

April 21, 2023

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Holland, Kammer +  
Somerville absent

Requested by Department of Planning and Urban Development

City Planning Commission  
PC-2023-15-T

Offered By: FUSCO

ORDINANCE NO. 140-2023 amending/supplementing Title 15, Chapter 153, "Zoning Code", Article 8 "On-Premises Exterior Signs" and Article 11 "Board of Zoning Appeals" regarding ground signs in residential areas; and declaring an emergency.

WHEREAS, under the provisions of Section 153.434-.458 of the Code of Ordinances, the Akron City Planning Commission at its meeting on April 14, 2023, under file PC-2023-15-T, approved the changes described in Section 1 hereof; and

WHEREAS, City Council after public notice and hearing is of the opinion that the text changes described in Section 1 hereof are in the public interest and serve the public good.

NOW, THEREFORE, BE IT ENACTED by the Council of the City of Akron:

Section 1. That Title 15, "Land Usage", Chapter 153 "Zoning Code" Article 8 "On-Premises Exterior Signs" and Article 11 "Board of Zoning Appeals" of the Code of Ordinances of the City of Akron, 2004 be and is hereby amended and/or supplemented to read as follows:

#### ARTICLE 8. ON-PREMISES EXTERIOR SIGNS

153.350 Restricted and prohibited signs and locations.

##### C. Ground signs

1. No ground sign nor part thereof shall be erected nor placed nearer the street or right-of-way line, of a public thoroughfare than the building line established by this Zoning Code except that ~~in business and industrial districts~~;
  - a. A ground sign not exceeding two and one-half feet in height shall be allowed up to the public right-of-way.
  - b. A ground sign not exceeding five feet in height shall be permitted up to the public right-of-way.

(Ord. 508-2006; prior code § 153.307; Ord. 859-1992; Ord. 219-1987; Ord. 621-1985; Ord. 512-1982; Ord. 511-1977; Ord. 322-1976; Ord. 528-1949)

(Ord No. 221-2011; § 4, 7-11-11)

153.360 Permitted sign area.

A. Signs in Residence Districts.

1. In Class U1 and U2 Districts, one sign not exceeding two square feet in area shall be permitted per dwelling unit up to a maximum of fifteen square feet. For schools, parks, community buildings, and other non-dwelling uses, one sign not exceeding thirty-TWO square feet shall be permitted. Such sign may be a freestanding **GROUND** sign (~~behind the building line~~) or wall sign, but no **INTERNAL** illumination of the sign shall be permitted, except when approved by The Board of Zoning Appeals on application. If a building line variance is being Appealed for the sign in question, then no separate application will be necessary for illumination.

(Prior code §153.309; Ord. 859-1992; Ord. 359-1986; Ord. 511-1977; Ord. 322-1976)

(Ord. No. 221-2011, § 5, 7-11-11)

ARTICLE 11. BOARD OF ZONING APPEALS

153.409 Additional jurisdiction of board—Applications.

- E. Location of **INTERNALLY** illuminated sign in a Class U1 or U2 District for legal nondwelling uses.

(Prior code § 153.016; Ord. 359-1986; Ord. 358-1986; Ord. 511-1977; Ord. 322-1976)

(Ord. No. 221-2011, § 7, 7-11-11)

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety for the reason that the proposed changes to the Zoning Code regarding signs in residential districts will help the city to achieve its goal of providing clear, predictable, and streamlined services to its constituents and, provided this ordinance receives the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

Passed May 15, 2023

Wanda R. Biviano  
Clerk of Council

[Signature]  
Vice President of Council

Approved 5/17, 2023

[Signature]  
M A Y O R



## MEMORANDUM

**TO: AKRON CITY PLANNING COMMISSION**

**ITEM # 2C  
PC-2023-15-T**

**FROM: DEPARTMENT OF PLANNING AND  
URBAN DEVELOPMENT**

**DATE: APRIL 14, 2023**

**SUBJECT: PC-2023-15-T – Amending Zoning Code Section 153.350 (C) Restricted and prohibited signs and locations, Section 153.360 (A) Signs in Residence Districts, and Section 153.409 Additional jurisdiction of the Board of Zoning Appeals**

### **COMMENTS:**

The City of Akron is proposing to make minor updates to the requirements regarding ground signs in residential districts. These changes are being proposed in support of achieving several of the Office of Integrated Development's core goals: Providing clear requirements, enabling predictable outcomes, and streamlining review processes for residents, businesses, and institutions.

The proposed changes would allow community institutions such as schools, parks, churches, and neighborhood community centers located in residential districts to install modestly sized ground signs in their front yards. Under the current Zoning Code, ground signs for non-dwelling uses in residential districts are only allowed behind the building line. Locating a ground sign behind the building line can often be impractical for a church, school, or park, for example, because it does not allow for enough visibility of the sign. As a result, these institutions often request a variance to locate the sign within the front yard setback. The proposed text changes align the requirements for community institutions with the requirements that apply to establishments in business districts. Ground signs will still be restricted in height and located a minimum distance from the right-of-way so as not to obstruct the necessary view of traffic at the street.

In addition, the proposed text change slightly increases the allowable area for a non-dwelling sign in a residential district. The proposed change increases the allowable sign size from thirty square feet to thirty-two square feet. Thirty-two square feet is the typical four foot by eight foot size of many signage panel materials used by sign fabricators. So this change will be in alignment with typical industry practices. Currently, applicants who request this minor size variation must go through the Conditional Use approval process.

External illumination of signs in residential districts will still be allowed under these text changes. But internally illuminated signs and Electronic Message Centers in a residential district will still be required to be reviewed by the Board of Zoning Appeals.

The City of Akron Planning Staff believe that the proposed changes will not have a negative impact on the character of residential neighborhoods. These changes will help the city to achieve its goal of providing clear, predictable, and streamlined services to its constituents. Therefore, the following text changes to the Zoning Code are proposed:



Section 1. That Title 15, "Land Usage", Chapter 153 "Zoning Code", Article 8 "On-Premises Exterior Signs", Sections 153.350 (C) "Restricted and prohibited signs and locations" and 153.360 (A) "Permitted sign area"; and Article 11 "Board of Zoning Appeals", Section 153.409 "Additional jurisdiction of board - Applications" of the Code of Ordinances of the City of Akron, 2004, be and is hereby amended and/or supplemented to read as follows:

153.350 - Restricted and prohibited signs and locations

C. Ground Signs.

1. No ground sign nor part thereof shall be erected nor placed nearer the street or right-of-way line, of a public thoroughfare than the building line established by this Zoning Code except that ~~in business and industrial districts~~;
  - a. A ground sign not exceeding two and one-half feet in height shall be allowed up to the public right-of-way.
  - b. A ground sign not exceeding five feet in height shall be permitted up to ten feet from the public right-of-way.

153.360 - Permitted sign area

A. Signs in Residence Districts.

1. In Class U1 and U2 Districts, one sign not exceeding two square feet in area shall be permitted per dwelling unit up to a maximum of fifteen square feet. For schools, parks, community buildings, and other non-dwelling uses, one sign not exceeding thirty-**TWO** square feet shall be permitted. Such sign may be a freestanding **GROUND** sign (~~behind the building line~~) or wall sign, but no **INTERNAL** illumination of the sign shall be permitted, except when approved by the Board of Zoning Appeals on application. If a building line variance is being appealed for the sign in question, then no separate application will be necessary for illumination.

Section 153.409 - Additional jurisdiction of board - Applications

E. Location of **INTERNALLY** illuminated sign in a Class U1 or U2 District for legal non-dwelling uses.

**RECOMMENDATION:**

The Office of Integrated Development and Planning Staff recommend **APPROVAL** of PC-2023-15-T Amending Zoning Code Section 153.350 (C) Restricted and prohibited signs and locations, Section 153.360 (A) Signs in Residence Districts, and Section 153.409 Additional jurisdiction of the Board of Zoning Appeals.

DJD/emd

## PART I

Subject/Project: PC-2023-15-T AMEND ZONING CODE FOR GROUND SIGN REQUIREMENTS IN RESIDENTIAL DISTRICTS

Department of Origin: DEPT. OF PLANNING & URBAN DEVELOPMENT Date: 04/18/2023

Bureau of Origin:

Division of Origin:

Fact Sheet Prepared by: MICHAEL ANTENUCCI, ZONING MANAGER Date: 04/18/2023

### Financial Data:

	<u>Budgeted Cost</u>		<u>Current Estimate of Cost</u>		<u>Additional Appropriation Over Budgeted Cost</u>
Current Request:	Source	Amount	Source	Amount	
N/A					
Total Project:	Source	Amount	Source	Amount	
(if applicable)					
N/A					

## PART II

Purpose of Legislation: Amending/supplementing Title 15, Chapter 153, "Zoning Code", Article 8 "On-Premises Exterior Signs" and Article 11 "Board of Zoning Appeals" regarding ground signs in residential areas.

Impact of Objective of the Legislation: N/A

Alternatives: N/A

Earlier Legislation on this Subject: Ord Nos. 328-1949, 322-1976, 511-1977, 512-1982, 621-1985, 359-1986, 219-1987, 859-1992, 508-2006, 221-2011

Additional Comments/Remarks (as appropriate): Both the Planning Staff and the Planning Commission recommended approval of this request.

Exhibits: N/A

Instructions: This report must be completely filled out and must accompany all Ordinances, resolutions, and documents sent by City Council. Part I should be filled out in the space provided. Part II will require additional pages. The entire report must not exceed a total of 5 pages.



## LEGAL NOTICE

Notice is hereby given that the following open comment public hearings will be held by the Council of the City of Akron on Monday, May 15, 2023, during the Regular Council Meeting at 7:00 p.m.

Ordinance authorizing a Conditional Use to vary the side yard area requirement to construct a garage at 70 E. Dresden Avenue.

Ordinance amending/supplementing Title 15, Chapter 153, "Zoning Code", Article 8 "On-Premises Exterior Signs" and Article 11 "Board of Zoning Appeals" regarding ground signs in residential areas.

These Ordinances will also be discussed during the Planning & Economic Development Committee meeting at 1:00 p.m. Participants may attend in person in the Akron City Council Chambers, 166 South High Street or remotely by joining the meeting via videoconference. All public hearing participants that would like to join remotely must provide contact information including an email address, phone number, and which public hearing you wish to participate in to [sbiviano@akronohio.gov](mailto:sbiviano@akronohio.gov) no later than May 13, 2023. The meetings may also be accessed via livestream, which will be available at: [www.akroncitycouncil.org](http://www.akroncitycouncil.org).

Any changes to the time, location, venue/forum of the aforementioned meetings will be posted on Akron City Council's website: [www.akroncitycouncil.org](http://www.akroncitycouncil.org).

Sara Biviano  
Clerk of Council

***The City of Akron is committed to ensuring that individuals with disabilities are able to fully participate in public programs, services, and activities. Anyone who is in need of an accommodation from any City department is invited to contact Yamini Adkins, Director of Human Resources, 166 South High Street, Municipal Building, Suite 103, Akron, Ohio 44308, (voice) 330-375-2780 as soon as possible. If you require TDD phone service call Ohio Relay at 800-750-0750 and they will assist in contacting the Department of Human Resources at (330) 375-2780.***

*\*published in Akron Beacon Journal 4/29/2023 and on Akron City Council website 4/25/2023 through 5/16/2023*

**Summary of Ordinance No. 140-2023** passed by Akron City Council May 15, 2023 amending/supplementing Title 15, Chapter 153, “Zoning Code”, Article 8 “On-Premises Exterior Signs” and Article 11 “Board of Zoning Appeals” regarding ground signs in residential areas; and declaring an emergency.

By: Sara Biviano, Clerk of Council

This summary is being published pursuant to Section 38 of the City Charter. The complete text of this legislation is available in the office of the Clerk of Council.

*\*posted on Akron City Council website 5/16/2023 through 6/1/2023*