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# City of Willoughby Hills

Council  
CHRISTOPHER L. BIRO  
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## ORDINANCE NO. 2010-8

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**AN ORDINANCE AMENDING PART ELEVEN – PLANNING AND ZONING CODE, TITLE NINE – SIGNS, CHAPTER 1151 – SIGN REGULATIONS, SECTION 1151.05 – SIGNS IN NONRESIDENTIAL DISTRICTS, SECTION 1151.06 – PROHIBITED SIGNS AND CHAPTER 1103 – DEFINITIONS, SECTION 1103.02 - DEFINITIONS, OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS; AND REPEALING ANY AND ALL CONFLICTING LEGISLATION.**

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**WHEREAS**, the purpose and intent of **Chapter 1151 – Sign Regulations** is to “promote the public health, safety, and welfare through the provision of standards for existing and proposed advertising signs of all types. More specifically, this Chapter is intended to: (a) enhance and protect the physical appearance of the community, (b) promote and maintain visually attractive, residential, commercial, industrial and research and office districts, (c) ensure that signs are located and designed to reduce distraction and confusion that may be contributing factors in traffic congestion and accidents, and maintain a safe and orderly pedestrian and vehicular environment, (d) prevent the erection of structures that will obstruct sight distance at the intersection of streets, alleys or driveways, (e) provide review procedures that enable the City to comprehensively evaluate the appropriateness of a sign to the site, building and surroundings, (f) prohibit all signs not expressly permitted by this Chapter”; and

**WHEREAS**, without compromising the broad purpose and intent of the Sign Regulations, as outlined above, it is in the best interest of the City of Willoughby Hills, and its residents, to encourage the success of retail businesses in the City’s highest-density business areas and to remove burdensome regulations that will increase the cost of operating businesses by mandating the replacement of existing signs that are otherwise attractive, efficient, and practical; and

**WHEREAS**, on April 23, 2009 upon the recommendations of the Planning and Zoning Committee of Council, Ordinance No 2009-16 was adopted amending **Chapter 1151 – Sign Regulations, Section 1151.06 – Prohibited Signs** of the Codified Ordinances; and

**WHEREAS**, on October 28, 2009, the Planning and Zoning Commission and Architectural Board of Review submitted a letter to Council requesting that the text of the Sign Code be updated to reflect the passage of Ordinance No. 2009-16; and

**WHEREAS**, the Planning and Zoning Committee of Council met on December 7, 2009 to further review and discuss the current provisions and terminology of **Section 1151.05 – Signs in Nonresidential Districts, Section 1151.06 – Prohibited Signs**, including **Section 1103.02 – Definitions** and recommends to Council that **Chapter 1151 – Sign Regulations along with Chapter 1103 – Definitions** be amended as set forth within this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, LAKE COUNTY, STATE OF OHIO, THAT:**

**SECTION 1.** The existing **Section 1151.05 – Signs in Nonresidential Districts** of the Codified Ordinances of the City of Willoughby Hills is hereby amended to read and provide in its entirety as follows:

**“1151.05 SIGNS IN NONRESIDENTIAL DISTRICTS.**

Signs in nonresidential districts shall conform to the standards set forth in this Section, except for residential uses, which shall comply with the standards set forth in Section 1151.04.

- (a) 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 Schedule 1151.05(b)
- (b) Schedule 1151.05(b):

**Schedule 1151.05(b)  
Permanent Signs Attached to Buildings**

Type	Maximum Number Permitted	Maximum Area	
		B-1 District	B-2 and B-3 Districts
(a) Instructional sign	Shall be exempt from regulations pursuant to Section 1151.02(c)(7).		
(b) Nameplate	1/address	2 sq. ft.	2 sq. ft.
(c) Projecting sign (1)	1/ground floor occupant frontage	8 sq. ft.	8 sq. ft.
(d) Building signs, (3) excluding projecting signs	In compliance with maximum area	1 square ft. per linear ft. of building frontage	1 square ft. per linear ft. of building frontage
(e) Window sign	In compliance with maximum area	(2)	(2)
<u>Notes to Schedule 1151.05(b)</u> (1) As further regulated by subsection 1151.05(c)(2) (2) As further regulated by subsection 1151.05(c)(1) (3) Except as otherwise permitted by Section 1151.05(c)(3) and/or (4)			

- (c) Supplemental Regulations for Permanent Signs Attached to Buildings.
  - (1) Window Signs shall comply with the following:
    - A. Ground Floor Occupants. A window sign shall not exceed twenty percent (20%) of the total glass area of the ground floor windows.
    - B. Upper Story Occupants. For a multi-story building, each occupant above the ground floor shall be permitted one permanent sign to be placed in a window of the occupant’s space, not to exceed six (6) square feet or fifteen (15) percent 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 Schedule 1151.05(b).
  - (2) Projecting Signs shall comply with the following:
    - A. Projecting signs shall be limited to occupants that have a minimum of twenty (20) feet of building frontage.

- B. All projecting signs shall have a maximum height of fourteen (14) feet and a minimum clearance of eight (8) 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.
- (3) Sign Bonuses for Buildings with Large Building Setbacks. In the B-2 and B-3 Districts, the maximum allowable area for a building sign, excluding projecting signs, may be increased by 25% for each fifty (50) feet or fraction thereof of building setback when the principal building is located more than 100 feet from the principal street on which the building is located and the building is visible from the street, not to exceed 200% of the maximum allowable area.
- (4) Sign Bonuses for Corner Lots and Side and Rear Entrances. The maximum allowable area for building signs shall be increased beyond the allowable area set forth in Schedule 1151.05(b) in compliance with the following:
  - A. Additional area shall be permitted when a building has a secondary frontage as determined in Section 1151.03 (c), Determining Building Frontage and Building Unit.
  - B. The increased sign area for each secondary building frontage shall be fifty percent (50%) of the sign area permitted for the primary frontage, provided that the additional sign area is utilized only on the secondary building frontage.
  - C. Provided that on any eligible frontage the sign area shall not exceed two square feet of signage per lineal foot of building frontage.
  - D. Notwithstanding the above, signs shall only be installed on a maximum of three (3) building elevations.
- (d) Permanent Freestanding Signs. Permanent freestanding signs shall comply with the maximum number, area, and height limitations and minimum setbacks set forth in Schedule 1151.05(e).
- (e) Schedule 1151.05(e).

**Schedule 1151.05(e)  
Permanent Freestanding Signs**

	Maximum Number	Maximum Area	Maximum Height	Minimum Setback	
				from ROW	from Side Lot Line
(a) Freestanding Sign					
B-1 and B-2 Districts	1/zoning lot (1)	30 sq. ft. per first 100 feet of street frontage plus fifteen-hundredths (.15) sq. ft. for each additional foot of frontage, with a maximum area of 100 sq. ft. per face	8 ft.	5 ft.	15 ft. (2)

B-3 District	One per 150 ft. of frontage	30 sq. ft. per first 100 feet of street frontage plus fifteen-hundredths (.15) sq. ft. for each additional foot of frontage, with a maximum area of 100 sq. ft. per face	8 ft.	5 ft.	15 ft. (2)
(b) Entrance/Exit Signs	2 per driveway (1 in, 1 out)	3 sq. ft.	3 ft.	Not less than 2 ft. nor more than 10 ft.	----
(c) Instructional Signs	Shall be exempt from regulations pursuant to Section 1151.02(c)(7)				
(d) Raised Signs, in lieu of Freestanding Signs					
B-2 District	1/zoning lot (1)	30 sq. ft. per first 100 feet of street frontage plus fifteen-hundredths (.15) sq. ft. for each additional foot of frontage, with a maximum area of 75 sq. ft. per face	16 ft.	5 ft.	15 ft. (2)
B-3 District	One per 150 ft. of frontage	30 sq. ft. per first 100 feet of street frontage plus fifteen-hundredths (.15) sq. ft. for each additional foot of frontage, with a maximum area of 150 sq. ft. per face	32 ft.	5 ft.	15 ft. (2)
(e) Tenant Signs					
B-2 District	1/zoning lot (1)	50 sq. ft.	16 ft.	5 ft.	15 ft. (2)
B-3 District	One per 150 ft. of frontage	200 sq. ft.	32 ft.	5 ft.	15 ft. (2)

Notes to Schedule 1151.05(e)

(1) Except as otherwise permitted in Section 1151.05(f) (1) (C)

(2) Minimum setback from a property zoned R-1 and/or R-2 shall be 25 feet.

(f) Supplemental Regulations for Permanent Freestanding and/or Raised Signs.

- (1) Additional Freestanding and/or Raised Signs for Large/Corner Lots. The number of freestanding signs on large or corner lots may be increased according to the following:

- A. One (1) additional sign for each two-hundred (200) ft. of frontage above four hundred (400) lineal feet of frontage shall be permitted;
  - B. The area of each additional freestanding and/or raised sign shall comply with Schedule 1151.05(e);
  - C. Two permitted, freestanding and/or raised signs may be aggregated into a single sign, at the intersection of two streets, provided that the area of any freestanding sign face shall not exceed 150 percent of the maximum area permitted for a single sign.
- (2) Minimum Separation of Freestanding and/or Raised Signs. Freestanding signs on the same lot shall be separated by a minimum of 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.
  - (3) Minimum Setback from Intersection. On corner lots, freestanding and/or raised signs shall comply with the minimum sign setback from both street rights-of-way, as set forth in Schedule 1151.05(e) or the setbacks mandated by Section 1157.11, Visibility at Intersections, whichever is more.
  - (4) Landscaping. Freestanding signs shall be erected in a landscaped setting and not on sidewalks, drives or in parking spaces. Neither the landscaping nor the freestanding sign shall obstruct the view of vehicles entering or exiting the property.
  - (5) Multi-Occupant Facilities. When a freestanding sign is permitted on a site that has more than one 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.
- (g) Raised Signs for properties in the B-2 and B-3 District located on Bishop Road between I-90 and Chardon and on Chardon Road west of Bishop Road. The following are the acceptable criteria:
    - (1) Landscaping. Freestanding signs shall be erected in a landscaped setting and not on sidewalks, drives or in parking spaces. Neither the landscaping nor the freestanding sign shall obstruct the view of vehicles entering or exiting the property.
    - (2) Illumination. Raised signs should be illuminated from the inferior, not lighted by spotlights or other external devices.
    - (3) Appendages. There shall be no appendages attached, dangling or projecting to the sides, base or top of the raised signs.
    - (4) Height. The height of a raised 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 the creation of berms or mounds. 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 crown of a public street or the grade of the land at the principal entrance of the principal structure on the premises, whichever is lower.

- (h) Temporary Signs In Nonresidential Districts. The following regulations for temporary signs in non-residential districts are in addition to the maximum sign area and height regulations set forth in Section 1151.05.
- (1) Project Real Estate/Construction Signs. A project real estate or construction sign for a development project shall be permitted only in compliance with the following:
- A. One project real estate or construction sign shall be permitted for each street on which the lot has frontage.
  - B. Such sign shall be located a minimum of fifteen (15) feet from any street right-of-way.
  - C. A project real estate or construction sign shall be erected and maintained only during the period of time that the parcel is up for sale, rent, or lease or the building project is under construction. If applicable, such temporary sign shall be removed within two (2) business days of installation of the permanent identification sign.
  - D. The maximum sign area shall be thirty-two (32) square feet.
- (2) Temporary Window Signs. Temporary window signs shall be attached to the interior of the building and shall comply with the following:
- A. The area of temporary window signs, either affixed thereto or visible from the outside, shall not exceed the percentage of the window area as set forth in Section 1151.05(c)(1). This area is in addition to the allowable sign area for identification signs that are permanently attached to windows.
  - B. All temporary window signs shall be displayed no longer than 30 days after placement, after which time such sign shall be removed. Temporary window signs shall only be displayed a maximum of four (4) times in a calendar year.
- (3) Other Temporary Signs. A temporary sign, whether a freestanding sign or a banner attached to the front of the building, shall be permitted for a period not to exceed fourteen (14) days not more than four (4) times per calendar year. Such signs may be permitted for a period longer than fourteen (14) days only when the Architectural Board of Review approves an extended time frame. The maximum area for freestanding or banner signs shall be sixteen (16) square feet. The maximum height for temporary, free standing signs shall be six (6) feet.
- (4) Setbacks. All temporary freestanding signs shall be located no closer than fifteen (15) feet from the street right-of-way line and fifteen (15) feet from a side lot line, unless specifically regulated otherwise.”

**SECTION 2.** The existing **Section 1151.06 – Prohibited Signs** of the Codified Ordinances of the City of Willoughby Hills is hereby amended to read and provide in its entirety as follows:

**“1151.06 PROHIBITED SIGNS.**

All signs not expressly permitted in this Chapter shall be prohibited in the City. Such signs include but are not limited to the following:

- (a) Animated, flashing, moving, blinker, racer type, intermittent, rotating, moving, animated, or revolving signs, whirligig devices, inflatable signs and tethered balloons, pennants, 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, except those exempt under Section 1151.02(c);
- (b) Billboards;
- (c) Flags intended for advertising or commercial purposes;
- (d) Ghost signs;
- (e) Merchandise, equipment, products, vehicles or other items not themselves for sale or rent and placed for attention getting, identification or advertising purposes;
- (f) Permanent signs erected or attached to accessory structures, including outdoor furniture, benches, tables, chairs;
- (g) Raised signs, except on properties zoned B-2 or B-3 located on Bishop Road between I-90 and Chardon Road, and on Chardon Road West of Bishop Road, where raised signs are permitted;
- (h) Signs or advertising devices which attempt, or appear to attempt, to direct the movement of traffic, or which interfere with, imitate or resemble an official sign, signal or device;
- (i) Signs containing information or advertising for any product not sold or produced on the premises or for any use that does not occur on the premises;
- (j) Roof sign; and
- (k) Streamer signs.”

**SECTION 3.** The existing **Section 1103.02 – Definitions, Sub-Section B, (164) - Sign** of the Codified Ordinances of the City of Willoughby Hills is hereby amended to read and provide in its entirety as follows:

**“1103.02 DEFINITIONS.**

(b) For the purpose of this Planning and Zoning Code, the following terms shall have the meaning herein indicated:

(164) **Sign.** Any visual communication display, object, device, graphic, structure or part, situated indoors or outdoors, or attached to, painted on, or displayed from a building or structure in order to direct or attract attention to, or announce or promote, an object, product, place, activity, person, ideology, institution, organization, business or the like, by means of letters, words, models, banners, flags, pennants, insignia, devices, designs, colors, symbols, fixtures, images, illuminations or representations used as, or which is in the nature of, an announcement, direction, advertisement or other message.

A. **Sign abandoned.** Any sign that no longer identifies or advertises a bona fide business, institution, organization, lessor, service, owner, product, or activity and/or for which no legal owner can be found.

B. **Sign, animated.** Any sign that uses flashing lights or movement of the entire sign or portion thereof to depict action or create a special effect or scene.

- C. Sign, awning or canopy. Any building sign that is painted on, or otherwise attached to, an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance or window, or other architectural feature.
- D. Sign, banner. Any sign made of fabric, plastic or similar material with no enclosing framework that is mounted to a building or other structure at one or more edges.
- E. Sign, billboard. Any sign structure displaying an establishment, merchandise, event, service, or entertainment that is not sold, produced, manufactured or furnished at the property on which the sign is located.
- F. Sign, building. Any sign attached to any part of a building including wall, awning, canopy, marquee, and projecting signs.
- G. Sign, changeable copy. Any portion of a sign with letters, characters or graphics that are not permanently affixed to the structure, framing or background, allowing the letters, characters or graphics to be periodically modified, manually, mechanically or electronically, such as a bulletin board or electronic message center. Changeable copy signs shall not be used to display commercial messages relating to products or services that are not offered on the premises.
- H. Sign construction. Any temporary sign, displayed during the time of its construction, relating to a project or facility, or relating to its construction, which advises the public of pertinent facts regarding the construction management, and leasing of the building, and which advertises only the name of an architect, engineer, contractor, subcontractors, building material and/or equipment used.
- I. Sign, entrance or exit. Any sign situated so as to promote safe traffic circulation by indicating appropriate places of ingress and egress.
- J. Sign face. The space or surface of a sign intended to contain the message.
- K. Sign, flashing. Any sign that contains an intermittent or sequential flashing light source used primarily to attract attention.
- L. Sign, freestanding. Any sign supported upon the ground by a pole, poles, braces, or solid foundation and not attached to any building.
- M. Sign, ghost. Any remaining image of a previous commercial sign that is visible through or underneath a newer sign.
- N. Sign height. Measured from the finished grade at the base of the sign to the highest point of the sign, its frame, or decorative features.
- O. Sign, illuminated. Any sign incorporating an internal or external artificial light source for the purpose of illuminating the message of the sign.
- P. Sign, inflatable. Any inflatable shape or figure designed or used to attract attention to a business location or event. Inflatable promotional devices shall be considered to be temporary signs under the terms of this Section and subject to the regulations thereof.

- Q. Sign, instructional. Any sign that has a purpose secondary to the use on the lot and that is intended to instruct employees, customers or users as to matters of public safety or necessity such as specific parking requirements, the location or regulations pertaining to specific activities on the site or in the building, and including signage erected by a public authority, utility, public service organization, or private industry that is intended to control traffic circulation, direct, or inform the public, or provide needed public service as determined by the rules and regulations of governmental agencies or through public policy.
- R. Sign, marquee. Any sign, other than a projecting sign or an awning/canopy sign, attached to a structure and projecting from a building wall above an entrance and extending over a street, sidewalk, or part thereof.
- S. Sign, monument. A freestanding sign mounted on a base or other supports and where the bottom of the sign face is located within three (3) feet of ground level.
- T. Sign nameplate. A sign indicating only the name and/or address of the person, business, home occupation, profession or activity occupying the lot or the building(s).
- U. Sign, nonconforming. A sign that was erected legally but which does not comply with subsequently enacted sign restrictions and regulations.
- V. Sign, off-premise. See Sign, billboard.
- W. Sign, permanent. Any sign that is not a temporary sign.
- X. Sign, portable. Any sign, which by its construction is intended to be moved from one location to another. A portable sign also includes mobile signs such as parked vehicles or trailers, when such vehicles are visible from the public right-of-way unless such vehicle is regularly used in the normal daily operations of the attendant business, organization or institution.
- Y. Sign projecting. Any sign that is attached to a building wall and extends more than 12 inches from the building wall when parallel, or any sign that projects away from the building that is not parallel to the wall, or any sign suspended beneath a canopy, ceiling, roof, or marquee, intended to be viewed by pedestrians from the sidewalk beneath the canopy, ceiling, roof, or marquee.
- Z. Sign, pylon. A freestanding sign with the support structure enclosed by a cover.
- AA. Sign, raised. Any freestanding sign elevated from the ground by means of a pole, poles, columns, braces, or a solid foundation, and not attached to any building.
- BB. Sign, real estate. A temporary sign which directs attention to the promotion, development, rental, sale or lease of the parcel on which the sign is located.

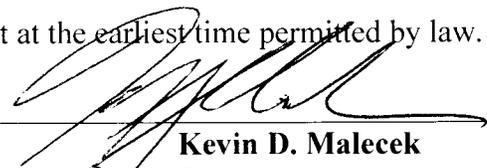
- CC. Sign, roof. Any sign, or portion thereof, erected, constructed or projecting upon or over the roof or parapet wall of any building whether the principal support for the sign is on the roof, wall or any other structural element of the building.
- DD. Sign, streamer. A ribbon-shaped or cord-like rope that may have multiple pennants or ribbons attached and which is stretched or hung between two supports.
- EE. Sign, temporary. Any sign that is intended to be used for a limited period of display, and is not designed to be permanently attached to a building, structure, or permanently installed in the ground. Temporary signs may be displayed as window signs.
- FF. Sign tenant. A freestanding sign which has panels mounted in or on the structure listing the names of the tenants or businesses on the property. Only one panel per tenant or business is permitted. A panel for an anchor tenant may be more distinctive.
- GG. Sign wall. Any sign that is painted on, or attached to, a building wall, with the exposed sign face in a plane parallel to the plane of the wall, that does not extend more than twelve (12) inches there from, and that does not project above the roofline or beyond the corner of the building.
- HH. Sign, window. Any sign that is applied to or attached to the interior or exterior of a window or door, or a sign located near a window or door within a building, for the purpose of being visible and read from the outside of the building. This term does not include signs that are not legible from a distance of more than three (3) feet beyond the building on which such sign is located.”

**SECTION 4.** All Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.

**SECTION 5.** The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

**SECTION 6.** This Ordinance shall be in full force and effect at the earliest time permitted by law.

Passed: March 25, 2010

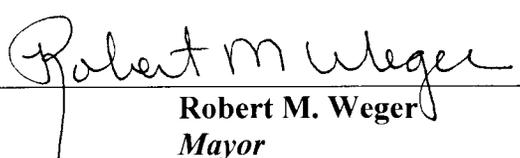
  
Kevin D. Malecek  
President of Council

Submitted to the Mayor for his approval on this 25 day of March, 2010

Approved by the Mayor  
March 25, 2010

ATTEST:

  
Victoria Ann Savage, CMC  
Clerk of Council

  
Robert M. Weger  
Mayor

Public Hearing Advertised: **February 11, 2010**

Public Hearing Held: **March 25, 2010**

First Reading: **February 11, 2010**

Second Reading: **February 25, 2010**

Third Reading: **March 4, 2010**