of this code. All signs must comply with all other provisions of this code.
- F. Electronic signs shall not flash and messages shall change no less than eight seconds.

### **Section 36.02 Scope of Regulations**

The regulations herein set forth shall apply to and govern signs in all districts:

- A. All signs shall be erected or maintained in compliance with the regulations governing size and height for the district in which it is located, unless such sign is otherwise specifically regulated by a temporary permit, or variance granted by the Board of Zoning Appeals.
- B. All signs shall be erected in conformity with the respective zoning district yard requirements unless otherwise specified. No sign shall be erected so as to prevent free ingress to or egress from any door, window on any other exit way required by the State of Ohio or Miami County Building Code, and amendments thereto, or by other adopted codes or regulations.
- C. Signs which become obsolete due to cessation of the business, activity, product, or service advertised thereon for any other reason shall be completely removed from the premises within sixty (60) days after such obsolescence is established by the Zoning Administrator, unless said sign is converted to another lawful and contemporary use within that sixty (60) day period. The supporting structure for obsolete signs must be completely removed with a sixty (60) day period after obsolescence is established unless a new and lawful sign is established thereon.
- D. Where illumination of signs is permitted, such illumination shall be

neither flashing nor intermittent and shall be designed and constructed so as to concentrate the illumination upon the area of the sign and prevent glare upon the street or adjacent property. Such illumination shall be turned off no later than 11:00 p.m. or at the end of the business day, whichever is later.

E. No sign shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision, at any location where, by reasons 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, or which makes use of the words "stop", "look", "drive-in", "danger", or any other words, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse traffic.

F. It shall be unlawful for any person to display upon any sign or other advertising structure any obscene, indecent, or immoral matter.

G. Any sign is limited in subject matter to the name, design, picture, or trademark of the owner, operator, builder, sales agent, managing agent, lessor, or lessee of the premises or of the activities (including merchandise handles or services rendered) on the premises on which such sign is located and does not include any general commercial advertising unrelated to or extending in substantial degree beyond the enumerated permitted subjects.

H. Signs either free standing or wall shall be designed as to be similar in character with regard to materials, color, and size to conforming signs designed or located on the same lot and on adjoining lots in order to equalize the attention they are meant to attract and to produce an overall unified effect, all in accordance with the other requirements of this Article.

I. All signs must be maintained in good repair and appearance by the owner at all times.

### **Section 36.03 Measurement Standards**

The following standards shall be used to determine the area and height measurements for all signs in the Township:

A. The area of a sign shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the exterior display limits of a sign, but not including any supporting frame or bracing.

B. The sign 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.

C. In the case of irregularly shaped three-dimensional signs the area of the display surface shall be measured on the plane of the largest vertical cross Section.

D. The height of a sign shall be determined by measuring the vertical distance between the top part of the sign to the elevation of the ground beneath the sign prior to construction, excluding additional elevation added by creation of berming or mounding. If the grade prior to construction cannot be determined, the elevation of the base of the sign shall be computed using the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the

principal structure on the premises, whichever is lower.

### **Section 36.04 Prohibited Signs**

The following types of signs are prohibited in Bethel Township:

- A. All blinding, flashing, or intermittent lighting is prohibited unless by approval of a Conditional Use Permit by the Board of Zoning Appeals.
- B. Pennants, banners, streamers, searchlights, spinning and similar type devices are prohibited except when allowed as a temporary sign.
- C. Any signs, which rotate, revolve or have any visible moving parts are prohibited. Prohibition of moving signs and signs of intermittent lighting shall not apply to any sign performing a public service function indicating time, temperature, stock market quotations, or similar devices.
- D. No sign shall be placed in the public right-of-way.
- E. No signs shall be located along any public thoroughfare right-of-way within one hundred (100) feet of any other public thoroughfare intersection, unless otherwise exempted.
- F. No beam, beacon, or flashing light of a red, blue or amber color.
- G. No bare bulb illumination.
- H. No flame as a source of light.
- I. No roof signs.
- J. No wall signs, any part of which extends above the lowest point of the roofline.
- K. No signs shall be attached to a utility pole, fence post, fence, tree, or accessory building nor shall any sign be erected so as to impair access to a roof.
- L. No portable street signs except when permitted as a temporary sign.
- M. No signs shall be painted on a building or accessory building with the exception of a building used for agricultural purposes unless an application has been filed and approval granted by the Board of Zoning Appeals.
- N. Signs which contain or depict obscenity, as defined by the Ohio Revised Code Section 2907.01(F), are prohibited.
- O. Signs which contain or depict lewdness are prohibited.
- P. Signs containing or depicting specified sexual activities are prohibited.
- Q. Signs containing or depicting specified anatomical areas are prohibited.

### **Section 36.05 Exemptions**

Signs that are exempt from the provision of these regulations shall be permitted, but shall not be illuminated nor animated unless as specifically provided and shall not extend nor be placed in a required right of way.

- A. Real estate signs not exceeding six (6) square feet in area in any Residential district (24 square feet in any other district) which advertise the sale, rental or lease of the premises on which said signs are located and limited to not more than one such sign per use per each street front of the lot on which the sign is located. Open House signs may be permitted, but shall be erected no more than 5 days prior to and removed the day of the open house.
- B. Professional or occupational name plates not exceeding one (1) square

foot in area and limited to not more than one such sign per use per each street front of the lot on which the sign is located.

C. Occupational signs not exceeding two (2) square feet in area denoting only the name and profession of an occupant in a commercial building, public institutional building, or multiple dwelling and limited to not more than one such sign per use per each street front of the lot on which the sign is located.

D. Temporary signs not exceeding six (6) square feet in area denoting the architect, engineer, or contractor when placed upon work under construction, to be removed within 30 days upon completion of the building and to be limited to not more than one such sign per use per each street front of the lot on which the sign is located.

E. Memorial signs or tablets, names or buildings, and date of erection when cut in to any masonry surface or when constructed of bronze or other noncombustible materials and limited to not more than one such sign per use per each street front of the lot on which the sign is located.

F. Traffic signs, legal notices, railroad crossing signs, and temporary emergency signs. Non-advertising signs may be authorized by the Board of Zoning Appeals.

G. The flag, pennant, or insignia of any nation, state, city, township or other political unit or any political educational, charitable, philanthropic, civic, professional, religious or like campaign, drive, movement, or event.

H. "No trespassing" signs or other such signs regulating the use of a property such as "no hunting", "no fishing", etc. of not more than two (2) square feet in area and located no closer than one hundred (100) feet from another such sign.

I. Changing of the advertising copy or message of an approved painted or printed sign.

J. No more than two (2) menu boards in conjunction with a restaurant drive thru service window. Such boards may be illuminated internally or by reflected light provided the source of light is not directly visible.

K. Poster signs when exhibited from inside a window.

L. Temporary political signs may be erected upon private property under the following conditions:

1. The person or organization for the erection or distribution of such sign or the owner, or his agent, of the property upon which such signs may be located shall cause the removal thereof within fifteen (15) days after the primary or special election to which they are appurtenant unless such signs shall continue to be appurtenant to a general election to be held within thirty (30) days. The person or organization responsible for the erection or distribution of any such signs or the owner, or his agent, of the property on which such signs may be located shall cause the removal thereof within fifteen (15) days after the general election to which they are appurtenant.

2. Temporary political signs shall not be posted more than thirty (30) days prior to the election to which the sign is related.

M. Parking or directional signs not over two (2) square feet in area provided the sign contains no advertising matter and is limited to not more than one (1) such sign per use per each street front of the lot on which the

sign is located.

N. Bulletin boards and signs for a church, schools, community or other public or semi-public institutional building and multiple dwelling containing eight (8) or more units shall not exceed fifteen (15) square feet in area for a wall or ground sign with a maximum height of six (6) feet above grade for ground signs and located not less than ten (10) feet from the street right-of-way line. Such bulletin boards and signs may be illuminated but only from a concealed light source.

O. A seed dealer sign provided to the dealer by a supplier, not exceeding four (4) square feet in area and located only in the General Agricultural District.

P. Non-illuminated residential nameplate not exceeding two (2) square feet in area and containing one (1) or more of the following.

1. Street name and/or number.
2. Name of the family residing on premises.
3. Identification name of property.
4. Any such similar contents as determined by the Zoning Administrator.

Q. A sign not exceeding four (4) square feet in area advertising the sale of produce and vegetables raised on the premises where such sale is permitted.

R. Agricultural production identification signs not exceeding eight (8) square feet.

S. Signs erected or placed by private farmers to indicate the specific breed of livestock being raised or kept on the premises.

### **Section 36.06 Subdivision Signs**

Subdivision signs shall be regulated as follows:

A. Upon approval of the Board of Zoning Appeals, a permit may be issued as a special exception to the terms of this Article allowing a land sale sign provided that:

1. The sign shall not be internally illuminated.
2. The sign shall advertise the sale or development of a recorded subdivision.
3. The sign shall be erected only upon the property for sale or being developed.
4. Not more than one (1) such sign shall be placed along single road frontage of any property in single and separate ownership, and provided that not more than two (2) such signs may be permitted in any single development.
5. A permit for the erection, construction, or maintenance of said sign shall be valid for a period of one year and may be renewed annually by the Board of Zoning Appeals.
6. Such sign or signs shall be removed upon completion of the subdivision or any section thereof as determined by the Zoning Administrator.

B. Upon approval of the Board of Zoning Appeals, a permit may be issued to allow the construction of a permanent sign and supporting decorative structure to depict the recorded subdivision name. Not more than one (1)

such sign shall be placed along single road frontage of any property in single and separate ownership constituting the recorded subdivision.

### **Section 36.07 Temporary Signs**

A. Certain temporary signs and attention-getting devices may be permitted for promoting special events or activities subject to the following provisions:

1. A temporary permit must be approved by the Zoning Administrator.
2. Such attention-getting devices shall be limited to an exposure period not to exceed thirty (30) days in any calendar year.
3. All other temporary signs are prohibited in all areas unless specifically exempted or permitted elsewhere in this Article.

B. Temporary signs in business and industrial districts advertising for employees must be registered yearly as temporary permits and may be displayed throughout the year for no more than fourteen (14) consecutive days and must be removed when not in use. Total square footage for temporary signs seeking employees cannot exceed thirty-two (32) square feet per side.

C. Churches or other non-profit organizations may erect temporary signs without cost but must register the signs with the zoning office and cannot display them for more than fourteen (14) consecutive days.

D. The sign when not in use must be removed and cannot exceed thirty-two (32) square feet per side.

### **Section 36.08 Domestic Advertising Signs**

Domestic advertising signs are permitted in any residential zoning district and shall include such signage as: garage sale, yard sale, estate sale, auction, vehicle or equipment for sale. The total message area of domestic advertising signs on a lot may not exceed four (4) square feet. Because domestic advertising signs are often incompatible with the character of the surrounding neighborhood, they are permitted on a temporary basis only. No person shall display a domestic advertising sign for more than a total of two (2) weeks out of each calendar year. Signs may be considered domestic advertising signs only if they are located on the same lot as the goods, which are offered for sale.

### **Section 36.09 Billboards**

Billboards shall be permitted provided that they meet the following criteria and have been approved as Conditional Uses through the Board of Zoning Appeals.

A. Location

1. Billboards may be permitted only in the A-2, B-1, B-2, B-3, F-1, I-1 and I-2 Zoning Districts and shall not be placed over existing structures.
2. Billboards shall be so located as not to project into the public right-of-way and shall not be placed closer than 100' from the right of way line.
3. No billboards shall be located within two hundred fifty (250) feet of an

exit or entrance to a limited or controlled access highway.

4. No billboards shall be located along any public thoroughfare right-of-way within one hundred (100) feet of any other public thoroughfare right-of-way.

5. No billboards shall be located within one thousand (1000) feet from any residence.

**B. Maximum Size**

No billboards shall contain more than three hundred (300) square feet of surface area nor shall the surface area be less than six (6) feet from the ground.

**C. Construction**

All freestanding billboards shall be constructed on steel or wood supports.

**D. Spacing**

No billboards shall be located within fifteen hundred (1500) feet of another billboard.

**E. Obsolescence**

Billboards which become obsolete due to cessation of the business, activity, product or service advertised thereon or for any other reason shall be completely removed from the premises within sixty (60) days after such obsolescence is established by the Zoning Administrator unless such billboard is converted to another lawful and contemporary use within that sixty (60) day period. The supporting structure for obsolete billboards must be completely removed within a period of one (1) year after obsolescence is established, unless a new and lawful billboard is established thereon.

## **Section 36.10 Business and Industrial Signs**

**A. General Regulations**

All signs and advertising structures in the business and industrial districts may be illuminated internally or by reflected light provided the source of light is not directly visible and is so arranged to reflect away from the adjoining premises and provided that such illumination shall not be so placed as to cause confusion or a hazard to traffic or conflict with traffic control signs or lights. Where such illuminated signs exceed fifty (50) square feet in area, they shall not be placed nearer than fifty (50) to an adjacent residential lot line and where such illuminated signs exceed one hundred (100) square feet in area and face any lot in a residential district, they shall be placed not nearer than one hundred (100) feet from the front lot line.

**B. Sign Sizes**

**1. B-1 General Business District**

Wall or ground signs, single or double face, shall not exceed fifty (50) square feet in area for each face. Maximum height above grade at sign shall not exceed ten (10) feet. There shall be permitted one (1) wall sign and one (1) ground sign. No more than two (2) signs shall be permitted for each street front of the lot on which the signs are located. Wall signs shall not extend above or beyond any part of the roofline.

2. B-2 District Office/Residential District

a. The total area of all signs erected on the lot and building of any single office use shall be within the allowable square frontage as follows:

1. Total sign area shall not exceed one square foot for each lineal foot of building frontage to a maximum of fifty (50) square feet. Such sign shall be limited to the display of either the name and address of the occupant or the name and address of the building.
2. Entrance door identification signs. Maximum size shall be one square foot per business with a maximum area for signage of three square feet.

b. Location

1. Flat wall signs may be located anywhere on the front wall of the building as determined in subsection (1) A. No flat wall signs shall extend above the coping or cornice of the building, whichever is higher.

2. Projecting signs or supporting structures shall not project more than forty-eight inches from the wall of a building, nor less than ten feet above the grade. Every face of a projecting sign shall be considered as a separate sign for the purposes of computing allowable area.

3. Maximum height above grade at top of sign shall not exceed ten (10) feet.

3. B-3 Neighborhood Business District

Wall or ground signs, single or double face shall not exceed fifty (50) square feet in area for each face. Maximum height above grade at sign shall not exceed ten (10) feet. There shall be permitted one (1) wall sign and one (1) ground sign. No more than two (2) signs shall be permitted for each street front of the lot on which the signs are located. Wall signs shall not extend above or beyond any part of the roofline.

4. I-1 Light Industrial District

Wall or ground signs, single or double face shall not exceed fifty (50) square feet in area for each face. Maximum height above grade at sign shall not exceed ten (10) feet. There shall be permitted one (1) wall sign and one (1) ground sign. No more than two (2) signs shall be permitted for each street front of the lot on which the signs are located. Wall signs shall not extend above or beyond any part of the roofline.

See Section 36.12 for Industrial Parks.

Billboards are permitted if they meet the requirements of Article 36.

5. I-2 Heavy Industrial District

Wall or ground signs, single or double face shall not exceed fifty (50) square feet in area for each face. Maximum height above grade at sign shall not exceed ten (10) feet. There shall be



permitted one (1) wall sign and one (1) ground sign. No more than two (2) signs shall be permitted for each street front of the lot on which the signs are located. Wall signs shall not extend above or beyond any part of the roofline.

See Section 36.12 for Industrial Parks.

**6. F-1 Floodplain District**

Wall or ground signs, single or double face shall not exceed fifty (50) square feet in area for each face. Wall signs shall not extend above or beyond any part of the roofline. Maximum height above grade at sign shall not exceed ten (10) feet. Not more than one (1) sign for each street front of the lot on which the sign is located may be used.

**7. A-1 Domestic Agricultural District**

Wall or ground signs, single or double face, shall not exceed sixty-four (64) square feet in area for each face. Wall signs shall not extend above or beyond any part of the roofline. Maximum height above grade at sign shall not exceed ten (10) feet. Not more than one (1) sign for each street front of the lot on which the sign is located may be displayed.

**8. A-2 General Agricultural District**

Wall or ground signs, single or double face, shall not exceed sixty-four (64) square feet in area for each face. Wall signs shall not extend above or beyond any part of the roofline. Maximum height above grade at sign shall not exceed ten (10) feet. Not more than one (1) sign for each street front of the lot on which the sign is located may be displayed.

## **Section 36.11 Shopping Center Signs**

A shopping center located on a single parcel of land, having a minimum frontage of two hundred (200) feet, shall be entitled to one (1) free standing ground sign utilizing the following criteria:

A. Neighborhood shopping center (one which contains twenty thousand (20,000) to ninety-nine thousand nine hundred and ninety-nine (99,999) square feet of floor space) shall be entitled to one (1) free standing ground sign not to exceed one hundred (100) square feet per face. Such a sign shall be permitted to display both the name and address of the shopping center, the names of its individual tenants, and periodically changing information relative to activities, events, and/or sales occurring within the shopping center.

B. Community shopping center (one which contains one hundred thousand (100,000) to three hundred ninety-nine thousand nine hundred and ninety-nine (399,999) square feet of floor space) shall be entitled to one (1) free standing ground sign not to exceed two hundred (200) square feet per face. Such sign shall be permitted the same contents as indicated for a neighborhood shopping center sign.

C. Regional shopping center (one which contains four hundred thousand (400,000) or more square feet of floor area) shall be entitled to two (2) free standing ground signs, each of which shall not be permitted to exceed three hundred (300) square feet per face. Such signs shall be

permitted the same contents as indicated for a neighborhood shopping center sign. Each establishment located as a part of the shopping center shall be permitted one (1) wall-mounted sign on the face of the building.

### **Section 36.12 Industrial Park Signs**

For industrial parks in single ownership or under unified control, with a minimum frontage of two hundred (200) feet, each industry shall be permitted one (1) wall-mounted sign on the face of the building. In addition, the park shall be entitled to one (1) freestanding ground sign utilizing the following criteria:

- A. An industrial park containing a total of twenty thousand (20,000) to ninety-nine thousand nine hundred and ninety-nine (99,999) square feet of floor space shall be entitled to one (1) free standing ground sign not to exceed one hundred (100) square feet per face. Such a sign shall be permitted to display both the name and address of the industrial park and the names of its individual industries.
- B. An industrial park containing a total of one hundred thousand (100,000) to three hundred ninety-nine thousand nine hundred and ninety-nine (399,999) square feet of floor space shall be entitled to one (1) free standing ground sign not to exceed two hundred (200) square feet per face. Such a sign shall be permitted to display both the name and address of the industrial park and the names of its individual industries.
- C. An industrial park containing a total of four hundred thousand (400,000) or more square feet of floor area shall be entitled to two (2) free standing ground signs, each of which shall not be permitted to exceed three hundred (300) square feet per face. Such signs shall be permitted to display both the name and address of the industrial park and the names of its individual industries.

### **Section 36.13 Conditional Use Permit**

Any sign that does not clearly fit into one of the sign regulations in this Resolution shall not be permitted except through issuance of a Conditional Use Permit obtained from the Board of Zoning Appeals. This included all signs that have flashing or pulsating illumination, animation, rotation, excessive dimensions or height, temporary construction signs in excess of thirty-two (32) square feet, or signs in excess of five (5) square feet advertising the sale, rental or lease of lots and/or buildings.

### **Section 36.14 Signs Associated with Nonconforming Uses**

In the case of legal nonconforming land use, the total sign area of all signs associated with such land use shall be no greater than that which would be allowed if the nonconforming use were located in the most restrictive zoning district allowing such land use. Further, no new signs associated with nonconforming land uses may be erected, except replacements, which are the same, or smaller in size than the sign being replaced. In the event that a sign associated with a nonconforming land use is moved, its new location must conform to the setback requirements of the district in which it is located, as if it were a building.

### **Section 36.15 Sign Permit Application and Fees**

No sign regulated by this Resolution may be erected, painted, installed, or otherwise established in Bethel Township without a permit therefore. Such permit shall be obtained through the office of the Zoning Administrator. There shall be a minimum fee for all sign permits set by the Board of Township Trustees and permanently and publicly displayed in the Township House on the fee schedule. Permit fees shall be calculated by square foot of message area. However, permits issued for signs already in place at the time of permit application shall bear an additional fee for square foot of message area and a minimum twice the set minimum fee. No permit shall be required for real estate signs of five (5) square feet or less, domestic advertising signs or temporary political signs.

### **Section 36.16 Enforcement Responsibility**

Enforcement of the sign regulations shall be the responsibility of the Zoning Administrator and such other appropriate personnel as may be designated by the Trustees of Bethel Township.

### **Section 36.17 Removal of Unlawful Signs**

The removal of unlawful signs shall occur as follows:

- A. Any sign which violates the provisions of this Resolution is a public and private nuisance, and the Zoning Administrator shall give ten (10) days notice by registered or certified mail to the owner or lessee of the land on which such sign is located to remove such sign.
- B. If any such sign has not been removed on or before the expiration of ten (10) days following the receipt of said notice by the owner or lessee of the land upon which the sign is located, the Zoning Administrator or any of his duly authorized agents may enter upon the premises and remove, obliterate or abate the sign. The cost of such removal, obliteration, or abatement shall be then certified to the County Prosecutor for collection by civil action against the owner and/or lessee of the land upon which the sign is located.
- C. Notice to the owner or lessee shall not be required prior to the removal of an unlawful sign which, in the opinion of the Zoning Administrator, creates an immediate or potential danger to persons or property due to structural deficiencies or inadequate maintenance, nor shall notice be required prior to the removal of a sign which, in the opinion of the County Engineer, creates an immediate or potential danger to persons or property because of its location.