

## **NOTICE**

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This version may, occasionally, differ from the official version and should be relied upon for general information purposes only. Any errors or omissions should be reported to the Clerk of Council. In no event shall the City of Kettering be held liable for damages of any nature, direct or indirect, arising from the use of this service or reliance on this unofficial document.

## CHAPTER 1171 SIGNS

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### SECTION 1171.01 PURPOSE

The City of Kettering sign regulations are intended to achieve the following objectives:

1. To promote a healthy economy by permitting businesses and the community to inform and direct the general public through the use of signs on the buildings and sites.
2. To encourage an attractive visual environment for businesses and the community.
3. To protect and enhance the physical appearance of the City by:
  - a. Assuring the appropriate design, architectural scale and placement of signs.
  - b. Assuring that signs are placed in an orderly and attractive manner on the building or site.
  - c. Assuring that the amount of information on the sign is legible and achieves the intended purpose.
4. To insure public safety along public and private streets within the City by maintaining a limited number of signs and assuring that all signs are in safe and appropriate locations.

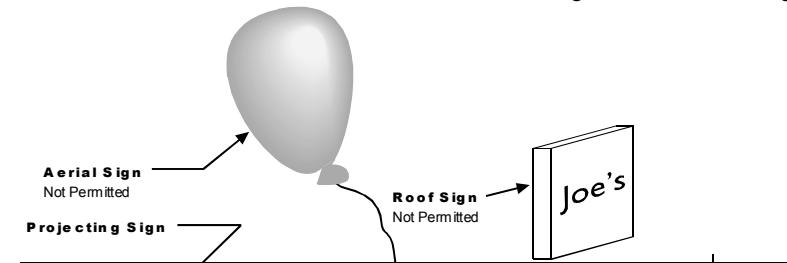
### SECTION 1171.02 PERMIT REQUIRED

- A. No person shall locate or retain any sign, or cause a sign to be located or retained unless all provisions of this Zoning Code have been met. To ensure compliance with these regulations, a sign permit pursuant to the provisions of Section 1171.14 shall be required for each sign unless specifically exempted in this article.
- B. A sign initially approved for which a permit has been issued shall not be modified, relocated, altered, or replaced, nor shall design elements of any building or lot upon which such sign is maintained be modified, relocated, altered or replaced if any such design element constituted a basis for approval of such sign unless an amended or new permit is obtained consistent with these regulations.
- C. The following shall require a sign permit:
  1. The repair of Off-premises signs, and
  2. A change of the face of a sign shall require a sign permit. The repainting, changing of parts and preventive maintenance of signs, and a change in the message on a changeable copy sign shall not be deemed alterations requiring a sign permit.
- D. Any sign permit shall expire if the sign, for which the permit has been issued, is not fully constructed within six (6) months from the date of issuance of the permit.

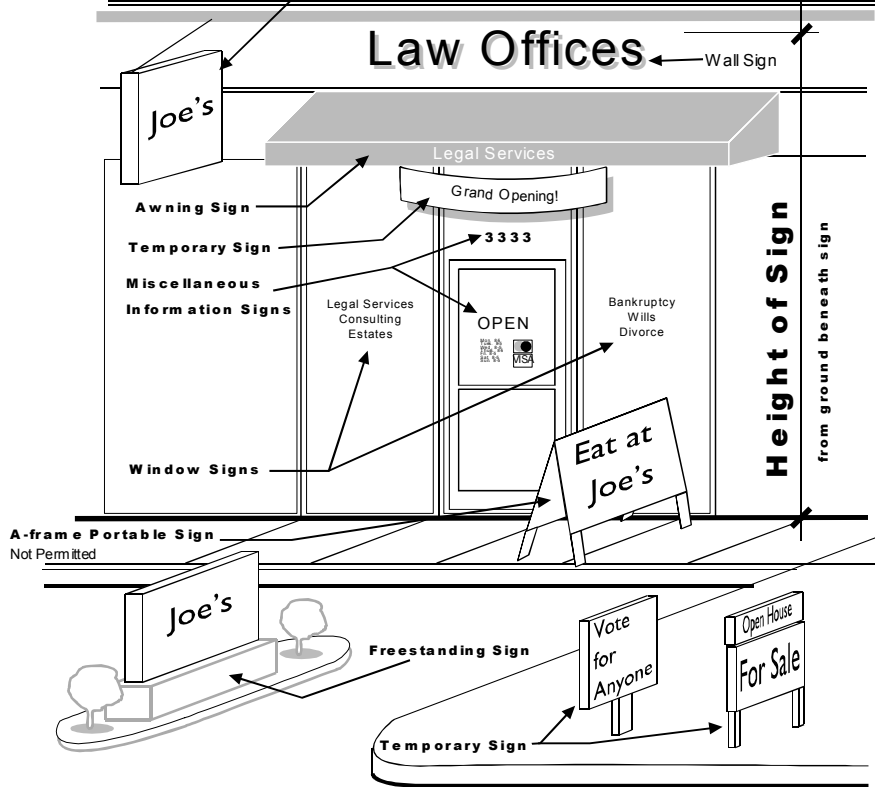
**SECTION 1171.03 DEFINITIONS**

- A. **Sign** is any object, device, display, graphic, structure, or part thereof, which is situated indoors or outdoors or is attached to, painted on or displayed from a building or structure in order to direct, attract attention to or announce an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images.
- B. **Frontage**
1. **Building Frontage** is the façade of a building which contains the main public entry or is the façade of a building that is parallel to and facing a public street. If a building has more than one building frontage, the shorter frontage shall be used to calculate sign area.
  2. **Lot Frontage** is the length of the front lot line measured at the street right of way line between side lot lines.
- C. **Classification By Functional Type**
1. **Off-Premises Sign** is a sign which contains either a message or symbols which does not relate to the premises where such sign is located or to which it is affixed.
  2. **Changeable Copy Sign** is a portion of a Wall Mounted, Freestanding or Center Identification sign designed to accommodate frequent message changes. Changeable copy signs include the following:
    - a. Electronically or electrically controlled signs, see section 1171.11, Supplemental Regulations.
    - b. Manually changed message signs
  3. **Directional or Instructional Sign** is any sign which indicates instructions for use, the direction or specific location of an object, person, institution, organization, business, or event which does not include information regarding product lines or services. Directional signs can include: entry, exit and similar traffic control signs.
  4. **Identification Sign** is a sign which, by symbol or name, identifies the area, location (by street number) or premises where such sign is located or to which it is affixed. Identification signs include the following:
    - a. Institutional Identification Signs including signs that identify any conditional use in a residential district as specified in Section 1147.04.
    - b. Residential or Industrial Development Identification Signs including signs that identify a development, subdivision, neighborhood, apartment structure or complex, and other developments used solely for residential or industrial purposes.
    - c. Center Identification Signs are signs that identify commercial Planned Unit Developments that contain at least one multiple tenant building containing three or more tenants.
  5. **Temporary Sign** is a sign of any type, which is placed for a specified period of time, intended to announce special events, promotions, sales, etc. which are constructed of poster board, cardboard, masonite, plywood or plastic material and mounted to wood, metal or wire frames or supports. See Section 1171.05A10. Temporary signs may include, by way of example, the following:
    - a. A sign related to a special event on the site such as real estate sales, construction sites, off-premises events, special merchandise sales, etc.
    - b. Window signs constructed of paper, cloth or similar expendable material, including signs incorporated with a display of merchandise, a display relating to services offered, or a special sale or promotion which are located inside a structure mounted on or near a window, intended to be viewed from outside the structure.
- D. **Classification By Structural Type**

1. Aerial Sign is any balloon, or other airborne flotation device which is tethered to the ground or to a building or other structure which directs attention to a business, commodity, service, or entertainment conducted, sold or offered.



2. Freestanding Sign is any sign independently supported by the ground or mounted on a decorative wall or fence.



3. Portable Sign is any sign which is movable and which is not permanently attached to the ground, a structure or other signs, and is designed or constructed in such a manner that it can be moved or relocated without involving any structural or support changes. Portable signs would also include any sign which is supported by an "A-frame" or "T-frame" base which is designed to be easily movable.

4. Projecting Sign is any sign which is attached to or supported by a building or structure and extending perpendicular from said building or structure a distance of more than eighteen (18) inches.
  - a. Awning/Canopy Sign is any sign that is mounted, painted or otherwise applied on or attached to an awning or a canopy.
5. Roof Mounted Sign is any sign which is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the parapet of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof or the deck line of a building with a mansard roof.
6. Wall Sign is any sign which is affixed to, painted on, or carved into any exterior wall.
7. Window Sign is any sign painted on, displayed from or installed inside a window for purposes of viewing from outside the building. This does not include merchandise and other temporary displays located in a window. See Section 1171.11.
8. Neon Sign is a sign formed from neon lamps containing neon gas.
9. Drive-thru Sign is a freestanding, one sided sign which is located at or close to the stacking spaces for a drive-thru. See Section 1171.11.

10. Gas Pump Sign is any sign which is affixed to or mounted on a gas pump. See Section 1171.11.

#### **SECTION 1171.04 PROHIBITED TYPES AND LOCATIONS**

- A. Unless specified elsewhere in this Zoning Code, the following prohibitions exist on the type and message of permitted signs.
  1. Portable signs, as defined in 1171.03, shall be prohibited within the City of Kettering.
  2. No sign shall contain words, statements or graphic descriptions of an obscene or indecent nature.
  3. No pennants, banners, streamers, flags, except as permitted in section 1171.05A.6, spinning or similar moving devices, or aerial signs such as air activated graphics or balloons shall be permitted, except as authorized in Section 1171.12, Standards for Temporary Signs.
  4. Off-Premises signs are prohibited except as specified in Section 1171.11.
  5. No sign shall be of a shape or color that may be confused with traffic control signs or devices, railroad sign or signal.
  6. No signs shall be permitted or allowed in any public right of way, except as may be erected by municipal or state government, pursuant to Section 1171.05.
- B. Unless specified elsewhere in this Zoning Code, the following prohibitions exist on the location of permitted signs.
  1. No signs shall be located nearer than eight (8) feet vertically, or four (4) feet horizontally from any overhead electric wires or conductors or public utility guy wires.
  2. Signs that project above the parapet wall or angle of a mansard roof, or are placed on the top of a building structure shall be prohibited.
  3. No sign shall be located in such a manner as to hinder or prevent free ingress and egress from any door, window or fire escape.
  4. No sign shall be attached in any form, shape or manner which will interfere with any opening required for ventilation.
  5. No sign shall be located at or near an intersection of two or more streets in such a manner as to hinder or obstruct free and clear vision as determined by the performance standards as specified in the official City of Kettering Environmental Standards manual.
  6. Other than traffic control signs, no sign shall be attached to or supported by a tree, bus shelter, utility pole, bench, trash receptacle or newspaper vending machine.

#### **SECTION 1171.05 EXEMPT SIGNS**

- A. The following signs are allowed without a sign permit, and are not required to be included in the determinations of the allowable number, type or area of signs pursuant to Sections 1171.07 through Section 1171.12.
  1. Garage and Yard Sale Signs: Signs advertising garage and yard sales.
  2. Hazard and Prohibition Signs: Signs warning of construction, excavation, or similar hazards, so long as the hazard exists, and "No Trespassing", "No Parking", and other similar warning signs.
  3. Holiday Decorations: Temporary holiday decorations.
  4. Internal Signs: Signs not intended to be viewed from public streets and located so as not to be visible from public street or adjoining properties, such as signs in interior areas of shopping centers, commercial buildings and structures, ball parks, stadiums and similar uses of a recreational or entertainment nature. All such internal signs to be located in a Planned Unit Development shall be included in a sign policy for the development.
  5. Miscellaneous Information Signs: Miscellaneous permanent information signs for nonresidential land uses, with an aggregate area not to exceed four (4) square feet at each entrance, indicating address, hours and days of

operation, whether a business is open or closed, credit card information and emergency address and telephone numbers.

6. **Official Flags:** Official federal, state or local government flags, emblems and historical markers.
  7. **Official Signs:** Official municipal or state government traffic, directional and information signs; and any notices issued by any court.
  8. **Window Signs:** Temporary window signs constructed of paper, cloth or similar expendable material, including signs incorporated with a display of merchandise, a display relating to services offered, or a special sale or promotion which are located inside a structure. Signs painted on or otherwise permanently affixed to a window or made of metal, wood, plastic, neon or other permanent material and positioned in a window are subject to the provisions of Section 1171.08. No combination of temporary and permanent window sign shall cover more than fifty (50) percent of any window panel.
  9. **Monuments:** Cornerstones and headstones.
  10. **Temporary Signs:** Temporary signs in residential districts shall be exempt. Such exempt signs shall not exceed six (6) square feet per sign and shall be allowed for a maximum continuous duration of six (6) months, unless the sign is related to an event and the date of the event is known. If a sign is related to an event and the date of the event is known, then the sign shall be allowed for a maximum of thirty (30) days before and seven (7) days after the event.
- B. Nothing in this section shall exempt a sign from the necessity of building permit approval if an electrical or building permit is required by the Building Code.

#### SECTION 1171.06 MEASUREMENT STANDARDS

A. The area of a sign shall be measured as follows:

1. The area of the surface, or surfaces of any opaque or translucent panels used or intended for displaying a message; and



2. For a sign comprised of individual letters, figures, or elements on a wall or similar surface, or an irregularly shaped freestanding sign, the area of a sign shall encompass a regular, or a combination of not more than six (6) rectangles which form, or approximate, the perimeter of all the elements in the display. When separate elements are organized to form a single sign but the elements are separated by open space, the area shall be calculated by determining the geometric form or combination of forms which comprise all the display area including the space between elements.



3. The area of the surface of any opaque panel used or intended for displaying a permanent message which is affixed to windows or doors.

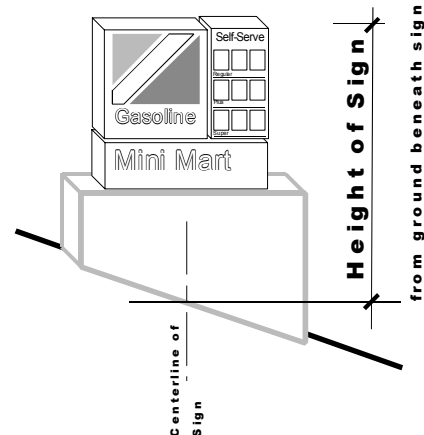
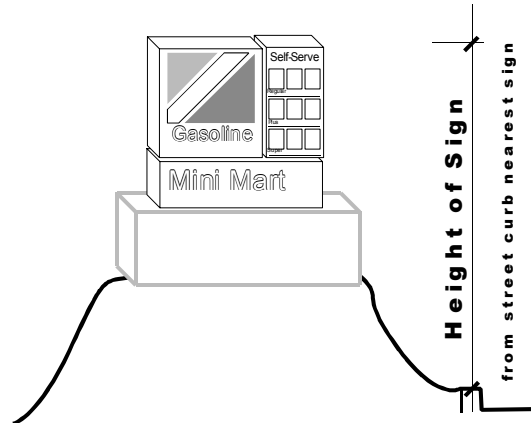
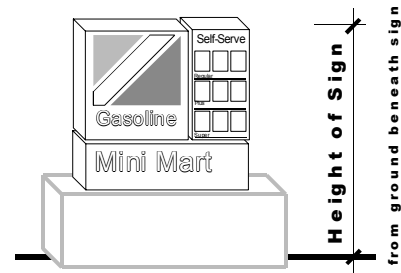
- B. The supporting structure or bracing of a sign shall not be counted as a part of sign area, unless such structure or bracing is made a part of the sign's message by including a symbol, logo, or other three-dimensional figure, in which case a combination of regular geometric shapes which can encompass the area of said symbol or figure shall be included as part of the total sign area calculations; and
- C. Where a sign has two display faces which measure 18" or less back to back, only the area of one face of the sign shall be considered for purposes of measuring total sign area; and
- D. Where a sign has two or more sign faces which are either more than 18" back to back, or which form another geometric shape, such as a globe, pyramid, cube or cylinder, the area of all portions of the sign face which can be viewed by the public shall be considered for purposes of measuring sign area.

E. The height of a sign shall be measured as follows:

1. The height of a freestanding sign shall be determined by measuring the vertical distance between the top part of a sign or its structure, whichever is highest, to the elevation of the ground directly beneath the sign.

In cases where signs are to be located on man-made berms, hills or other similar ground formations, with sides steeper than one (1) foot rise to four (4) foot horizontal, the Zoning Administrator shall utilize the elevation of the street curb nearest to the location of the sign for determining sign height. In the case of a private or public street without curbing the edge of pavement nearest to the sign location shall be utilized to determine sign height.

2. The height of an awning, canopy, projecting, wall or window sign shall be determined by measuring the vertical distance between the top part of a sign panel or individual letters or characters, whichever is highest, to the elevation of the ground underneath the sign.
3. Any material whose major function is providing structural support for a sign shall be considered part of the sign for purposes of determining sign height.



**SECTION 1171.07 GENERAL REGULATIONS**

A. Compliance with Building Code

1. All signs shall comply with the appropriate detailed provisions of the Building Code relating to design, structural members and connections.
2. Signs shall comply with the provisions of the applicable Electrical Code and the additional design standards set forth in this Section.

B. Sign Supports and Braces

1. All sign supports shall be an integral part of the sign design.
2. There shall be a pole cap on all free-standing signs unless the pole is an integral part of the sign design.
3. No temporary signs shall be attached to a ground or pole mounted sign.

C. Sign Anchoring

1. No sign shall be suspended by chains or other devices that will allow the sign to swing due to wind action.
2. Signs shall be anchored to prevent any lateral movement that would cause wear on supporting members or connections.

D. Illumination

1. Light sources shall not be of such brightness as to constitute a hazard to pedestrians or motorists and shall be shielded so as not to cast an illumination of more than two (2) foot candles on contiguous properties or not more than 0.1 foot candles on residential properties.
2. Flashing, intermittent illumination, or illumination which involves movement or causes the illusion or movement resulting from the arrangement of lighting, is prohibited, except for as regulated by Changeable Copy Sign section 1171.03.C.2.
3. No colored lights shall be used in a location or manner in which they might be confused with traffic control devices or vehicular traffic.
4. The illumination of all freestanding and wall mounted signs for institutional and recreational conditional uses shall be automatically turned off at 11:00 p.m. each evening.

E. Maintenance and Repair

1. All signs in the City of Kettering shall be maintained in a safe and good condition at all times, including the replacement of defective bulbs, parts or materials, painting, repainting, cleaning and other acts required for the maintenance of said sign.
2. If the sign is not made to comply with adequate safety standards, the Zoning Administrator shall require its removal.
3. Any sign which is part of an establishment that discontinues its operation, the face of the sign shall be replaced with a blank face within thirty (30) days or the sign shall be completely removed.

F. Landscaping

The base of all freestanding signs shall be effectively landscaped in accordance with the following standards and maintained in good condition at all times.

A permanent freestanding sign shall require a single continuous landscaped area to be maintained beneath the sign in accordance with the following standards:

- a. The edge of the required landscaped area shall be thirty inches from the edge of the sign or any edge of the sign structure.
- b. The landscaped area shall include all points where sign structural supports attach to the ground.
- c. Where the required landscaped area adjoins a paved surface accessible to vehicular traffic, a raised concrete curb, suitable to prevent the encroachment of vehicles, shall be required. The minimum horizontal distance between the face of any required curb and any part of the sign shall be thirty (30) inches.
- d. The landscaped area shall include living plantings aesthetically located and maintained. The use of concrete, asphalt, stone or any other paved surface inside the required landscaped area beneath the sign shall be prohibited.

**SECTION 1171.08 TABLE OF MAXIMUM SIGN AREA**

All signs shall conform to the area requirements as listed in the table on the next page, except as modified in 1171.09 TABLE OF MAXIMUM SIGN AREA - PLANNED UNIT DEVELOPMENTS, CC & OVERLAY DISTRICTS. The Maximum Sign Area shall apply to all signs as defined in section 1171.03. Additional signage may be permitted based upon Section 1171.11 Supplemental Regulations.

# Maximum Sign Area in Square Feet.

## Table 1171.08

All Multi-Tenant Buildings and Conditional Uses shall develop a sign policy to be approved by the Zoning Administrator.

	<b>Residential District</b> (R-E-A, R-E-b, R-1, R-2)	<b>Residential District</b> (R-3 and R-4)	For uses listed in Section 1143.04, <b>Conditional Uses</b> but only uses A, B, E, and F	<b>Office District</b>	<b>Business District</b> See 1171.11, Supplemental Regulations	<b>Industrial District</b>
<b>Freestanding</b> A maximum of fifty (50) percent of any permitted sign area may be changeable copy signage.	<b>1 s.f.</b>	<b>6 s.f. for sites one acre or larger.</b>	<b>24 s.f.</b> One sign per street frontage One quarter (1/4) square foot of sign area per one (1) foot of street frontage	<b>24 s.f.</b> One sign One quarter (1/4) square foot of sign area per one (1) foot of street frontage	<b>35 s.f.</b> One sign One quarter (1/4) square foot of sign area per one (1) foot of street frontage	<b>24 s.f.</b> One sign One quarter (1/4) square foot of sign area per one (1) foot of street frontage
	One <b>12 s.f.</b> freestanding sign shall be permitted at each entry to a subdivision.	One <b>12 s.f.</b> freestanding sign shall be permitted at each entry to a subdivision.				
<b>Wall Mounted</b>	<b>1 s.f.</b>	<b>1/2 s.f. per dwelling unit</b>	<b>50 s.f.</b> per street frontage, only if the campus contains multiple uses or buildings	<b>50 s.f.</b> One sign per street frontage, Single tenant building, One quarter (1/4) square foot of sign area per one (1) foot of building frontage on which the sign is to be located	<b>150 s.f.</b> One sign per street frontage, Single tenant building, One half (1/2) square foot of sign area per one (1) foot of building frontage on which the sign is to be located	<b>50 s.f.</b> One sign per street frontage, Single tenant building, One half (1/2) square foot of sign area per one (1) foot of building frontage on which the sign is to be located
				<b>10 s.f.</b> per tenant, One sign per tenant, Multi-tenant building	<b>150 s.f.</b> per tenant, One sign per tenant, Multi-tenant building, One (1) square foot of sign area per one (1) foot of building frontage	<b>10 s.f.</b> per tenant, One sign per tenant, Multi-tenant building
<b>Temporary</b>	<b>6 s.f. per sign</b> See Section 1171.05	<b>6 s.f. per sign</b> See Section 1171.05	<b>24 s.f. wall mounted</b>	<b>32 s.f. wall mounted</b>	<b>32 s.f. wall mounted</b>	<b>32 s.f. wall mounted</b>
			<b>24 s.f. ground mounted</b>	<b>16 s.f. ground mounted</b>	<b>16 s.f. ground mounted</b>	<b>16 s.f. ground mounted</b>
<b>Directional</b>	<b>1 s.f. one sign,</b> See 1171.11	<b>2 s.f.,</b> Not to exceed two signs per driveway, See 1171.11	<b>2 s.f.,</b> Not to exceed two signs per driveway, See 1171.11	<b>2 s.f.,</b> Not to exceed two signs per driveway, See 1171.11	<b>2 s.f.,</b> Not to exceed two signs per driveway, See 1171.11	<b>2 s.f.,</b> Not to exceed two signs per driveway, See 1171.11

**SECTION 1171.09      TABLE OF MAXIMUM SIGN AREA - PLANNED UNIT DEVELOPMENTS, CC  
& OVERLAY DISTRICTS**

All signs within Planned Unit Developments shall conform to the area requirements as listed on the table on the next page, page 1171-10. The Maximum Sign Area shall apply to all signs as defined in section 1171.03. Additional signage may be permitted based upon Section 1171.11 Supplemental Regulations.

**SECTION 1171.10      TABLE OF MAXIMUM SIGN HEIGHT**

All signs shall conform to the height requirements as listed on the table on page 1171-11. The Maximum Sign height shall apply to all signs as defined in section 1171.03. Additional signage may be permitted based upon Section 1171.11 Supplemental Regulations.

**Table 1171.09**

**Maximum Sign Area in Square Feet (s.f.) for Planned Unit Developments, CC & Overlay Districts**

All Planned Unit Developments, CC & Overlay Districts shall develop a sign policy to be approved by the Planning Commission or the Zoning Administrator.

<p><i>Fifty percent (50%) of any permitted sign area may be changeable copy signage.</i></p>	<p><b>Commercial Planned Unit Development (CPUD)</b> Maximum sign height shall conform to the district in which the sign is located</p>	<p><b>Residential Planned Unit Development (RPUD)</b> Maximum sign height shall conform to the district in which the sign is located</p>	<p><b>Community Center District &amp; Overlay Districts</b> Any new Overlay District shall follow the sign requirements for PUDs Maximum sign height shall conform to the district in which the sign is located</p>
<p><b>Freestanding Center ID</b> See 1171.03C4c If CPUD is over two (2) acres or has more than three hundred (300) feet of street frontage on one street.</p>	<p><b>100</b> s.f., one quarter (¼) square foot of sign area per foot of street frontage, One sign per street frontage with one permitted to be a maximum of 100 s.f., all others not to exceed 24 s.f.</p>	<p><b>24</b> s.f. for sites two (2) acres or larger, One (1) sign per street frontage, one quarter (¼) square foot of sign area per foot of street frontage</p>	<p>Based upon Sign Policy adopted for the Community Center District and for each specific Overlay district</p>
<p><b>Freestanding Center ID</b> See 1171.03C4c If CPUD is less than two (2) acres or has less than three hundred (300) feet of street frontage on one street or if it is a single tenant CPUD</p>	<p><b>50</b> s.f., one quarter (¼) square foot of sign area per foot of street frontage, One sign.</p>	<p>If site is less than two (2) acres only <b>6</b> s.f. is permitted.</p>	<p>Based upon Sign Policy adopted for the Community Center District and for each specific Overlay district</p>
<p><b>Freestanding,</b> One sign per single tenant outbuilding in a CPUD</p>	<p><b>24</b> s.f.</p>		<p>Based upon Sign Policy adopted for the Community Center District and for each specific Overlay district</p>
<p><b>Wall Mounted</b></p>	<p><b>150</b> s.f. One (1) square foot of sign area per one (1) foot of tenant building frontage, the building frontage on which the sign is to be located shall be used to calculate the area for that sign</p>	<p><b>1</b> s.f. One sign per Dwelling Unit</p>	<p>Based upon Sign Policy adopted for the Community Center District and for each specific Overlay district</p>
<p><b>Temporary</b></p>	<p>Based upon Sign Policy adopted for each specific CPUD, Shall not exceed the Size and Height requirements for the district in which the CPUD is located.</p>	<p>Based upon Sign Policy adopted for each specific RPUD, Shall not exceed the Size and Height requirements for the district in which the RPUD is located.</p>	<p>Based upon Sign Policy adopted for the Community Center District and for each specific Overlay district</p>
<p><b>Directional</b></p>	<p><b>2</b> s.f., Not to exceed two signs per driveway, See 1171.11</p>	<p><b>2</b> s.f., Not to exceed two signs per driveway, See 1171.11</p>	<p>Based upon Sign Policy adopted for the Community Center District and for each specific Overlay district</p>

### Table 1171.10 Maximum Sign Height in Feet.

Maximum sign height can be varied by the Zoning Administrator based upon site constraints and Design Standards, Section 1171.13.

	<b>Residential District</b> (R-E-A, R-E-b, R-1, R-2)	<b>Residential District</b> (R-3 and R-4)	For uses listed in Section 1143.04, <b>Conditional Uses</b> but only uses A, B, E, and F	<b>Office District</b>	<b>Business District</b> See 1171.11, Supplemental Regulations	<b>Industrial District</b>	<b>Commercial PUD</b>
<b>Freestanding</b>	<b>4</b>	<b>4</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<p><b>6</b> If CPUD is less than two (2) acres or has less than three hundred (300) feet of street frontage on one street or if it is a single tenant CPUD or outlot of a CPUD</p> <hr/> <p><b>15</b> If CPUD is over two (2) acres or has more than three hundred (300) feet of street frontage on one street</p>
<b>Temporary, if freestanding</b>	<b>4</b>	<b>4</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>
<b>Directional</b>	<b>3</b> Based upon Design Standards	<b>3</b> Based upon Design Standards	<b>3</b> Based upon Design Standards	<b>3</b> Based upon Design Standards	<b>3</b> Based upon Design Standards	<b>3</b> Based upon Design Standards	<b>3</b> Based upon Design Standards

**SECTION 1171.11 SUPPLEMENTAL REGULATIONS**

The following sign regulations are in addition to the maximum sign area and height regulations set forth in Table 1171.08 through Table 1171.10.

- A. Freestanding and Center Identification signs. A freestanding or center identification sign shall be setback a minimum of ten (10) feet from the public right-of-way and twenty (20) feet from any side lot line. Setbacks can be varied by the Zoning Administrator based upon site constraints and the Design Standards in Section 1171.13.
- B. Residential or Industrial Subdivision Identification Signs. One (1) freestanding sign shall be permitted at each entry to a subdivision of one (1) acre or larger, not to exceed twelve (12) square feet per sign face and six (6) feet in height with a minimum setback of ten (10) feet from the public right-of-way. See Definitions.
- C. Drive-thru Signs. One (1) drive-thru sign shall be permitted at each building which has a drive-thru facility. Drive-thru signs shall not exceed twenty-four (24) square feet per sign face and four (4) feet in height with a minimum setback of twenty (20) feet from any public right-of-way or any property line. The sign shall conform to the Environmental Standards Manual with regard to illumination and noise.
- D. Gas Pump Sign. A maximum of two (2) square feet of signage shall be permitted on each of the two sides of each gas distributor. A gas distributor being a gas dispensing unit containing one or more gas dispensing nozzles. This restriction does not apply to any sign required by law.
- E. Directional and Instructional Signs. A maximum of two (2) directional signs shall be permitted per access drive pursuant to the area and height limitations in Table 1171.08, Table 1171.09 and Table 1171.10. Such signs shall be located no less than five (5) feet from a side lot line, and may be located at or near the public right-of-way but shall not be located in the right-of-way. All directional signs shall conform to the Environmental Standards Manual for minimum required site distance at intersections and driveways. Instructional signs are permitted to direct the user of a site but shall not be directed to the public right-of-way nor shall they contain any advertising for the use on the site they are located. Instructional signs shall not exceed two (2) square feet in area and shall conform to the Design Standards in Section 1171.13.
- F. Window Signs. No more than fifty (50) percent of any window panel shall be covered by a permanent window sign. The window area of a building shall be the total area for windows on the first floor of the wall of the building facing a public street, provided that, for the purposes of these regulations, the height of the windows on the first floor shall be that portion of the window within fifteen (15) feet of the grade. A window panel shall be the area of glass separated from another window panel by an opaque panel four or more inches wide.
- G. Off-Premises Signs
  - Off-Premises signs and structures as defined in Section 1171.03, shall be regulated as follows:
    - Temporary signs, as permitted in residential districts, are not considered off-premises signs.
    - Off-premises signs, as described below, are not permitted in any residential district.
      - a. Where permitted. Off-Premises signs and structures shall only be permitted in I-Industrial Districts when adjoining a thoroughfare right-of-way of one hundred (100) feet or more as designated by the Official Thoroughfare Plan.
      - b. Setback Requirements. Off-Premises signs and structures, where permitted, shall be set back from the ultimate right-of-way line of the Thoroughfare, as designated by the Official Thoroughfare Plan, at least as far as the required front yard depth for a principal building in the I-Industrial District. In addition, at street intersections, the setback of any off-premises sign or sign structure shall not be less than one hundred (100) feet from the ultimate right-of-way.

- c. Placement Facing R-District. No Off-Premises sign or sign structure shall be permitted which faces the front, side or rear lot line of any lot in any R-District within one hundred (100) feet of any such lot line, or entrance to any public park, school, library, church, or similar institution, within three hundred (300) feet thereof.
- d. Dimensions. Off-Premises signs and structures, where permitted, shall have a display area per sign face of no more than two hundred fifty (250) square feet, exclusive of border and trim, with the total sign area of the sign face not to exceed three hundred (300) square feet including border and trim. No Off-Premises sign or structure shall exceed thirty-six (36) feet in height from ground level to the highest point of the structure. However, no Off-Premises sign shall extend above the roof line of any existing building located within five hundred (500) feet.
- e. Placement and Location. Off-Premises signs and structures, where permitted, may only be erected as free standing structures. Off-Premises signs or structures shall be spaced no less than five hundred (500) feet apart.
- f. Structural Specifications. Off-Premises signs and structures, where permitted, shall be constructed to meet the following standards:
- (1) There shall be no more than two steel channel or pipe uprights visible to the motorist or pedestrian.
  - (2) Structure, including foundation, supports, braces and display sign shall be constructed so as to withstand a minimum lateral pressure of thirty (30) pounds per square foot.
  - (3) All exposed surfaces of wood and metal, galvanized aluminum metal, shall be painted or otherwise maintained at all times so as to prevent rust and/or other forms of deterioration.
  - (4) Double faced Off-Premises sign structures shall be considered as one structure, provided such signs are back to back, mounted on the same structure, so that only one sign face is visible from any given direction.
- g. Landscaping. The base of all Off-Premises signs shall be effectively landscaped in accordance with the following standards and maintained in good condition at all time.
- (1) A permanent Off-Premises sign shall require a single continuous landscaped area to be maintained beneath the sign in accordance with the following standards:
    - (a) The minimum landscaped area shall be equal to the area of the sign face.
    - (b) The landscaped area shall include all points where sign structural supports attach to the ground.
    - (c) Where the required landscaped area adjoins a paved surface accessible to vehicular traffic, a raised concrete curb suitable to prevent the encroachment of vehicles shall be required. The minimum horizontal distance between the face of any required curb and any part of the sign shall be thirty (30) inches.
    - (d) The landscaped area shall include living plantings located at the base of the sign aesthetically located and maintained. The use of concrete, asphalt, or any other paved surface inside the required landscaped area beneath the sign shall be prohibited.
- h. Maintenance. All Off-Premises signs and structures, where permitted, shall be maintained in a useful state of preservation at all times. Any sign and/or structure

which is found to be in a state of disrepair, or for which no signage is provided, for six (6) months or more, shall be removed within thirty (30) days of notification by the Zoning Administrator, unless otherwise corrected.

- i. Removal of Non-Conforming Off-Premises Signs and Structures. Off-Premises signs and structures in existence prior to the effective date of this section of the Zoning Code which violate or are otherwise not in conformance with the provisions of this Chapter 1171 shall be deemed non-conforming. All non-conforming Off-Premises signs and structures shall be maintained in accordance with Section 1171.15. Any non-conforming sign or structure damaged in excess of one-half (1/2) of its replacement value shall be reconstructed to conform to the provisions of this Section or be removed.

H. Signs In The Community Center, Residential Development Overlay, Planned Unit Development And Economic Development Overlay Districts

- a. No sign shall be permitted in the COMMUNITY CENTER, RESIDENTIAL DEVELOPMENT Overlay Measurement Standards, Planned Unit Development AND ECONOMIC DEVELOPMENT Overlay DISTRICTS unless it is demonstrated to the Zoning Administrator that such signs conform with a sign policy consistent with the adopted development plan for the district as approved by the Planning Commission or the Zoning Administrator.
- b. The standards for design, size, setback, illumination and number of such signs shall be determined based on the design guidelines as described in section 1171.13.

I. Electronically controlled signs.

- 1. All electronically controlled changeable copy signs shall adhere to the illumination restrictions set forth in 1171.07 (D) as well as all other standards set forth in this Chapter.
- 2. All electronically controlled changeable copy signs must show the entire message at one time without displaying characters that are scrolling, moving or exhibit the illusion of movement.
- 3. Every electronically controlled changeable copy sign shall have each message appear for no less than two (2) seconds and no more than twenty (20) seconds.
- 4. The height of each character on an electronically controlled changeable copy sign shall not exceed eighteen (18) inches.

**SECTION 1171.12 STANDARDS FOR TEMPORARY SIGNS**

- A. Temporary Signs (See Sections 1171.03 and 1171.05)
  - 1. Only one (1) temporary sign, for a period of time not to exceed thirty (30) days maximum, up to six (6) times in any one calendar year, shall be permitted in B-Business, I-industrial, O-Office districts and for Uses A, B, E, and F listed in Section 1143.04 CONDITIONAL USES for each lot and tenant.
  - 2. Temporary signs, where permitted, shall not exceed the Maximum Sign Area and Maximum Sign Height as contained in Table 1171.08, Table 1171.09 and Table 1171.10.
  - 3. Temporary signs shall not be illuminated.
  - 4. The minimum setback for all freestanding temporary signs shall be ten (10) feet from the public right-of-way and shall meet the setback standards at intersections as stated in the Environmental Standards Manual.

**SECTION 1171.13 SIGN DESIGN AND CONSTRUCTION STANDARDS**

All signs shall be reviewed for conformance to Section 1179, Design Review, when adopted.

In addition to assuring compliance with the numerical standards of these regulations, the Zoning Administrator, when approving signs or sign policies, shall consider the proposed general design, arrangement, texture, material, colors, lighting placement and appropriateness of the proposed sign in relationship to other signs and the other structures both on the premises and in the surrounding areas, and only approve signs which are consistent with the intent, purposes, standards and criteria of the sign regulations. Specific standards for determining the appropriateness of the sign shall include, but not be limited to, the following standards:

1. The lettering shall be large enough to be easily read from the public street but not out of scale with the building, site or streetscape.
2. The number of items (letters, symbols, shapes) shall be consistent with the amount of information which can be comprehended by the viewer, reflect simplicity, avoid visual clutter and improve legibility.
3. Signs shall have an appropriate contrast and be designed with a limited number of, and with the harmonious use of, colors. Signs, if seen in series, shall have a continuity of design with the style of sign generally consistent throughout the building or area. Continuity of design means uniformity of background colors or harmonious use of a limited range of complimentary background colors.
4. The size, style and location of the sign shall be appropriate to the activity of the site as prescribed elsewhere in these regulations.
5. The sign shall complement the building and adjacent buildings by being designed and placed to enhance the architecture.
6. The sign shall be consolidated into a minimum number of elements.
7. Directional signs shall contain the minimum information and the minimum area necessary to convey the message and instruct the viewer in the safe and efficient use of the facility.
8. A sign shall be constructed with a minimum of different types of material so as to provide a consistent overall appearance.
9. No part of a sign shall project above the parapet line.
10. All signs in Business, Office and Industrial Districts may be illuminated provided that light sources to illuminate such signs shall be shielded from all adjacent residential buildings and streets, and shall not be of such brightness so as to cause glare hazardous to pedestrians or motorists, or as to cause reasonable objection from adjacent residential districts.
11. No sign or advertising device shall be permitted which, by color, location, or design, resembles or conflicts with traffic control signs or devices.
12. Freestanding signs shall be designed and located so as not to obstruct a driver’s visibility entering or exiting a lot or to be a safety hazard to pedestrians or vehicles, and shall comply to the Environmental Standards Manual for maintaining clear sight at an intersection.



**SECTION 1171.14 APPLICATION REQUIREMENTS**

- A. All applications for sign permits as required in this Zoning Code shall be made in writing on a form supplied by the City of Kettering and shall contain or have attached thereto all drawings (elevations of the proposed sign(s), site plan, etc.) and information deemed by the Zoning Administrator to be necessary to determine whether all applicable provisions of this Zoning Code have been met. The Zoning Administrator shall review and approve or deny all sign applications.

- B. All applications for sign permits shall specify the owner or agent that has responsibility for maintaining the sign in good repair in accordance with Section 1171.07.
- C. All applications for a variance to Chapter 1171 (Signs) shall be made in writing on a form supplied by the City of Kettering and shall contain or have attached thereto all drawings and information deemed necessary by the Zoning Administrator. All applications for a variance shall be determined pursuant to Section 1175.10 of this Planning and Zoning Code.

#### SECTION 1171.15 NONCONFORMING SIGNS

- A. Definitions
  - 1. Non-conforming sign is any sign which exists at the time of adoption of this zoning ordinance which was erected prior to enactment of this ordinance but fails to conform to the provisions specified herein shall be regarded as a non-conforming sign.
- B. Loss of Non-Conforming Status

A non-conforming sign shall immediately lose its non-conforming designation and must be brought into compliance with these regulations or be removed if:

  - 1. The sign is altered in any way in structure or size (except for changeable copy signs, change of a sign face and normal maintenance); or
  - 2. The sign is relocated; or
  - 3. The sign is replaced; or
  - 4. The sign is part of an establishment that discontinues its operation for a period of six (6) months or more; or
  - 5. The sign is damaged to an extent of greater than fifty percent (50%) of the estimated replacement value or;
  - 6. The sign creates a hazard to vehicular and pedestrian traffic.
- C. Required Sign Maintenance and Repair
  - 1. Every sign, whether requiring a sign permit or not, shall be maintained in a safe, presentable, and good structural condition at all times, including the replacement of a defective part, painting, cleaning, and other acts required for the maintenance of said sign.
  - 2. Nothing in this section shall relieve the owner or user of a non-conforming sign or owner of the property on which the non-conforming sign is located from compliance with the provisions of these regulations regarding safety, maintenance and repair of signs, provided however, that any repainting, cleaning and other normal maintenance or repair of the sign or sign structure shall not modify the sign structure in any way.
  - 3. The Zoning Administrator shall cause to be removed any temporary or permanent sign that constitutes a public nuisance in that it endangers the public safety, such as a sign which is illegal, dangerous, a substantial blighting influence, or is materially, electrically, or structurally defective.
  - 4. Any sign which is part of an establishment that discontinues its operation, the face of the sign shall be replaced with a blank face within thirty (30) days or the sign shall be completely removed. Compliance with this requirement does not exempt the sign from 1171.15A and B above.

**Legislative history:** Ord. 3535-92; passed 1/28/92. Ord. 3669-95; passed 4/11/95. Ord. 3673-95; passed 4/25/95. Ord. 3740-97; passed 4/8/97