

## **ARTICLE 5. OUTDOOR LIGHTING**

### **5.01. PURPOSE**

The purpose of this section is to regulate the placement, orientation, distribution patterns, and fixture types of outdoor lighting in order to preserve, protect, and enhance the character of the township and the lawful nighttime use and enjoyment of property within the township. All outdoor lighting fixtures located on the applicable site including sign and building lightings, shall be arranged to reduce atmospheric light pollution, control light trespass and glare on adjacent properties and public roadways, and to provide safety, utility, and security.

### **5.02. APPLICABILITY**

This section is applicable to all new outdoor lighting fixtures in all zoning districts within Tate Township.

### **5.03. EXEMPTIONS**

The following lighting scenarios are exempt from the regulations contained herein:

- A.** Holiday lighting of a temporary nature of not more than two (2) months of continuous display per every six (6) months.
- B.** All temporary emergency lighting needed by police, fire department, other emergency service vehicles, and public service vehicles. This includes vehicular lights, which are exempt from the requirements of this section including flashing or blinking lights;
- C.** Street and traffic lights; and
- D.** All lighting required by the Federal Aviation Administration (FAA) or any other federal regulatory agency.

### **5.04. PROHIBITED LIGHTS**

The following types of lights are prohibited within the Township:

- A.** Search lights
- B.** Beacons
- C.** Laser source lights
- D.** Any high-intensity or flashing light not associated with emergency services or public safety
- E.** Lighting, including LED strips, neon tubing, or string lights, that are affixed to a building façade, window frame, roofline, or architectural element for the purpose of outlining or highlighting the structure or a tenant space.

**5.05. LIGHTING PLAN**

A lighting plan is required, unless specifically exempted herein, for all nonresidential and multi-family development. Agricultural uses, and single- and two-family dwellings shall not require a lighting plan. At a minimum, the lighting plan shall provide the following information:

- A.** The location of each existing and proposed site lighting, including wall-mounted, security, flood, parking lot lighting, and other lighting that may be proposed.
- B.** The height of proposed lighting fixtures.
- C.** The minimum and maximum intensity / illumination of the site.
- D.** A photometric plan showing the proposed intensity levels of the lighting throughout the site, indicating footcandle measurements for the subject site to all property lines, at a minimum. The initial output of lamp fixtures, as defined by the manufacturer, is the value to be considered in the intensity analysis. The photometric plan shall include all lighting, existing and proposed that is over 25 watts.
- E.** Details of the proposed outdoor lighting fixtures, indicating the manufacturer, model, and style of the fixture.

**5.06. OUTDOOR LIGHTING REGULATIONS**

**A. APPLICATION**

The following regulations shall apply to any outdoor lighting indicated in any district, on parcels where there are parking spaces for 20 or more vehicles.

**B. HEIGHT**

- 1.** All lighting fixtures attached to the exterior of a structure shall not exceed the height of the structure.
- 2.** All freestanding lighting fixtures shall not exceed a maximum height of 24 feet above grade.
- 3.** Non-cutoff decorative freestanding lighting fixtures shall not exceed 12 feet in height.

**C. LIGHTING TYPES**

- 1.** All outdoor lighting shall be located, screened, or shielded so that adjacent lots and the public right-of-way are not directly or indirectly illuminated.
- 2.** Parking lot lighting shall be required to utilize full cut-off fixtures that are pointed down and away from the property line.
- 3.** Wall-mounted lights shall be screened by the building's architectural features, or contain a cutoff shield, to direct lighting onto the building and not onto adjacent lots.
- 4.** All outdoor lighting fixtures shall not exceed a color temperature of 4,000 Kelvin.
- 5.** All exterior light poles and fixtures shall be bronze or black in color.

- 6. Statues, monuments, flags, and other similar objects, as determined by the Zoning Inspector, may utilize upward lighting in the form of spotlights to illuminate the object of interest.
- 7. Non-cutoff lighting shall only be used for decorative purposes only.

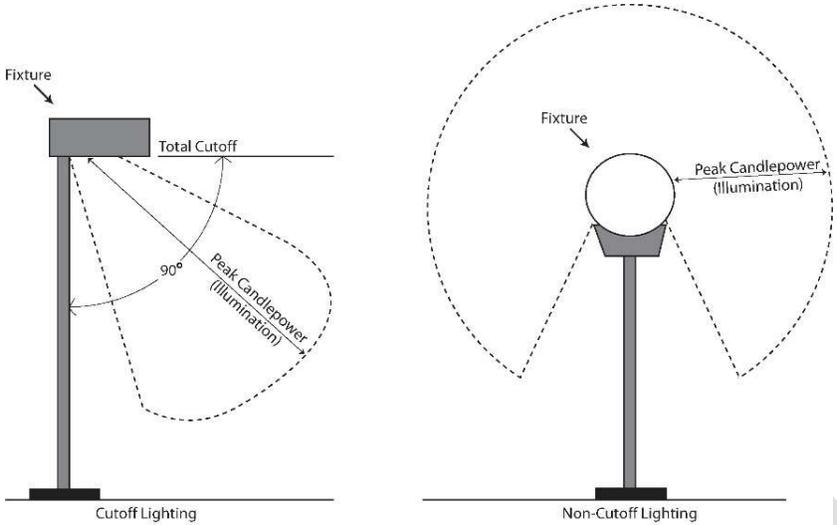


Figure ###. Cutoff and Non-Cutoff Light Fixtures

**D. ILLUMINATION**

- 1. The maximum illumination permitted at the property line in each district type and use, as demonstrated by a photometric plan, shall be meet the standards of [Table 5.06-1 \(Illumination Levels\)](#).

TABLE 5.06-1: ILLUMINATION LEVELS	
When a non-residential use abuts a...	The maximum illumination level at the property line is...
Agricultural, single-, or two-family dwelling	0.2 footcandles
Multi-family residential development	0.5 footcandles
Non-residential use	1.0 footcandles

## ARTICLE 7. PARKING, LOADING, AND CIRCULATION

### 7.01. PURPOSE

The purpose of this article is to regulate the amount and location of vehicle parking, loading areas, access, and mobility to promote efficient use of land, enhance the form of development, provide for safe pedestrian movement, and protect air and water quality.

### 7.02. APPLICABILITY

- A. Any building, structure, or use of land, when erected or enlarged, increased in capacity, or results in the addition of employees, dwelling units, or seating capacity, shall provide a parking plan, as established in [Section 7.04 \(Parking Plan\)](#), to be reviewed and approved by the Zoning Inspector.
- B. This article shall apply to all new property development, any expansion of existing structures or parking lots, and expansions of existing parking areas, except for single-family (attached and detached) and two-family dwellings as established in [Table 7.02-1 \(Applicability of Parking, Loading, and Circulation Standards\)](#).

Table 7.02-1: Applicability of Parking, Loading, and Circulation Standards	
Site/Building Improvement	Applicability of Parking, Loading, and Circulation Standards
<b>NEW CONSTRUCTION</b>	
New Construction	Full Compliance
<b>BUILDING EXPANSION / ADDITION</b>	
Less than 25% of floor area	N/A
Less than 25% of floor area, but >2,000 sq. ft.	Full compliance for additional spaces required
25 – 50% of floor area	Full compliance for additional spaces required
>50% of floor Area	Full Compliance
<b>EXTERIOR FAÇADE RENOVATION</b>	
<25% of Façade Area	N/A
25 – 50% of Facade area	N/A
>50% of Façade Area	N/A
<b>CHANGE OF USE / OCCUPANT</b>	
Change in Use Only (No Expansion or Renovation)	Must provide additional spaces per new use
<b>VEHICULAR USE AREA IMPROVEMENTS</b>	
Parking Lot Expansion < 10 Spaces	N/A
Parking Lot Expansion > 10 spaces	Full Compliance for New Spaces
Resurfacing or Restriping <sup>(1)</sup>	N/A

### 7.03. MAINTENANCE

The duty to provide and maintain all parking, loading, and/or other vehicular use areas shall be the responsibility of the property owner where the vehicular use area is required. This includes maintaining curbing, paving surfaces, and pedestrian ways in good condition without failing materials, potholes, or other similar deterioration.

### 7.04. PARKING PLAN

A parking plan, as required in the applicability section, shall be required for all uses, except for detached single-household dwellings and two-household dwellings. The

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parking plan shall be submitted to the Zoning Inspector as part of the applicable development plan or zoning certificate application. The plan shall be drawn to scale and shall show the following.

- A.** The boundaries of the property;
- B.** The proposed number of parking spaces, including typical dimensions;
- C.** Access drives and maneuvering aisles, including dimensions and locations;
- D.** Vehicular and pedestrian circulation patterns;
- E.** Preliminary drainage and grading plans;
- F.** A lighting and photometric plan if the proposed property abuts a residential or agricultural district or use;
- G.** The location(s) of any proposed fences or walls;
- H.** A landscaping and buffering plan;
- I.** An analysis of the required parking spaces according to [Section 7.05 \(Parking Requirements\)](#); and
- J.** Any additional information as requested by the Zoning Inspector.

**7.05. PARKING REQUIREMENTS**

Each applicant is required to provide an adequate number of parking spaces for the proposed use or expansion of use, following the minimum established in the following table.

<a href="#">TABLE 7.05-1: PARKING SPACE REQUIREMENTS</a>	
Principal Use	Minimum Spaces Required (Unless Specified Otherwise)
<b>AGRICULTURAL USES</b>	
Agribusiness	1 space per employee on the largest shift, plus 1 space per 10 employees
<b>RESIDENTIAL USES</b>	
Dwelling, Single-Family	2 spaces per dwelling
Dwelling, Two-Family	2 spaces per dwelling
Dwelling, Multi-Family	1 space per dwelling, plus 1 space per every 10 dwelling units
Mobile Home	2 spaces per dwelling
Residential Facility	1 space per every 2 beds
Residential Treatment Facility	1 space per every 2 beds
<b>PUBLIC/INSTITUTIONAL USES</b>	
Cemetery	n/a
Education Facility – Public or Private (Pre-K, Elementary, and Junior High)	2 spaces per classroom
Education Facility – Public or Private (High School)	10 spaces per classroom
Education Facility – Trade, College, or University	10 spaces per classroom
Governmental Facility	1 space per 500 square feet of floor area
Library, Museum, Gallery	1 space per 500 square feet of floor area
Park or Recreation Facility, Public	1 space per acre; 20 spaces per sport court or field; and 1 space per 75 square feet of water surface of pools

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Religious Assembly / Place of Worship	1 space per 5 seats or 100 square feet of floor space in the auditorium/sanctuary; whichever is greater
<b>COMMERCIAL USES</b>	
Animal Kennel, Daycare, and Training Facility	1 space per 500 square feet of floor area, plus 1 space per employee on the largest shift
Animal Hospital, Veterinarian Office and Clinic	1 space per treatment room, plus 1 space per employee on the largest shift
Automotive Fueling / Charging	1 space per 500 square feet of floor area plus 1 space per employee on the largest shift
Automotive Rental	1 space per 500 square feet of floor area plus 1 space per 2,000 square feet of outdoor area
Automotive Sales / Leasing, Commercial and Recreational Vehicles	1 space per 500 square feet of floor area plus 1 space per 2,000 square feet of outdoor area
Automotive Sales / Leasing, Passenger Vehicles	1 space per 500 square feet of floor area plus 1 space per 2,000 square feet of outdoor area
Automotive Service / Repair, Major	4 spaces for each service bay
Automotive Service / Repair, Minor	4 spaces for each service bay, plus 1 space per employee on the largest shift
Automotive Washing / Detailing	1 space per employee on the largest shift
Banks and Financial Institutions	1 space per 400 square feet of floor area
Bar / Tavern	1 space per 300 square feet of floor area
Bed and Breakfast	1 space per bedroom, plus 2 spaces for the owner of the dwelling
Brewery, Distillery, Winery, Cidery	1 space per employee; plus 1 space per 3 seats for any restaurant or taproom
Brewpub	1 space per 150 square feet of floor area
Campgrounds and Recreational Vehicle Camps	1 space per designated campsite, plus 1 space per RV space
Club, Lounge, or Meeting Hall	1 space per 400 square feet of floor area
Day Care Center	1 space per every 5 children
Drive-In Theater	1 space per viewing stall, plus 1 space per employee on the largest shift
Eating and Drinking Establishment	1 space per 150 square feet of floor area
Fitness Center	1 space per 200 square feet of floor area
Fitness Studio	1 space per 200 square feet of floor area
Funeral Home	1 space per 35 square feet of floor area
Garden Center / Greenhouse / Nursery	1 space per 500 square feet of land area used for display plus 1 parking space per employee
Hospital	1 space per each 4 beds
Hotel / Motel	1 space per each guest room
Institutional Care Facility	1 space per 500 square feet of floor area, plus 1 space per employee on the largest shift
Marijuana Business	1 space per 500 square feet of floor area
Medical Office, Clinic, or Urgent Care	1 space per 200 square feet of floor area
Mixed-Use	The parking regulations for the uses contained within the mixed use building or development shall be dictated by this table
Office	1 space per 400 square feet of floor area
Parking, Commercial and Fleet Vehicles	
Personal Services	1 space per 200 square feet of floor area
Recreation or Entertainment Facility, Indoor	1 space per 200 sq. ft. of floor area + 2 spaces per sports court or lane
Recreation or Entertainment Facility, Outdoor	1 space per 5,000 sq. ft. of site area + 1 space per 4 fixed seats

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Retail Sales and Service	1 space per 500 square feet of floor area
Retail Sales and Service, Large-Scale	1 space per 200 square feet of floor area
Sexually Oriented Business	1 space per 500 square feet of floor area
<b>INDUSTRIAL USES</b>	
All Industrial Uses Not Specifically Listed	1 space per employee on the largest shift, plus 1 space per 10 employees
Self-Storage Facility	2 spaces per employee on the largest shift
<b>ACCESSORY USES</b>	
Secondary Dwelling Unit	1 designated space per unit
Short Term Rentals	1 space dedicated for each bedroom as indicated on the short term rental application

### K. USES NOT LISTED

For uses not listed in this section, or such instances when the requirement for an adequate number of spaces is unclear, the number of parking spaces shall be determined by the Tate Township Zoning Commission on the basis of similar requirements, the number of persons served, number of employees, typical visitors, and other similar factors.

### L. UNITS OF MEASUREMENT

For this section, the following unit measurements shall apply:

1. Fractional units shall be rounded up to the next whole number for calculating required parking spaces.
2. For the parking requirements that use floor area (example: 1 space per 300 sq. ft.) as the standard, floor area shall:
  - a. Include the gross floor area used or intended to be used by tenants or for service to the public as customers, clients, patients, or patrons, including areas occupied by fixtures and equipment, used for the display or sale of merchandise.
  - b. Not include areas used principally for non-public purposes such as storage, incidental repair, processing or packing of merchandise, show windows, offices incidental to the management or maintenance of stores or buildings, toilet or restrooms, utilities, dressing rooms, or alteration rooms.
3. Where the required parking is determined by the number of employees, the maximum number of employees on duty at one (1) time, or any two (2) successive shifts, whichever is greater, shall be used.
4. In places of public assembly in which patrons occupy benches, pews, or other similar seating facilities, every 30 inches of such seating shall be counted as one (1) seat for the purposes of determining the parking requirements.
5. For mixed use developments, the parking requirement shall be the sum of the parking requirements for each use considered separately. The Zoning Inspector may consider modifying the required number of spaces on an individual basis as enumerated in [Subsection 7.05.D \(Modification of](#)

[Requirements](#)).

**M. MODIFICATION OF REQUIREMENTS**

1. The Tate Township Zoning Commission may modify the number of required parking spaces if it is deemed appropriate based on the following factors:
  - a. Parking demand of the proposed use;
  - b. Number of typical patrons or employees;
  - c. Shared parking opportunities;
  - d. Off-street parking availability;
  - e. Alternative transportation usage;
2. As part of the approval for a reduction in the number of required parking spaces, the approving body may require the applicant to reserve land on the subject property to be designated for a future parking area.

**N. SHARED PARKING**

Subject to approval by the Tate Township Zoning Commission, up to 50 percent of required off-street parking spaces for two (2) or more uses located on the same parcel or adjacent parcels may be shared provided the developer and/or landowner can demonstrate that the use will not substantially overlap in hours of operation or demand for the shared spaces. This shall be guaranteed by a written agreement properly drawn up and executed by the parties concerned, approved as to form by the Township legal counsel, and filed with the application for a zoning certificate.

**7.06. PARKING FOR THE DISABLED**

Parking spaces required for people with disabilities shall be provided in compliance with the Americans with Disabilities Act (ADA) and other applicable state and federal requirements. All spaces shall include the necessary markings, striping, and signage. All spaces should be located so that they provide easy access from the closest parking spaces to the major entrance(s) of the use for which they are provided.

**7.07. SURFACING**

All parking areas, greater than 10 spaces, shall adhere to the following:

- A. All off-street parking areas, spaces, lots, and access drives to such parking areas shall be surfaced with asphalt or concrete of sufficient depth to meet the standard engineering practice for the design of pavements for the anticipated traffic load, in accordance with the standards of the Clermont County Engineer's Offices.

**7.08. LOTS UNDER CONSTRUCTION**

Lots under construction shall pave the first 20 feet of all access roads/drives in order to keep debris off the public right-of-way.

**7.09. GRADING AND DRAINAGE**

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Such areas shall be graded and drained as to dispose of all surface water accumulated within the area, utilizing best practices including but not limited to, rain gardens and pervious pavers, in accordance with the standards of the Clermont County Engineer's Office.

### 7.10. MARKINGS

Parking areas shall be arranged and marked as to provide for safe loading, unloading, and parking of vehicles and self-propelled vehicles (such as bicycles and scooters).

### 7.11. PARKING LOCATION AND DESIGN

- A. Uses which utilize private common parking areas must demonstrate that legal rights of easement exist and have been recorded to permit the use of parking spaces on adjacent or surrounding property. This documentation shall be provided to the Zoning Inspector before a Zoning Certificate is issued for said use.
- B. All off-street parking areas shall be designed in a way to prevent vehicles from directly backing out of the lot onto a public street.
- C. The spacing, location, and number of entrances and exits from the parking areas shall be approved by the Clermont County Engineer's Office or the Zoning Inspector.

### 7.12. RESIDENTIAL PARKING REQUIREMENTS

- A. Single-family residential dwellings (attached or detached) shall provide a minimum of two (2) parking spaces. Two-family residential dwellings shall provide a minimum of three (3) parking spaces unless an alternate parking plan is approved by the Township. Parking spaces within a garage, or in the driveway area, shall count towards this requirement.
- B. Vehicles shall be required to park in the garage or defined driveway area only. Parking of vehicles on the lawn, or in other areas not designated for parking, for more than 24 hours in any seven (7) day period shall be prohibited. This subsection does not regulate parking in the street right-of-way.
- C. The surface coverage ratio of the required front yard shall not exceed 30 percent. The surface coverage ratio shall include porches, sidewalks, driveways, and/or other impervious surfaces that project into the required front yard (excluding the public right-of-way).
- D. The storage of recreational vehicles is subject to [Section 3.10.S \(Parking and Storage of Recreational Vehicles\)](#).

### 7.13. PARKING OF COMMERCIAL VEHICLES

#### A. COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICTS

No commercial vehicles shall be parked on any lot within any R-District or the AG district unless to provide commerce or services to that property, unless being stored within an entirely enclosed building under the same ownership as the

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commercial vehicle, or as permitted herein. One (1) commercial vehicle shall be permitted to be parked or stored on a driveway in any residential district if:

1. It does not exceed eight (8) feet in height and/or 20 feet in length;
2. Does not provide occupancy for human habitation;
3. No business is conducted therein; and
4. It is not a bus, cement truck, box truck, box van, semi-tractor or semi-trailer, stake bed truck, step van, tank truck, tar truck, dump truck, tow truck, or wrecker.

**B. COMMERCIAL VEHICLES IN COMMERCIAL DISTRICTS**

No commercial vehicle shall be parked on any lot within any commercial district (CR, CC, or CG) unless:

1. The commercial vehicle is for the purpose of providing commerce or services to that property;
2. The commercial vehicle is licensed to or affiliated with the business located thereon;
3. The commercial vehicle is being repaired thereon;
4. The lot is an approved truck terminal or truck stop; or
5. The commercial vehicle is parked at an establishment that offers overnight accommodations, provided the driver of the vehicle is a guest at such an establishment.

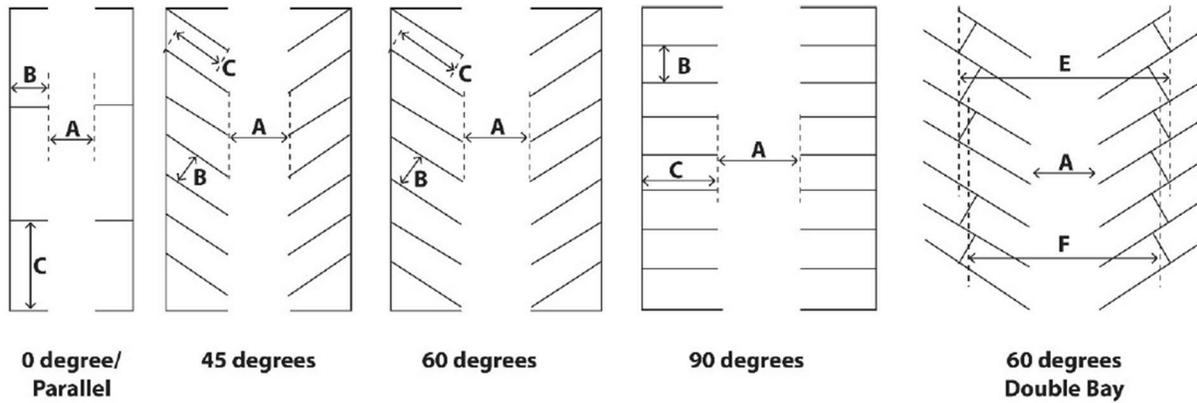
**7.14. PARKING AISLE AND SPACE DIMENSIONS**

Each off-street parking space and maneuvering aisle shall have the minimum width as set forth in the following table.

**TABLE 7.14-1: PARKING AISLE AND SPACE DIMENSIONS**

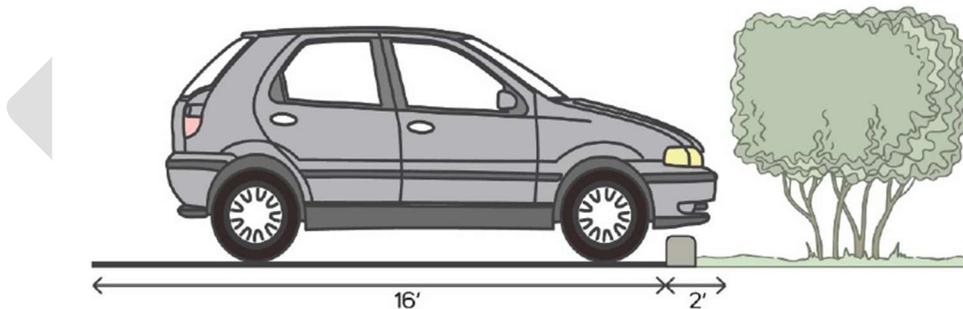
Parking Aisle Orientation	A		B	C	D	E
	Aisle Width		Space Width	Length of Space	Approximate Curb to Curb (Single-Bay)	Approximate Bay Width (Center to Center)
	One-way	Two-way				
0 degree / parallel	12 feet	20 feet	9 feet	21 feet	38 feet	38 feet
45 degrees	14 feet	20 feet	9 feet	18 feet	56 feet	53 feet
60 degrees	18 feet	22 feet	9 feet	18 feet	60 feet	58 feet
90 degrees	24 feet	24 feet	9 feet	18 feet	60 feet	60 feet

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### 7.15. VEHICLE OVERHANG

- A. When parking spaces abut a landscaped area, grassy strip, or yard, a reduction of a maximum of two (2) feet of the overall length of any such space or spaces may be allowed as vehicles may extend into the landscape area, grassy strip, or yard.
- B. When parking spaces abut a pedestrian path, a reduction of a maximum of two (2) feet of the overall length of any such space or spaces may be allowed provided that the vehicle overhang does not reduce the pedestrian path to less than four (4) feet in width and does not encroach on the pedestrian circulation.
- C. A concrete wheel stop, or concrete curb, shall be utilized to delineate the limitations of the parking area.



### 7.16. CONTINUOUS CURBS

Continuous curbs shall be provided, located, and designed to protect required screening installments, landscaping, and pedestrian ways from damage or encroachment of vehicles and to provide necessary traffic control in the parking area. Continuous curbs shall be made of asphalt, concrete, or stone, and shall be a minimum of six (6) inches in height and six (6) inches in width. They shall form a non-interrupted edge around all landscaped areas adjacent to parking and turn-around

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areas that are not protected by wheel stops. Breaks may be incorporated to allow for the strategic flow of surface drainage.

**7.17. OFF-STREET LOADING STANDARDS**

**A. DIMENSIONS**

Each off-street loading space shall be at least 10 feet in width, 50 feet in length, and have a vertical clearance of 15 feet or more. Access aisles shall be provided in order to provide the necessary maneuvering space for delivery trucks.

**B. PAVING AND DRAINAGE**

All loading spaces shall be graded and improved with bituminous concrete or Portland concrete and provide drainage in accordance with the standards of the Clermont County Engineer’s Office.

**C. LOCATION**

All required loading spaces shall be off-street and shall be located on the same lot as the specific use to be served. No loading space shall be located within a front, side, or rear yard setback and in no case shall any space be located less than 50 feet from any residential zoning district.

**D. NUMBER OF OFF-STREET LOADING SPACES REQUIRED**

In connection with every building or part thereof erected for commercial and industrial uses which customarily receive or distribute material or merchandise by vehicle (such as food deliveries to restaurants, merchandise deliveries to retail stores, material deliveries to manufacturing facilities, etc.), there shall be provided, on the same lot with such buildings, off-street lading spaces with the requirements herein, except for existing legal non-conformities. Off-street loading requirements shall be as follows:

Square Footage of Principal Building	Number of Loading Spaces Required
<b>Commercial Uses</b>	
< 1,000 sq. ft.	0
1,001 – 10,000 sq. ft.	1
10,001 – 40,000 sq. ft.	2
> 40,000 sq. ft.	3, plus 1 space for each 30,000 sq. ft. over 40,000 sq. ft. of building area
<b>Industrial Uses</b>	
< 2,000 sq. ft.	0
2,001 – 10,000 sq. ft.	1
10,001 – 40,000 sq. ft.	2
> 40,000 sq. ft.	3, plus 1 space for each 30,000 sq. ft. over 40,000 sq. ft. of building area

**E. EXCEPTIONS AND MODIFICATIONS**

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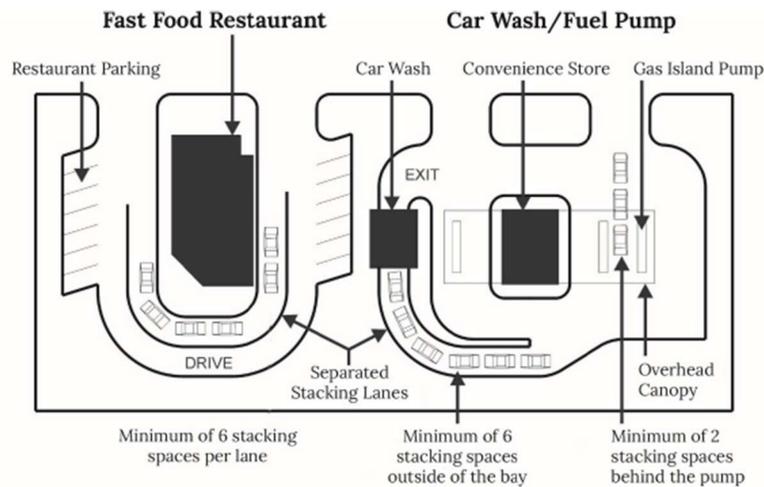
The Board of Zoning Appeals may authorize a modification, reduction, or waiver of the foregoing requirements if they should find that there is an exceptional situation or condition that justifies such action.

**7.18. OFF-STREET STACKING SPACES**

- A.** The minimum number of required stacking spaces shall be as provided in the following table.

**TABLE 7.18-1: STACKING SPACE REQUIREMENTS**

Activity	Minimum Stacking Spaces (per lane)	Measured From
Restaurant with a drive-through / pick-up window	6	Pick-up window
Restaurant with a pick-up window	2	Pick-up window
Financial Institutions or ATM	4	Teller or window
Automotive Fueling	2	Pump island
Pharmacy	5	Pick-up window
Automotive Washing / Detailing, Full-Service	6	Outside of washing bay
Automotive Washing / Detailing, Self-Service	2	Outside of washing bay
Other	As determined by the Zoning Inspector	



- B.** Each off-street stacking space shall have a minimum dimension of 10 feet in width and 20 feet in length and shall be set back a minimum of 25 feet from rights-of-way.
- C.** Drive-through lanes must be separated by striping or curbing from other parking and circulation areas. Individual lanes must be striped, marked, or otherwise distinctly delineated.
- D.** Vehicle stacking spaces shall be located on the side and rear of the building.
- E.** Vehicle stacking spaces shall not interfere with access to the site and not impede traffic on the adjacent streets.
- F.** The Zoning Commission may authorize a modification, reduction, or waiver of the foregoing requirements if they should find that there is an exceptional situation or condition that justifies such action.

**7.19. APPEALS**

The Zoning Inspector has the authority to reject a parking plan and/or analysis if they determine that an adequate amount of parking has not been provided. The applicant may appeal the decision to the Tate Township Board of Zoning Appeals per the appeals regulations in [Section 10.06.E \(Appeals\)](#).

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## ARTICLE 8. SIGNAGE

### 8.01. PURPOSE

- A. The purpose of this article is to promote public health, safety, morals, comfort, and general welfare by establishing regulations that govern the size, character, location, and structural integrity of signs and other advertising structures.
- B. All standards are intended to promote and enhance the ability of residents and visitors to speak freely. Furthermore, the intent of these sign regulations is to:
  - 1. Encourage the effective use of signs as a means of communication in the Township, while preserving the rights of free speech under the First Amendment of the United States Constitution. The provisions of this article shall be uniformly enforced without regard to the content of any advertising message or the identity of the proponent of that message;
  - 2. Maintain and enhance the aesthetic environment and the township's ability to attract economic development and growth;
  - 3. Improve pedestrian and traffic safety;
  - 4. Minimize the possible adverse effect of signs on nearby public and private property; and
  - 5. Enable the fair and consistent enforcement of these sign regulations.

### 8.02. APPLICABILITY

- A. The regulations contained within this article shall apply to all signs and to all zoning districts, unless specifically exempted in these regulations.
- B. No sign shall be erected, established, modified, created, or maintained in Tate Township unless it follows the regulations of this article.
- C. This article shall regulate the height, area, location, materials, and other visual aspects of signs and other advertising structures.

### 8.03. GENERAL PROVISIONS

The following provisions apply to signs in all districts within the township. Additional specific requirements regarding the type, size, location, and other requirements for signs in residential, public and institutional, commercial, and enterprise districts are included in the respective provisions of each use category.

#### A. APPLICATION TO ACCESSORY USES

The setback and location requirements of accessory uses, pursuant to [Section 3.10 \(Accessory Uses and Structures\)](#), shall not apply to signs. Specific setback and location requirements as well as other requirements for signs are included with each permitted sign type.

#### B. ZONING CERTIFICATE REQUIRED

A Zoning Certificate shall be obtained from the Zoning Inspector before any sign (except signs exempted from this article) is located, erected, constructed, reconstructed, enlarged, replaced, structurally modified, or used in any zoning district in Tate Township.

**C. EXEMPTED SIGNS**

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

1. Governmental signs for identification, control of traffic and other regulatory purposes, street signs, warning signs, railroad crossing signs, and signs of public utility companies for the purpose of identification or public safety;
2. Flags, emblems, insignia, and signs of any governmental agency or political subdivision.
3. Signs within a stadium, theater, building, arena, or other structure, provide that such sign can be viewed only by persons with such facility or associated structure.
4. Signs not visible from the public right-of-way as determined by the Zoning Inspector.

**D. NONCONFORMING SIGNS**

1. All signs legally existing before the effective date of this Zoning Resolution may be continued, even though such sign may not conform with the provisions (excluding safety, maintenance, and repair) of this Zoning Resolution, provided, such signs are properly maintained and do not endanger the public health, safety, morals, comfort, and general welfare of the community.
2. Such signs shall be issued a Legal Nonconforming Structure Certificate, pursuant to [Section 10.08.F \(Zoning Certificates for Legal Non-conformities\)](#). Message or copy changes and general maintenance shall be permitted on all nonconforming signs. However, relocation or replacement of the sign, or any alteration in the size or structure of the sign, except toward compliance with this Resolution shall cause the sign to lose its status as legally nonconforming.

**E. MAINTENANCE AND REPAIR**

All signs and sign structures, including the component parts of each, shall be kept in good repair and in a proper state of preservation by the owners of the sign or property owners of the lot on which the sign is located.

**F. MESSAGE CHANGES**

If a permitted sign utilizes message changes with a manual message board, electronic changeable copy, menu boards, bulletin boards, marquees, or other similar signage types; the changing of the message and the repositioning of existing panels is permitted and does not require a Zoning Certificate. Message or

copy changes that require permanent replacement panels, or the replacement of the sign surface area shall require a Zoning Certificate.

**G. READER BOARDS AND ELECTRONIC MESSAGE BOARDS**

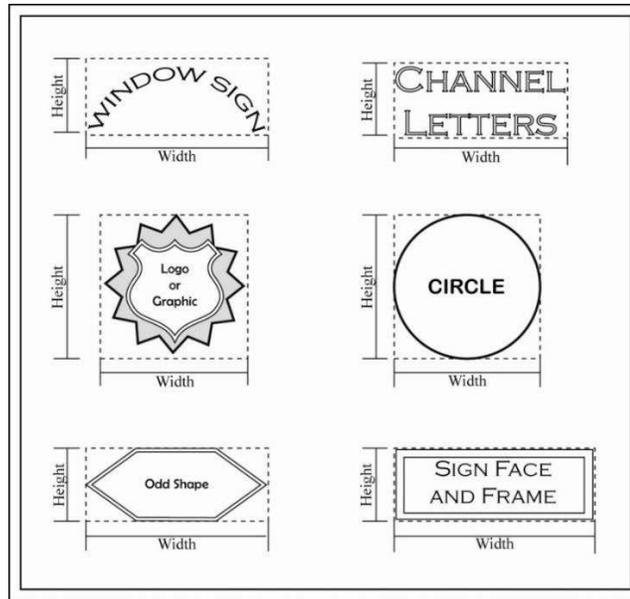
Reader boards and electronic message boards are considered as part of the permitted display area of a sign. Each separate message copy must be displayed a minimum of five (5) seconds. The business name must be prominently displayed at all times and in the same location on either the reader board or permanent sign. Reader Boards and Electronic Message Boards shall require approval of a Conditional Use Permit pursuant to [Section 10.06.D \(Variances and Conditional Uses\)](#).

SECTION 5.1 GENERAL REQUIREMENTS FOR ALL SIGNS & DISTRICTS

**8.04. MEASUREMENTS AND COMPUTATIONS**

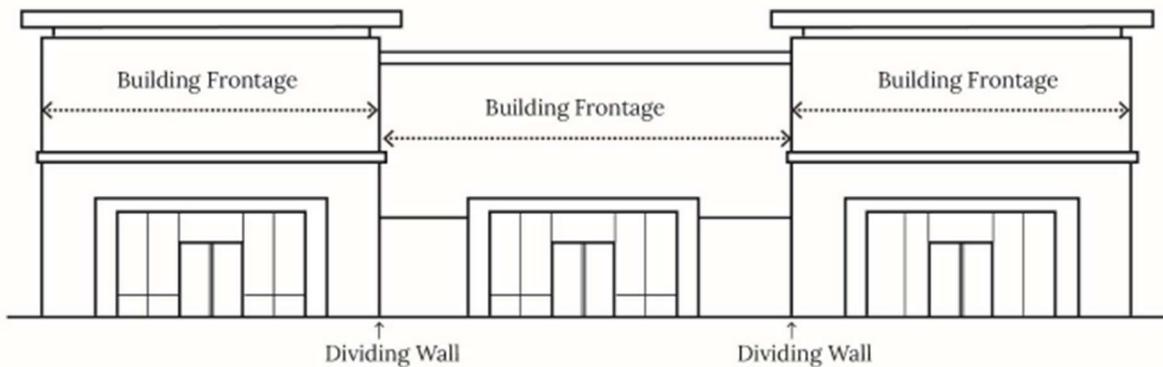
**A. MEASUREMENT OF SIGN AREA**

1. The display surface area of a sign shall be considered as the entire area within a single continuous rectangular perimeter enclosing the extreme limits of writing, representations, emblems, or any figure of similar character together with any frame or other material or color forming an integral part of the display area, or used to differentiate such sign from the background against which it is placed; excluding supports, trim, uprights, or base which are necessary for structural purposes.
2. The sign area for a sign with more than one (1) face (multi-faced signs) shall be computed by adding together the area of all sign faces that are visible from any one (1) point.
3. Street addresses which are made an integral part of the sign, and which do not exceed nine (9) square feet in area, shall not be considered part of the sign display area.



**B. BUILDING FRONTAGE**

1. For multi-occupant buildings and structures, the portion of a building or structure that is owned or leased by a single occupant shall be considered a building unit. The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.
2. The building frontage is the length of an outside building wall which fronts a dedicated street right-of-way or access drive.



**C. SIGN HEIGHT**

1. The height of a sign shall be computed as the distance from the average natural grade at the base of the sign or support structure to the top of the highest attached component of the sign.
2. The height of a freestanding sign on a man-made base or mounding that has been installed to meet required screening or buffering requirements, shall be measured from the average natural grade, where the sign is to be

located, prior to the addition of the sign. If mounding is installed solely for the purpose to increase the sign height, the sign height measurements shall be taken from the average natural grade, prior to the addition of mounding.

**D. SIGN SETBACK**

1. The required setback for a sign shall apply to all elements of the sign, including its frame and base.
2. The setback of a freestanding sign shall be measured horizontally from the nearest edge of any part of the sign structure to the street right-of-way or lot or access drive, as applicable.

**8.05. PROHIBITED SIGNS**

**A. TYPES OF PROHIBITED SIGNS**

The following types of signs are specifically prohibited:

1. Pennants, feather / flutter flags, streamers, inflatable characters or objects, and similar type devices;
2. Signs which employ any parts or elements which revolve, rotate, whirl, spin, or otherwise make use of motion to attract attention, other than electronic message boards pursuant to the requirements of this article;
3. Portable signs;
4. Beacons and searchlights;
5. Signs attached to, painted on, or placed on a stationary vehicle, trailer, or other licensed or unlicensed vehicle or conveyance that is located in such a manner to serve exclusively as a permanent, temporary, or portable sign;
6. Promotional balloons filled with helium, gas, air, or any other gaseous material either suspended from or affixed to a structure, vehicle, or ground;
7. Mono-pole signs and pylon signs;
8. Roof signs;
9. Billboards, except as permitted by the Ohio Revised Code; and
10. Signs within the right-of-way, unless exempted per [Section 8.03.C \(Exempted Signs\)](#).

**B. PROHIBITED SIGN LOCATIONS**

1. Sign locations shall be in accordance with the particular regulations of this article or the zoning district in which the sign is to be located. Under no circumstances shall a sign (other than those specifically exempted by this article) be located in a right-of-way (including those infixed in the ground), or applied to trees, utility poles, fences, supporting structures for street signs, and other governmental signs, bus shelters, benches, trash receptacles, newspaper vending machines or boxes, or any other portable or temporary supporting device. Trash receptacles, newspaper vending

machines, and similar devices may contain the identification of the owner of such device.

2. No sign shall be erected in such a manner to obstruct free and clear vision to any public thoroughfare or traffic flow along a designated parking lot aisle way for use by the general public.
3. Signs shall not be located upon, or mounted to, the roof of a structure or extend above the roof of the structure to which the sign is mounted.

**8.06. SIGN LIGHTING**

- A. Lighting of signs shall comply with the unique lighting regulations per district and use type contained herein.
- B. Light sources used to illuminate signs shall be shielded from all adjacent properties and rights-of-way and shall not be of such intensity to cause glare to pedestrians or motorists, or to cause any reasonable objection from adjacent uses.
- C. All lighting shall be fully functional as designed, or the lighting shall be turned off until the time in which such non-functional lighting has been fixed.
- D. Lighting of signs shall comply with [Article 5. Outdoor Lighting](#).

**8.07. PERMITTED SIGN TYPES & ALLOWANCES**

The following types of signs are permitted according to the following table. These signs shall comply with the applicable regulations of this article and shall require the issuance of a Zoning Certificate.

[TABLE 8.07-1: PERMITTED SIGN TYPES](#)

Sign Type	AG	R Districts; R-PUD	C Districts; C-PUD	E Districts; E-PUD	M-PUD	PSR	Section Reference
Wall Signs	PS	PS	PS	PS	PS	PS	<a href="#">8.07.A</a>
Freestanding Signs	PS	PS	PS	PS	PS	PS	<a href="#">8.07.B</a>
Multi-Tenant Development Signs	-	-	PS	PS	PS	PS	<a href="#">8.07.C</a>
Drive-Through / Pick-Up Windows	-	-	PS	-	-	-	<a href="#">8.07.D</a>
Development Entrance Sign	PS	PS	PS	PS	PS	PS	<a href="#">8.07.E</a>
Directional Signs	-	-	PS	PS	PS	PS	<a href="#">8.07.F</a>
Projecting Signs	-	-	PS	-	PS	PS	<a href="#">8.07.G</a>
Window Signs	-	-	PS	PS	PS	PS	<a href="#">8.07.H</a>
Canopy / Awning Signs	-	-	PS	-	PS	PS	<a href="#">8.07.I</a>
Electronic Message Boards	-	-	PS	PS	-	-	<a href="#">8.07.J</a>
Murals	-	-	PS	PS	PS	PS	<a href="#">8.07.K</a>
Temporary Signs	PS	PS	PS	PS	PS	PS	<a href="#">8.07.L</a>

PS = Sign type is permitted in the respective zoning district per the standards established for that sign type.

**A. WALL SIGNS**

TABLE 8.07-2: WALL SIGN REGULATIONS

Regulation	AG and R Districts	AG and R Districts	Nonresidential Districts
<b>Quantity</b>	1	1 per building frontage	N/A
<b>Maximum Area</b>	6 sq. ft.	4% of the façade of the building that faces a public right-of-way	1 sq. ft. per 1 lineal foot of building frontage
<b>Maximum Projection</b>	10 inches		
<b>Allowable Illumination</b>	External	External	Backlit, Internal, and External

**1. General Wall Sign Regulations**

- a. Wall signs shall not extend beyond the roof or wall extents of the structure.
- b. No changeable copy sign shall be permitted on wall signs.

**2. Wall Signs in Agricultural and Residential Zoning Districts**

- a. Wall signs are permitted for one- and two-family residential dwellings when associated with a permitted home occupation.
- b. Wall signs are permitted for multi-family residential development. Signs which are indirectly, such lighting shall not be directed toward any residential windows.

**3. Wall Signs in Nonresidential Districts**

- a. The allowable wall sign area may be allocated to more than one (1) sign.
- b. Wall sign area shall apply separately to each building frontage that faces a dedicated right-of-way or access drive.
- c. Allowable sign area may be allocated to a wall that does not have building frontage that faces a public or private street, but the combined sign area shall not exceed the maximum square footage allowed.



Figure 8.09-#: Example of Wall Signs

**B. FREESTANDING SIGNS**

**TABLE 8.07-3: FREESTANDING SIGN REQUIREMENTS**

Regulation	AG and R Districts (agricultural uses, subdivision entrance signs, and multi-family dwellings)	Nonresidential Districts
<b>Quantity</b>	1 per lot frontage	
<b>Maximum Area</b>	20 sq. ft	0.5 sq. ft. per lineal foot of lot frontage or 80 square feet, whichever is less
<b>Maximum Height</b>	6 feet	10 feet
<b>Minimum Setback</b>	10' from all rights-of-way 10' from side property lines 30' from another freestanding sign	
<b>Allowable Illumination</b>	External	External and Internal



SECTION 5.7 FREE STANDING SIGNS

**1. GENERAL FREESTANDING SIGN REGULATIONS**

- a. All freestanding signs shall be located outside of the corner visibility triangle.
- b. Freestanding signs shall be located in a landscape bed that includes a mix of grasses, shrubs, perennials, and/or annuals. The size of the landscape bed shall be equal or greater in size to the square footage of the sign.

**2. FREESTANDING SIGNS IN AGRICULTURAL AND RESIDENTIAL DISTRICTS**

- a. For subdivision entrance signs, a maximum of one (1) sign is permitted on each side of each primary entrance of a residential subdivision. Such signs may be mounted to a wall, fence, or gate, or may be freestanding in nature.
- b. Freestanding signs for home occupations are prohibited in residential districts.

**3. FREESTANDING SIGNS IN NONRESIDENTIAL DISTRICTS**

- a. Freestanding signs shall be mounted on a base of brick, stone, or material consistent with the principal structure as determined appropriate by the Zoning Inspector. The base of the sign shall be equal to, or greater than the width of the sign.

- b. A freestanding sign may utilize manual or electronic changeable copy with the approval of a conditional use permit as established in [Section 8.03.G \(Reader Boards and Electronic Message Boards\)](#).

**C. MULTI-TENANT DEVELOPMENT SIGN**

<a href="#">TABLE 8.07-4: MULTI-TENANT DEVELOPMENT SIGN REQUIREMENTS</a>	
Regulation	Requirement
Quantity	1
Maximum Area	120 sq. ft.
Maximum Height	16 feet
Minimum Setbacks	10' from all rights-of-way 15' from side property lines 50' from another freestanding sign
Allowable Illumination	External and Internal

1. A development that contains multiple users with a combine square footage of at least **20,000** may qualify for a multi-tenant development sign.
2. Multi-tenant development signs shall be constructed out of materials, colors, and design details that match or correlate to one of the principal buildings on the sign.
3. The sign shall be mounted on a base of brick or stone which must be equal to or greater than the width of the sign.
4. Multi-tenant development signs shall be located in a landscaped bed that includes a mix of grasses, shrubs, perennials, and/or annuals. The size of the landscape bed shall be equal or greater in size to the square footage of the sign.
5. A multi-tenant development sign may utilize manual or electronic changeable copy with the approval of a conditional use permit as established in [Section 8.03.G \(Reader Boards and Electronic Message Boards\)](#).

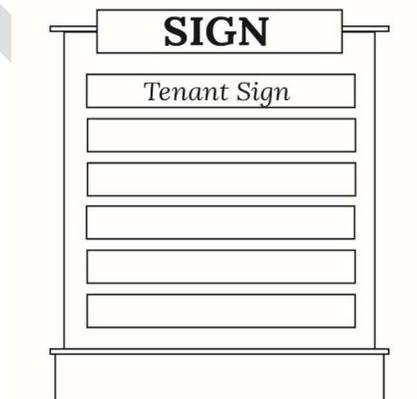


Figure 8.07-#: Example of Multi-Tenant Development Sign

**D. SIGNS FOR DRIVE-THROUGH USE / PICK-UP WINDOWS**

<a href="#">TABLE 8.07-5: DRIVE-THROUGH / PICK-UP WINDOW SIGN REQUIREMENTS</a>
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Regulation	Drive-Through Uses	Pick-Up Window Uses
Quantity	2 per drive-through lane	1 per pick-up lane
Maximum Area	48 square feet	
Maximum Height	8 feet	
Minimum Setback	10' from all rights-of-way 15' from side property lines 50' from another freestanding sign	
Allowable Illumination	External and Internal Illumination	



Figure 8.##-#: Example of Menu Board Sign

1. Additional freestanding signs as established by [Table 8.07-5](#) are permitted for principal uses that have drive-through or pick-up windows associated with them. The additional signs are to be used only for the purpose of menu / order boards. Such signage shall be located adjacent to the drive-through / pick-up window lanes.
2. Signs for pick-up windows shall not have any noise-making devices associated with them.

**E. DEVELOPMENT ENTRANCE SIGNS**

Development Entrance Signs are permitted at the primary entrance(s) of residential or multi-family residential developments subject to the following regulations:

TABLE 8.09-##: Development Entrance Sign Regulations	
REGULATION	REQUIREMENT
<b>NON-RESIDENTIAL DISTRICTS</b>	
Quantity	1 per primary entrance
Maximum Sign Area	32 square feet
Maximum Height	6 feet
Setback from right-of-way	10 feet
Illumination	External only
<b>RESIDENTIAL DISTRICTS</b>	
*Same as Non-Residential Districts	
<b>PLANNED DEVELOPMENT &amp; SPECIAL DISTRICTS</b>	
*As specified in Article 9: Planned Development & Special Districts	



Figure 8.09-#: Example of Development Entrance Sign

**F. DIRECTIONAL SIGNS**

Directional signs are signs that may be strategically located on retail, office, or industrial properties for the intent of directing on-site traffic and are subject to the requirements in [Table 8.07-6 \(below\)](#).

TABLE 8.07-6: DIRECTIONAL SIGN REQUIREMENTS	
Regulation	Requirement
Quantity	N/A
Maximum Area	6 square feet
Maximum Height	4 feet
Minimum Setbacks	10' from all property lines
Allowable Illumination	External



Figure 8.09-#: Example of Directional Sign

**G. PROJECTING SIGNS**

TABLE 8.07-7: PROJECTING SIGN REQUIREMENTS	
Regulation	Requirement
Quantity	1 per use
Maximum Area	6 square feet
Minimum Clearance	8 feet above the sidewalk; 15 feet above any access drive
Maximum Projection	6 feet
Minimum Setback	10' from all property lines
Allowable Illumination	External

1. Projecting signs, when used, may be attached to the building wall or canopy and project at an angle of approximately 90 degrees from the building wall or canopy.

2. Sign supports shall be made of cut steel, iron, metal, finished wood, and/or synthetic material that has the appearance of steel, iron, metal, and/or finished wood.
3. All projecting signs shall be rigidly fastened to prevent structural movement.



Figure 8.09-#: Example of Projecting Sign

**H. WINDOW SIGNS**

TABLE 8.07-8: WINDOW SIGN REQUIREMENTS	
Regulation	Requirement
Quantity	N/A
Maximum Area	20% of the area of the window or 100 sq. ft., whichever is less
Allowable Illumination	N/A

1. Window signs may be affixed or attached to the interior or exterior surface of windows. If a window sign is affixed to the interior of the window, it shall only be regulated by this section if the sign is oriented for visibility from the exterior of the structure.
2. Window signs shall not be suspended and/or placed against the interior or exterior of the windows. If signs are suspended and/or placed against the interior or exterior of windows, they shall be classified as temporary signage.
3. Signs attached to a door shall not be considered window signage.
4. Window signs shall be static and may not display animations, scrolling, moving, or flashing messages or video.



Figure 8.09-#: Example of Window Sign

**I. CANOPY / AWNING SIGNS**

1. A maximum of 32 square feet of signage is permitted on a canopy or awning.
2. The 32 square feet may be located on the top, front, or side(s) of the awning or canopy in full or split up into multiple signs on the awning or canopy's exterior surfaces, which in total may not exceed a cumulative of 32 square feet.



Figure 8.07-#: Examples of Canopy/Awning Signs

**J. ELECTRONIC MESSAGE BOARDS**

Electronic message boards are permitted for any public or institutional, commercial, or industrial use, subject to the following regulations:

1. DEFINE DISTRICTS WHICH ELECTRONIC MESSAGE BOARDS ARE ACCEPTABLE.
2. Electronic message boards shall be located a minimum of 250 feet from any agricultural or residential use.
3. No more than one (1) electronic message board is permitted per parcel or development.
4. Electronic message boards shall only be permitted on ground mounted signs and shall not exceed 50 percent of the size of the total sign to ensure that the electronic component is subordinate to the principal sign face in size.
5. Electronic message board signs shall be encased in brick, stone, cultured stone, brick composite, or similar material. This does not apply to electronic menu boards or electronic gas station prices that are located on a canopy fascia.
6. Scrolling, flashing, and moving animations or images are prohibited.
7. Each message on an electronic message board shall be displayed for no less than seven (7) seconds before transitioning.
8. Electronic message boards shall display static images only, and shall not stream full-motion video, strobe, flash on or off, change in intensity of illumination, or illustrate movement.
9. Electronic message boards shall be equipped with automatic dimmer

controls to produce a distinct illumination change from a higher illumination level to a lower illumination level between one-half hour before sunset (dusk) and one-half hour after sunrise (dawn).

10. Electronic message boards shall not exceed a maximum illumination of 5,000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn as measured from sign face at maximum brightness. The applicant shall provide a certificate of maximum illumination prior to approval of any sign permit



*Figure 8.09-#: Example of Electronic Message Board Sign*

#### **K. MURALS**

Murals may be considered by the Township. Murals are subject to a public hearing and approval by the Board of Zoning Appeals.

#### **L. TEMPORARY SIGNS**

##### **1. GENERALLY**

Temporary signs include banners, A-frame type signs, yard signs, and other signs that are not installed or intended to be installed on a permanent basis.

##### **2. STANDARDS THAT APPLY TO ALL TEMPORARY SIGNS**

###### **a. PERMITS**

A zoning certificate is not required for temporary signs.

###### **b. RESIDENTIAL DISTRICTS**

Temporary signs in residential districts are limited to 16 square feet in area and six (6) feet in height.

###### **c. AGRICULTURAL AND NON-RESIDENTIAL DISTRICTS**

Two (2) temporary signs are permitted per lot at one (1) time, and such temporary signs shall conform to the applicable regulations in this article. Such signs shall not exceed 32 square feet in area and 10 feet in height.

###### **d. PROPERTIES UNDER CONSTRUCTION**

For properties under construction, with an active Zoning Certificate and Building Permit, a maximum of two (2) temporary signs are

permitted at any one (1) time that each have a maximum sign area of 36 square feet in area and six (6) feet in height. Alternatively, such premises may have a single temporary sign with a maximum area of 72 square feet and six (6) feet in height. Such signs shall be removed upon completion of construction.

**e. DURATION**

For properties not under construction, temporary signs in non-residential zoning district shall be displayed no more than twice per year, per lot, for 90 days a time. There is no maximum duration for temporary signs in residential zoning districts.

**f. INSTALLATION REQUIREMENTS**

- i.** Temporary signs shall not lean or rest against a structure.
- ii.** Temporary signs shall not be mounted, attached, affixed, installed, or otherwise secured by any means to any permanent sign, accessory structure, light pole, utility pole, utility wire, tree / landscaping material, or by any means to protrude above the roof of a structure.
- iii.** Temporary signs shall be durable, weather-resistant, and be able to withstand wind without the aid of additional weighted materials (blocks, stones, sandbags, etc.) that are not part of the original sign structure.
- iv.** Temporary signs shall not be illuminated by any method other than daylight or ambient lighting.
- v.** If a freestanding temporary sign is used (such as an A-frame sign) on any sidewalk, a minimum of four (4) foot pedestrian clearance shall be maintained around the sign. Such signs shall also only be displayed during hours of operation.

**g. SETBACKS**

Temporary signs must be a minimum of 10 feet from the right-of-way and all property lines. Temporary signs shall also be located outside of all corner visibility triangles.