

## ARTICLE 16

### SIGN AND BILLBOARD REGULATIONS

#### SECTION 1

It is hereby recognized that signs serve the community as sources of information and direction and as components of the landscape, the establishment of uniform sign standards is necessary to promote and maintain an environment that is visually pleasing and free from negative impacts. The purpose of this Article is to establish requirements for the placement, installation and maintenance of business and advertising signs in the manner that will support and protect the health, safety and welfare and general well-being of the community's citizens, including but not limited to traffic and pedestrian safety and community aesthetics, by giving general information, location, direction and warning.

It is the intent of Washington Township to have uniform sign standards for the following purposes:

1. To protect the right of free speech, as guaranteed by the Constitution of the United States of America, by permitting non-commercial signs on any property.
2. To regulate the time, place and manner of signage in order to protect the public health, safety, convenience, comfort, prosperity and general welfare by:
  - a. Permitting a variety of non-commercial and commercial signage within Washington Township.
  - b. Prohibiting signs that cause a hazard to the public due to, but not limited to, the size, setback, illumination and/or movement of sign components.
  - c. Protecting public safety by requiring the removal or repair of damaged signs.
  - d. Limiting visual clutter in order to promote a healthier business and community atmosphere through increased property values by regulating the height, quantity, and placement of signs.
  - e. Promoting the visibility of adjacent properties and community and streetscape aesthetics by regulating the height, area, quantity, movement and landscaping of signage.

#### FINDINGS

Washington Township originally enacted sign regulations as part of the enactment of the Zoning Resolution, effective February, 1957; and These regulations will further Washington Township's desire to have sign regulations that will fulfill the purpose and intent stated in these regulations and abide by Constitutional guarantees concerning free speech and freedom of expression; and

Washington Township has retained the firm of Surdyk, Dowd and Turner Co., L.P.A. to oversee the development of these sign regulations and said firm has

expert experience in developing sign regulations based upon protecting Constitutional guarantees of free speech and freedom of expression; and

A growing number of non-commercial and commercial freestanding monument signs are abiding by the terms of these regulations, and provisions seeking the removal and replacement of nonconforming signs with conforming signs have been enforced since the original enactment of these regulations. Washington Township has a declining number of nonconforming roof signs, pylon signs, and wall signs; and

Greater flexibility is needed in the provision of wall signs and other types of signage within the various noncommercial and commercial areas of the Township; and

There is a continued need to have a consistent system of sign standards to ensure the continued safety and attractiveness of non-commercial and commercial areas and to provide a fair and consistent method of sign allowances in order to protect property values and protect the general public welfare; and

Establishing specific setback and height standards will promote public safety and general welfare by allowing for future right-of-way and roadway expansions, and restricting signage that will block site visibility for those entering or leaving a property; and

Establishing height and area standards will promote uniform sign design, reduce the instances of larger signs visually blocking signs or buildings on adjacent properties, reduce the visual clutter or multiple pylon signs at varying heights and sized, and permit certain larger signs to accommodate multiple tenants on a single sign in order to consolidate signage; and

There is a continued need for standards for the area of signage on buildings in order to provide signage to users in a proportional and consistent manner based upon the size of the wall upon which such signs are to be placed; and

Establishing certain landscaping and architectural standards will promote a uniform appearance for the majority of free standing signage to be utilized; and

There is a need for a variety of structural and functional signs to provide information to persons on or off a property; and

It is in the interest of public health, safety, and general welfare to provide a process for review of sign packages for large commercial shopping centers due to the number of private drives, unique pedestrian and traffic patterns, and unique building configurations found in such large complexes.

## **SECTION 2**

### **GENERAL PROVISIONS**

The following provisions are applicable to all signs, and zoning districts unless modified by the general requirements or standards of a specific zoning district.

Any sign allowed under this Article or a predecessor resolution, by sign permit, by conditional use permit, or by variance may contain, in lieu of any other message or copy, any lawful message that is not a commercial speech, or any

message at all that does not direct attention to a business operated for profit, or to a product, commodity, or service for sale or lease, or to any other commercial interest or activity, so long as said sign complies with the size, height, area, and other requirements of this Resolution.

It shall be the duty of the Zoning Inspector to either approve or deny applications for zoning certificates for signs within fifteen (15) days of the date of application. Any aggrieved applicant shall have the right to appeal the denial of a zoning certificate for a sign. Such appeal shall be heard by the Board of Zoning Appeals in accordance with the appeals procedures outlined in Article 2 of this Resolution.

### **SECTION 3**

#### **PERMITS**

A zoning certificate shall be obtained from the Washington Township Development Services Department before any sign (except a sign exempted from the provisions of this Resolution depicted in Sections 3 and 9) not expressly exempted from requiring a permit is located, erected, constructed, reconstructed, enlarged, structurally modified, or used in any zoning district of the unincorporated area of Washington Township.

### **SECTION 4**

#### **EXEMPTED SIGNS**

Except as otherwise provided, the following signs shall not be subject to the provisions of the Resolution:

- A. Signs conforming to the Manual of Uniform Traffic Control Devices and bearing no commercial message; signs installed by employees or officials of a state or federal agency in the course of their governmental duties and bearing no commercial speech; signs installed by employees of Washington Township or Montgomery County, Ohio in the course of their governmental duties and bearing no commercial message; signs required by a state or federal statute; signs installed by public utilities in their rights-of-way or on their facilities and bearing no commercial message other than such message as necessary to identify the use; signs installed by a transit company with a franchise or other right to operate in Washington Township, where such signs are installed along it's routes and relates to schedules of other information about the transit route.
- B. Any sign located entirely inside a building and not legible from the public right-of-way or from property other than the property on which the sign is located.

### **SECTION 5**

#### **SIGNS PERMITTED IN ALL DISTRICTS NOT REQUIRING A PERMIT**

- A. Mailbox identification when such is made an integral part of such mailbox by its permanent attachment to a freestanding or wall-mounted mailbox of customary size and design; provided that such identification and mailbox is necessary for regular mail delivery by the U.S. Postal Service. Unusual mailbox size or design illumination characteristics incorporated into the mailbox display for the purpose of attracting attention of bypassing pedestrians or motorists shall be considered excessive and shall be required

to be made subject to all respective identification sign restrictions of this Article as a conditional use.

- B. Replacement of a sign face or sign structure which has suffered damage, or repair of a legal non-conforming sign or sign structure, providing such repair costs do not exceed fifty percent of the appraised value of the sign.

## **SECTION 6**

### **SIGN LOCATIONS**

#### **A. SETBACK**

Unless otherwise specified in the standards of the zoning district where located, all signs shall be set back a minimum of twenty (20) feet from the right-of-way as shown on the Official Thoroughfare Plan for Montgomery County.

#### **B. TRAFFIC HAZARDS**

1. No sign shall be erected in such a manner as to obstruct free and clear vision on any public thoroughfare.
2. No sign shall be erected in such a manner as to obstruct traffic flow along a private street or drive or designated parking lot aisleway for use by the general public.
3. No sign shall be located whereby reason of position, shape or color, it may interfere with, obstruct the view of, or be confused with an authorized traffic sign, signal or device; or which makes use of the words, "Stop," "Look", "Danger", or other word or phrase or symbol or shape in such manner as to interfere with, mislead or confuse traffic.
4. Light sources for illuminated signs shall not be placed or directed in such a manner as to cause a glare upon any public right-of-way, or upon any immediate access to or from any public right-of-way.
5. No rotation beam, beacon, searchlight, or flashing illumination resembling an emergency light shall be used in connection with any sign display.

#### **C. FIRE ESCAPE OBSTRUCTION**

No sign shall be located, erected, constructed, reconstructed, enlarged, changed, maintained, modified, or used so as to prevent free ingress to or egress from any door, window, fire escape, walkway or driveway.

#### **D. PROHIBITED SIGN LOCATIONS**

No sign shall be attached or otherwise applied to trees, rocks, fences, utility poles, supporting structures for street signs and signs provided in

Section 4(A), bus shelters, benches, trash receptacles, newspaper vending machines or boxes, or any other portable or temporary supporting device.

E. SIGNS ON PUBLIC PROPERTY

Any sign installed and maintained by Washington Township that may contain either commercial or noncommercial messages as part of a logo sign and/or directional sign program, through which space is made available to users on a nondiscriminatory basis in accordance with separately published criteria and with payment of a fee.

Additional signs on public property that related to the use of one or more facilities located on said property, provided that such signs shall not be legible from any public right-of-way outside the property and such signs shall bear no commercial message except one that relates to a lawful commercial activity or lawful temporary use of a facility located on the property.

Signs for concessionaires and event sponsors inside stadiums, arenas, ball fields or similar facilities shall be located inside an outside facility, if such facility is located four hundred (400) feet or more from the nearest right-of-way even if they may be visible from some locations outside the facility.

**SECTION 7**

**PROHIBITED SIGNS**

- A. Any sign that is not expressly permitted by this Resolution.
- B. Pennants, banners, streamers and similar type devices.
- C. Any sign that employs any parts or element which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention.
- D. All blinking, flashing or intermittent lighting, except as hereinafter provided: revolving lights and strings of lights are prohibited except those strings of lights used for decorative purposes.
- E. Beacons and searchlights, except for emergency purposes.
- F. Inflatable signs including inflated balloons having an overall volume of 4.2 cubic feet with no one dimension of said sign exceeding five (5) feet.
- G. Any existing sign which is not a legal non-conforming sign and which has not been previously authorized by either Washington Township or Montgomery County zoning authorities.
- H. Signs attached to, painted on or placed on motor vehicle, trailer, or other licensed or unlicensed vehicle which is displayed, consistently parked or used on the premises in such a manner and for such duration that they constitute a sign. This provision does not include any sign on a truck, bus

or other vehicle that is used in the normal course of a business for transportation.

## **SECTION 8**

### **DISTRICT CLASSIFICATIONS**

For the purposes of this article, the following zoning district classifications shall apply:

Residential shall include the following districts:

Single Family Residential ("R-1", "R-2", "R-3", "R-4",

Multiple Family Residential ("R-5")

Office shall include the following districts:

Office Residential ("OR-1", "OR-2", "OR-3")

Office ("O-2", "O-3")

Business shall include the following districts:

Business ("B-1", "B-2", "B-3", "B-4")

Industrial shall include the following districts:

Light Industrial ("I-1")

Planned Development shall include the following districts:

Planned Development ("PD-R", "PD-RM", "PD-RC", "PD-O", "PD-OR", "PD-O2", "PD-O3", "PD-B", "PD-B1", "PD-B2", "PD-B3", "PD-B4", "PD-I", "PD-T", "PD-MU")

## **SECTION 9**

### **SIGN TYPES**

For the purposes of this article, the following types of signs are recognized and shall be regulated within the district classifications identified in Section 8 above.

- A. Wall sign as defined in Article 15 Definitions of this resolution. Wall sign shall also include awning and/or canopy signage, window and/or door glass signage, projecting and marquee signage.
- B. Free-standing sign as defined in Article 15 Definitions of this Resolution.
- C. Temporary sign as defined in Article 15 Definitions of this Resolution.

## **SECTION 10**

### **SIGN RESTRICTIONS**

- A. For the purpose of this Resolution, the sign area, as defined in Article 15, is used for completing calculations.

	RESIDENTIAL	OFFICE	BUSINESS	INDUSTRIAL
<b>SIGN TYPE</b>				
<b>WALL</b>				
Maximum Total	6 sq ft	60 sq ft	75 sq ft	100 sq ft
Square Footage*				
Maximum Sign Height	6 ft	14 ft	16 ft	20 ft
Illumination	Y	Y	Y	Y
Total Number	2	4	5	5
<b>FREESTANDING</b>				
Maximum-Total	6 sq ft	80 sq ft	90 sq ft	120 sq ft
Square Footage*				
Maximum Sign Height	3 ft	6 ft	8 ft	8 ft
Illumination	Y	Y	Y	Y
Total Number	1	3	4	4
<b>TEMPORARY</b>				
Maximum Total	6 sq ft	32 sq ft	45 sq ft	75 sq ft
Square Footage*				
Maximum Sign Height	3 ft	6 ft	8 ft	8 ft
Illumination	N	N	Y	Y
Total Number	1	2	2	2

\* Total is aggregate sum of all signs within each sign type category

- B. Signs in Planned Development Districts (PD-R, PD-O, PD-B, PD-I, PD-T, PD-MU) shall be permitted either: 1) as a specific element of the planned development approval, or 2) in compliance with the sign provisions for the standard zoning district that is most similar in use to the approved planned development.

## SECTION 11

### POLITICAL SIGNS

#### A. LOCATION

Political signs shall be permitted in all zoning districts.

#### B. SIGN SIZE

1. The area of a sign shall not exceed six (6) square feet per side in any residential zoned area or OR-1 district.
2. The area of a sign shall not exceed twenty (20) square feet per side in any O-2, O-3, PD, Business or Industrial zoning district.

C. SIGN LOCATION

All political signs shall be set back not less than twenty (20) feet from the permanent berm or curb of a paved road. Political signs shall also be set back not less than twenty (20) feet from the pavement edge of any access driveway. Any sign not meeting these requirements shall be removed and placed in the custody of the Township. The political party, candidate or committee involved will be notified for the purpose of retrieving the sign or advertisement.

D. SIGN DISPLAY

No person shall place, maintain or display upon or in view of any street, any political sign, signal, marking or device, which purports to be or is an imitation of or resembles a traffic device, railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from the view or interferes with the effectiveness of any traffic control device, or any railroad sign or signal; no person shall place or maintain any political advertisement upon a traffic sign or signal, utility pole, bridge, or highway overpass. Any such prohibited sign, signal, marking, device, or political advertising, is a public nuisance and the Zoning Inspector, Public Works Director, Fire Chief or Sheriff's Officers are authorized to remove the same or cause it to be removed.

E. ADVERTISING ON PRIVATE PROPERTY

No person shall stick or post any political advertisement, poster, sign, handbill or placard of any description upon any building, vehicle, or upon any tree, post fence, billboard, or any structure or accessory use being the private property of another individual without the permission of the occupant or owner of the same; nor paint, mark, write, print, impress, or in any manner attach any political notice or advertisement upon the property of another individual without first obtaining permission from the owner of the property upon which such political advertisement is desired to be placed.

F. NON-COMPLYING POLITICAL ADVERTISEMENTS ON PRIVATE PROPERTY

Upon receipt of a written, signed complaint concerning non-complying political advertisements on private property, a notice to remove same shall be served upon the offender, the property owner, or the property occupant by the Development Services Department.

**SECTION 12**

**SIGN RESPONSIBILITY**

A. MAINTENANCE AND REPAIR

1. All signs and sign structures, including the component parts of each, shall be kept in repair and in proper state of preservation by the owners, or those in control of the signs, or the owners of the premises on which the signs are located.

2. All premises immediately surrounding a sign shall be maintained by the owner or person in charge of the premises in a clean, sanitary and inoffensive condition, free and clear of all obnoxious substances, rubbish and weeds.

**B. REMOVAL AND DISPOSAL**

1. Signs which are no longer functional, have been abandoned or moved to an unauthorized position shall be removed from sight or disposed of in some manner, this requirement to include the total blocking-out of painted wall signs when applicable. Such removal or disposal shall be required of the sign owner or the owner of the premises within thirty (30) days after it is no longer functional, has been abandoned, or is moved.
2. Any sign which the Washington Township Zoning Inspector recognizes as being in a state of disrepair or any sign deemed unsightly, unsafe or abandoned which is not properly renovated or removed shall be condemned. An order for removal shall be issued by the Zoning Inspector. This removal shall be at the expense of the owner of the sign or the owner of the property.

**SECTION 13**

**ALL SPECIAL USE DISTRICTS**

Any sign to be displayed within a Special Use District shall comply with the requirements for such signage in accordance with the sign provisions outlined in the zoning district that is most similar in uses to the approved uses in the specific Special Use District.