



**Office of the City Manager**  
5555 Perimeter Drive • Dublin, OH 43017  
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# Memo

**To:** Members of the City Council  
**From:** Dana L. McDaniel, City Manager  
**Date:** April 5, 2022  
**Initiated By:** Megan D. O'Callaghan, Deputy City Manager/Chief Finance and Development Officer  
Jennifer M. Rauch, AICP, Director of Planning  
**Re:** Ordinance 10-22 – Amendments to Code Section 153.158 Regarding Temporary Sign Provisions of the City of Dublin's Zoning Code.

## Summary

Ordinance 10-22 is a request for review and approval of amendments to Code Section 153.158 addressing Non-residential For-Sale/For-Lease Signs within the temporary sign provisions of the City of Dublin Zoning Code.

## Update

Ordinance 10-22 was introduced to City Council on March 21, 2022. City Council was provided detailed information from staff and the commercial real representatives. Staff has provided a sign design detail for approval by Council along with the Ordinance to ensure uniform sign design for the non-residential for sale/for lease signs. Based on the sign design detail proportions for ground mounted signs the maximum size for non-highway signs has been reduced from 16 square feet to 15 square feet. The sign design detail also allows a logo on non-residential for sale/for lease signs provided that the logo does not exceed 20 percent of the maximum permitted sign area.

## Background

City Council approved amendments to the temporary sign provisions of the Zoning Code on April 12, 2021 (Ordinance 12-21). Since the approved amendments became effective in Spring 2021, several temporary sign permit holders, property owners and commercial brokers have reached out to staff to express concerns regarding the restrictiveness of the approved amendments. Staff initially raised this item to City Council in September 2021.

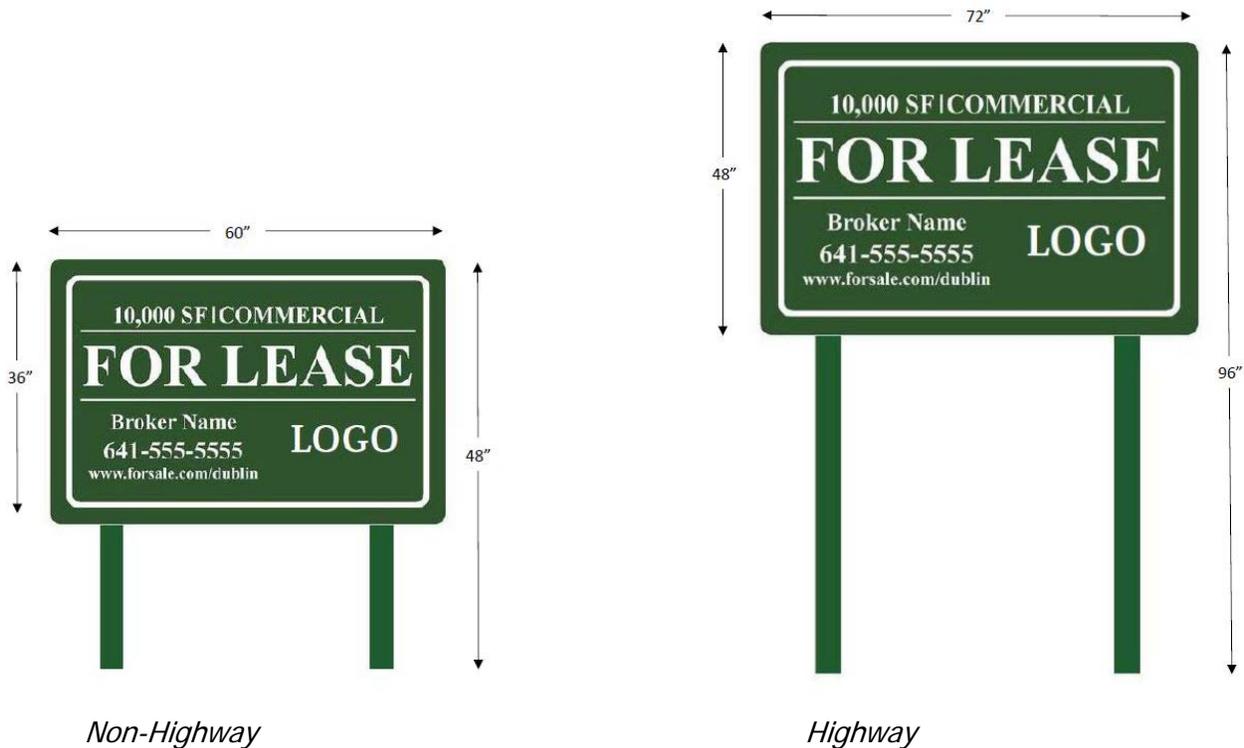
On January 24, 2022, City Council provided initial feedback and referred the topic to the Community Development Committee for further review. The Committee reviewed the regulations and is recommending approval to City Council for regulations that result in uniform sign design while maintaining size and height limitations. CDC is also recommending allowing for additional duration.

## Details

The Community Development Committee also reviewed potential design options for the uniform design and recommended green with white lettering as the preferred option. The chart below summarized the proposed regulations.

Proposed		
General	Permit required and availability data	
Number	1 per parcel (either ground, wall or window), plus one add'l highway frontage	
Size/Height	<i>Ground</i>	<i>Non-highway frontage:</i> 15 SF, 4' tall
		<i>Highway frontage:</i> 24 SF, 8' tall
	<i>Wall</i>	16 SF, 15' tall
	<i>Window</i>	10% window size, 6 SF max
Duration	1 year with a yearly renewal	
Material/Design	Uniform sign design – green background/white letters. Post mounted. MDO material. Logos permitted.	

Staff has provided uniform sign design details for non-highway and highway ground signs, which are required to be green (R:20 G:91 B:47) in color with white font.



**Recommendation**

Approval of Ordinance 10-22 and associated sign design detail.



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# Memo

**To:** Members of the City Council  
**From:** Dana L. McDaniel, City Manager  
**Date:** March 15, 2022  
**Initiated By:** Megan D. O'Callaghan, Deputy City Manager/Chief Finance and Development Officer  
Jennifer M. Rauch, AICP, Director of Planning  
**Re:** Ordinance 10-22 – Amendments to Code Section 153.158 Regarding Temporary Sign Provisions of the City of Dublin's Zoning Code.

## Summary

Ordinance 10-22 is a request for review and approval of amendments to Code Section 153.158 addressing Non-residential For-Sale/For-Lease Signs within the temporary sign provisions of the City of Dublin Zoning Code.

## Background

City Council approved amendments to the temporary sign provisions of the Zoning Code on April 12, 2021 (Ordinance 12-21). These amendments followed the United States Supreme Court issued decision in the case of the *Reed v. Town of Gilbert, AZ* regarding the legality of temporary sign regulations. The Supreme Court invalidated the Town's temporary sign provisions, which categorized and applied different regulations to temporary signs depending on their content. As a result, all temporary sign regulations based on the content of the signs were constitutionally suspect. Planning staff in conjunction with the Law Director's office and Clarion Associates developed regulations to align with the *Reed v. Gilbert* decision, which were approved as part of Ordinance 12-21.

The approved amendments addressed regulations regarding content neutrality for all temporary signs. As part of the initial review of these amendments in 2019, the Community Development Committee (Committee) recommended more stringent restrictions including duration, location, and number of signs for temporary signs be incorporated in the Code. Council's direction identified the need to address visual clutter and protect community aesthetics. In particular, the approved amendments included more restrictive duration and size requirements for non-residential sale or leasing period signs. The Ordinance was effective on May 12, 2021 thus requiring temporary signs to comply with the new regulations upon expiration of an existing sign permit. Temporary sign permit holders were provided notification of the amendments prior to the effective date of the Ordinance for awareness.

Since the approved amendments became effective in Spring 2021, several temporary sign permit holders, property owners and commercial brokers have reached out to staff to express concerns regarding the restrictiveness of the approved amendments, in particular the non-residential sale or leasing period signs regulations. Staff provided an initial update to City Council in September 2021 and met with several commercial brokers and property owners regarding the opportunity for further discussion with City Council of the challenges the revised Code presents. Following these discussions, staff provided a detailed update to City Council on January 24, 2022. City Council

provided initial feedback and referred the topic to the Community Development Committee for further review. The Committee reviewed the regulations and is recommending proposed amendments that provide for increased quality in sign design and appearance with a uniform sign design while maintaining size and height limitations and allowing for additional duration.

### 2021 Code Modifications

During the course of review and discussion by the Architectural Review Board and Planning and Zoning Commission of the 2021 amendments, the regulations for non-residential sale or leasing period and development period signs generated robust discussion and resulted in a more restrictive set of regulations to address Council's direction. Staff conducted benchmarking of other communities and their temporary sign regulations, as well as data regarding the number and duration for these particular sign types to inform the Board and Commission discussion. The most significant changes were made to the non-residential sale or leasing period sign regulations. Below outlines a comparison of the previous and approved Code provisions for this sign type.

Non-Residential For Sale/Lease Sign Comparison			
	Previous		2021 Revised/Adopted
General	Permit required		Permit required and availability data
Number	1 per frontage		1 per parcel (either ground, wall or window)
Size/Height	Ground	100' frontage 16 SF, 4' tall	16 SF, 4' tall
		100'+ frontage 32 SF, 8' tall	
	Wall	16 SF	16 SF, 15' tall
	Window	16 SF	10% window size, 6 SF max
Duration	Removed within 14 days of sale/lease		30 days, no more than 90 days in a year total
Material/Design	NA		Professional design, plywood and cardboard not permitted

As noted in the comparison chart, significant modifications were made to the number, size, and duration of the non-residential for sale/lease sign. The approved Code permits one sign per parcel with a uniform sign size and height, where previously one sign per frontage would have been permitted and the size and height was commensurate with the length of the property frontage. Additionally, the duration regulations under the previous version of the Code required non-residential for sale/lease signs to be removed within 14 days of sale or lease, which potentially allowed the signs to remain up in perpetuity. The updated Code limits these temporary signs to 30 days continuously, but no more than 90 days in one year.

Dublin's revised standards became effective in May 2021, thereafter temporary signs are required to comply with the new Code requirements upon expiration of existing sign permits. Following the implementation of Ordinance 12-21, staff conducted a review of the existing sign permits and

identified a total of 127 for temporary signs. Of these temporary sign permits, 69 permits have since expired. The remaining 58 permits are currently valid and will be required to comply with the new Code requirements upon expiration.

Staff conducted further benchmarking to understand how the requirements compare to other communities' requirements. (see attached) As noted in the attached chart, all communities tie the duration to the time of sale or lease of the space or property, rather than a specific number of days. Additionally, the communities studied allow for a single sign per property, which is consistent with Dublin's new requirements. The permitted sizes vary among the communities. Below is an example of a consistent sign design (size, material, color, font) that is required in a community.



## 2022 Considerations

As previously mentioned, several temporary sign permit holders, property owners and commercial brokers have reached out to staff to express concerns regarding the restrictiveness of the approved amendments for non-residential sale or leasing period signs regulations. Staff had the opportunity to meet with a group of commercial real estate representatives and property owners to discuss their concerns regarding the requirements as well as identify potential solutions on multiple occasions. The representatives reiterated their concerns about the restrictiveness of the adopted regulations and the impacts on their ability to market commercial properties. They explained that although brokers use online marketing tools such as Catalyst, physical signs remain critical to the sale and leasing of commercial properties. Their feedback was primarily focused on the impracticality of the duration and size/height limitations specified in the Code. Staff and the representatives discussed options that address the industry's concerns, while also meeting Council's goal of minimizing visual clutter. The group has collaborated to identify several potential solutions for the Committee's consideration, which include the implementation of a consistent sign design (size, material, color, font) and reduced sign size/height with a less restrictive duration. Additional background shared by the commercial real estate group is outlined below and was shared with the Community Development Committee on February 22, 2022.

### Online Marketing Tools

As part of our collaborative discussions, the commercial real estate representatives have explained that physical signs are important in the marketing of property of commercial property given that consumers and commercial practitioners have to search multiple platforms to find available properties. The representative group provided additional background information about the marketing tools used for commercial real estate and how the marketing differs from residential real estate to address the questions raised as part of City Council's recent discussion.

Residential practitioners list properties in the Multiple Listing Service (MLS) administered by the Columbus Association of REALTORS® (Columbus REALTORS®). The MLS has a requirement of compensation and cooperation, simply meaning that any listing in the MLS requires a fee to be paid to the cooperating broker. With federal anti-trust laws, that fee can vary from a percentage to a fixed dollar amount. There is not a standard commission. The seller agrees to a fee charged by the listing broker, in the listing agreement, and the selling brokerage offers a portion of that fee to the cooperating buyer broker. The brokers must be members of Columbus REALTORS® to list properties in the MLS.

Unlike the residential practitioners with the MLS, commercial practitioners do not have a single point of data or information. Commercial members are part of one or several commercial information exchanges (CIEs), which do not have a requirement of compensation or cooperation, without a membership requirement. CIE's are simply a data source for information exchange. Prior to December 2017, most Central Ohio commercial members subscribed to Xceligent, a CIE, offered by Columbus REALTORS®. However, upon the filing of bankruptcy, several CIE's took market share, including CoStar, CREXi, LoopNet and Catylist. Columbus REALTORS® currently provides Catylist to a number of the economic development organizations, including the City Dublin and One Columbus, along with commercial practitioners. While there is a membership requirement to list data in the Central Ohio Commercial Information Exchange (COCIE), not all commercial brokerages are members. Others utilize one of the several other CIEs. Different brokerages such as smaller, local, boutique brokerages have different needs than larger, national and international brokerages and the current CIE vendors have pricing structures and business models to meet their clientele's needs. This leads to commercial data, sales and leasing information across dozens of platforms where not a single source of information can be utilized. Commercial brokerages have to make business decisions, CIE choices, which best fit their needs.

#### Additional Considerations

The representatives have also shared that identifying available properties starts with "windshield tours" where a prospective client and broker drive the community and conduct a visual survey for available opportunities prior to touring any properties. From their perspective, signs play a big role in identify properties, but also for prospects to gain a sense of how easy it is to find a building and identify the amenities around a particular site. Additionally, brokers use signs to identify the opportunity to let a prospect know of a new property they are not aware of except through noticing the sign on the property. While prospect users and brokers could do a maps tour, it would not replace the actual physical drive. Thus, people still do drive the markets to determine options.

Additionally, the commercial representatives shared that the timeframe for the sale or lease of a building can take 12-18 months, which causes concerns with the previously approved duration allowances. The limitation of 30 days with a total of 90 days per year, does not allow adequate time for buildings or space to be advertised and leased or sold. The return on investment for the cost of the sign and the amount of time it is allowed to be displayed is diminished with the restrictive duration requirements. The opportunity to provide a higher quality sign and design would be feasible with the allowance of a longer duration.

A Q4 2021 real estate update from Colliers shows that Dublin's office vacancy rate increased to over 17%, up 4% over Q4 2020. Thus, as we emerge from the pandemic it is becoming increasingly more important for property owners to maintain their ability to market and identify their for sale or lease properties to potential prospect users and brokers.

### Community Development Committee Recommendation

Through the collaboration of staff and commercial real estate representatives, several proposed amendments were reviewed with the Community Development Committee on February 22, 2022. The goal of the draft amendments was to balance Council’s concerns about temporary sign clutter and longevity with the property owners’ need to identify and market vacant properties successfully. Staff recommended implementing a uniform sign design with the desired result in markedly improved aesthetics. Several commercial real estate representatives were in attendance and provided testimony for the Committee’s consideration. The Committee was supportive of the proposed amendments and following testimony from the representatives recommended extending the duration component to a one-year permit with a yearly renewal. The Committee also reviewed potential design options for the uniform design and recommended green with white lettering as the preferred option (see attached for Council’s consideration). The chart below compares the proposed amendments based on the Committee’s recommendations with the previous and adopted regulations.

Non-Residential For Sale/Lease Sign Comparison				
	Previous		2021 Revised/Adopted	Proposed
General	Permit required		Permit required and availability data	Permit required and availability data
Number	1 per frontage		1 per parcel (either ground, wall or window)	1 per parcel (either ground, wall or window), plus one add'l highway frontage
Size/Height	Ground	100' frontage 16 SF, 4' tall	16 SF, 4' tall	Freeway frontage 16 SF, 4' tall
		100'+ frontage 32 SF, 8' tall		Freeway frontage 24 SF, 8' tall
	Wall	16 SF	16 SF, 15' tall	16 SF, 15' tall
	Window	16 SF	10% window size, 6 SF max	10% window size, 6 SF max
Duration	Removed within 14 days of sale/lease		30 days, no more than 90 days in a year total	1 year with a yearly renewal
Material/Design	NA		Professional design, plywood and cardboard not permitted	Uniform sign design – green background/white letters. Post mounted. MDO material. Logos permitted.

The proposed amendments provide for increased quality in sign design and appearance with a uniform sign design while maintaining size and height limitations and allowing for additional duration. The specific details proposed include:

- One sign per parcel with an additional sign for parcels with freeway frontage to allow for additional visibility.
- Similar sign sizes and heights are recommended compared to the approved regulations.
- Require a uniform sign design with green background with white lettering.
- Allow for one-year duration with a yearly renewal.

### Recommendation

Staff recommends approval of Ordinance 10-22 at the second reading/public hearing on April 11, 2022.

# RECORD OF ORDINANCES

Ordinance No. 10-22

Passed \_\_\_\_\_, 20\_\_\_\_

## **AMENDMENTS TO SECTION 153.158 REGARDING THE TEMPORARY SIGN PROVISIONS OF THE CITY OF DUBLIN'S ZONING CODE.**

**WHEREAS**, it is necessary from time to time to amend Dublin's Zoning Code to protect the health, safety and welfare of the citizens of the City of Dublin, and

**WHEREAS**, the City of Dublin Zoning Code recognizes the need to ensure the temporary sign provisions of the Zoning Code comply with all regulations of the US and Ohio Constitutional, statutory and case law decisions requiring sign regulations remain content neutral, and

**WHEREAS**, the City of Dublin Zoning Code recognizes the need to maintain property values, protect community aesthetics, and promote pedestrian and driver safety through avoidance of visual clutter.

**WHEREAS**, the Community Development Committee reviewed and recommended the proposed amendments to the temporary sign provisions of the City of Dublin's Zoning Code on February 22, 2022 because it serves to improve the health, safety and welfare of the citizens of the City of Dublin,

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Dublin, \_\_\_\_\_ of its elected members concurring, that:

Section 1. Sections 153.158 of the Codified Ordinances of the City of Dublin is hereby amended and shall provide as attached to this Ordinance:

Section 2. This ordinance shall be effective on the earliest date permitted by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mayor - Presiding Officer

ATTEST:

\_\_\_\_\_  
Clerk of Council

# Required Sign Design Details

## *Non-Residential For Sale/For Lease*

### Sign Specifications

Sign Material: 3/4" MDO Board with rounded corners

Sign Size: Non-highway – 36" x 60", Highway – 48" x 72"

Font Style: Times Bold

Colors: Main front and back panel – Painted green (R:20 G:91 B:47)

Lettering and inset border – White

Post: 4x4", painted green (R:20 G:91 B:47) / Sign Height: Non-highway – 4', Highway – 8'

Logo: Up to a maximum of 20% of the sign area

### Non-highway Sign



**Highway Sign**



## 041122 - Draft Sign Regulations

### SIGNS

#### § 153.158 TEMPORARY SIGNS.

- (I) *Non-residential Sale or Leasing Period Signs.*
- (1) *General.* A sign permit must be obtained in accordance with § 153.151, and information verifying the availability of space for lease or sale shall be required with the permit submission.
  - (2) *Number.* One such sign is permitted per parcel, either ground, wall, or window. One additional ground sign shall be permitted for a parcel with freeway frontage.
  - (3) *Size, Height.*
    - (a) Ground-mounted signs.
      - i. Non-freeway frontage - Ground-mounted signs are limited to 156 square feet in area and 4 feet in height.
      - ii. Freeway frontage. Signs are limited to 24 square feet in area and 8 feet in height.
    - (b) Wall signs. Wall signs shall be limited to 16 square feet in area with a maximum height of 15 feet to the top of the sign.
    - (c) Window signs. Window signs shall not to exceed 10% of the total window area of the establishment or 6 square feet, whichever is less.
  - (4) *Placement.* Signs must be located so that they do not interfere with the safe movement of vehicular and pedestrian traffic.
  - (5) *Duration.* Such signs shall be permitted for one year and renewed on an annual basis 30 days continuously and no more than 90 total days in a calendar year, and must be removed within 14 days after the sale, rental, or lease has occurred.
  - (6) *Materials/Design.* Such signs shall be professionally design and constructed of a uniform sign design, as established by City Council. Ground and wall signs shall be constructed of MDO, Medium Density Overlay. Ground signs shall be post mounted. Plywood and cardboard are not permitted materials.

## 032122 - Draft Sign Regulations

### SIGNS

#### § 153.158 TEMPORARY SIGNS.

- (I) *Non-residential Sale or Leasing Period Signs.*
- (1) *General.* A sign permit must be obtained in accordance with § 153.151, and information verifying the availability of space for lease or sale shall be required with the permit submission.
  - (2) *Number.* One such sign is permitted per parcel, either ground, wall, or window. One additional ground sign shall be permitted for a parcel with freeway frontage.
  - (3) *Size, Height.*
    - (a) Ground-mounted signs.
      - i. Non-freeway frontage - ~~Ground-mounted~~sSigns are limited to 16 square feet in area and 4 feet in height.
      - ii. Freeway frontage. Signs are limited to 24 square feet in area and 8 feet in height.
    - (b) Wall signs. Wall signs shall be limited to 16 square feet in area with a maximum height of 15 feet to the top of the sign.
    - (c) Window signs. Window signs shall not to exceed 10% of the total window area of the establishment or 6 square feet, whichever is less.
  - (4) *Placement.* Signs must be located so that they do not interfere with the safe movement of vehicular and pedestrian traffic.
  - (5) *Duration.* Such signs shall be permitted for one year and renewed on an annual basis ~~30 days continuously and no more than 90 total days in a calendar year, and must be removed within 14 days after the sale, rental, or lease has occurred.~~
  - (6) *Materials/Design.* Such signs shall be professionally design and constructed of a uniform sign design, as established by City Council. Ground and wall signs shall be constructed of MDO, Medium Density Overlay. Ground signs shall be post mounted. ~~Plywood and cardboard are not permitted materials.~~

## 041221 - Draft Sign Regulations

### SIGNS

#### § 153.150 PURPOSE.

The purpose of this subchapter is to protect the general health, safety, and welfare of the community by providing an instrument for protecting the physical appearance of the community and for encouraging high quality, effective outdoor graphics for the purposes of navigation, information and identification. Specifically, it is the intent of this subchapter to provide businesses in the municipality with equitable sign standards in accord with fair competition and aesthetic standards acceptable to the community, to provide the public with a safe and effective means of locating businesses, services and points of interest within the municipality, and to provide for a safe vehicular and pedestrian traffic environment. This subchapter is based on the premise that signs are as much subject to control as noise, odors, debris and other similar characteristics of land use, that if not regulated, can become a nuisance to adjacent properties or the community in general, or depreciate the value of other properties within the community. It is also the intent of this subchapter, as with the entire Dublin Planning and Zoning Code, to guarantee equal treatment under the laws through accurate record keeping and consistent enforcement. Finally, it is the intent of this subchapter to comply with all requirements of the U.S. and Ohio constitutional, statutory, and case law decisions requiring that sign regulations remain content neutral.

#### § 153.151 PERMIT REQUIRED.

All signs located on land within or hereafter annexed to the municipality shall comply with this subchapter unless specifically exempt by § 153.155. No person shall locate or retain any sign, or cause a sign to be located, relocated, altered, modified, or retained unless all provisions of this subchapter have been met. To ensure compliance with these regulations, a sign permit shall be secured from the Planning Director or designee for each sign unless such sign is specifically exempted in this subchapter. Any sign requiring a structural steel foundation and/or electricity must obtain required approvals from the Building Division, as well as a sign permit. An application fee will be required at the time of application. No permit shall be issued until a completed application and fees have been submitted. Prior to issuance of a permit, signs within the Architectural Review District must be approved by the Architectural Review Board. Such signs may be subject to different or more stringent criteria as adopted for the Architectural Review District.

#### § 153.152 SUBMITTAL REQUIREMENTS FOR SIGN PERMITS.

When applying for a sign permit, the following materials must be submitted:

- (A) A completed application and fee for each requested sign.
- (B) Scale elevation drawing(s) of proposed sign(s).
- (C) Foundation and anchoring drawing(s) of proposed sign(s).
- (D) A dimensioned site plan showing the location of proposed sign(s) and adjacent buildings or other structures.
- (E) For wall signs, a building elevation drawn to scale showing the proposed wall sign and the dimension from established grade to the top of the sign.

## 041221 - Draft Sign Regulations

(F) For ground signs, a sign base landscaping plan.

### § 153.153 PROHIBITED SIGNS.

The following signs or similar devices are prohibited: Off-premise signs, trailblazer signs, externally visible neon and neon look-alike signs, trailer signs, search lights, laser lights, pennants, streamers, spinners, bench signs, portable signs (except for sandwich board signs), roof signs, billboards, changeable copy (except for gasoline station price signs and drive-thru menu boards under §153.159, flashing signs, projected images and animated signs, signs with moving or moveable parts, and any look-alike version of any of these prohibited sign types.

### § 153.154 PROHIBITED SIGN LOCATIONS.

Signs may not be installed in any of the following locations:

- (A) In any public right-of-way, unless specifically authorized by this subchapter and the City Engineer;
- (B) In any utility easement or no-build zone;
- (C) In any public park or other public property;
- (D) On any traffic control signs, construction signs, fences, utility poles, street signs, trees or other natural objects;
- (E) In any location where the view of approaching and intersecting traffic would be obstructed. No sign shall be located so as to interfere with the safe movement of vehicles or pedestrians entering, leaving, or crossing a public right-of-way;
- (F) In any residential area, except as expressly permitted in §§ 153.155, 153.157, 153.158 and 153.159 of this subchapter;
- (G) On any property without the prior authorization granted by the property owner on which any sign is to be placed.

### § 153.155 PERMANENT SIGNS NOT REQUIRING A PERMIT.

The following permanent signs do not require a permit, but are subject to the restrictions listed in §§ 153.154, 153.156 and 153.162 of this subchapter unless expressly exempted. Nothing in this section shall be construed to allow any sign which is prohibited in § 153.153, unless any such sign is expressly permitted.

- (A) *Flags.* Poles for such flags must be no more than 35 feet in height, or lower if in a lower structure height district. A foundation permit must be received from the Building Department for all flagpoles. The area of such flags shall not exceed 5' by 9'6".
- (B) *Governmental Signs.* Such signs shall be consolidated with other governmental signs whenever possible. Signs may only include three colors, including black and white, unless otherwise required by government regulation. If the sign is located in right-of-way it must be approved by City Engineer.
- (C) *Street Address Signs.* Signs bearing only the street address of the properties on which they are located for the purpose of aiding first responders.
  - (1) For residences, such numbers must consist of Arabic numerals no less than three inches nor more than eight inches in height.

## 041221 - Draft Sign Regulations

- (2) For non-residential uses, maximum number height varies according to front setback.
  - (a) If the setback is less than 100 feet, the maximum number height is 12 inches.
  - (b) For setbacks between 100 and 200 feet, the maximum height is 18 inches.
  - (c) For setbacks over 200 feet, the maximum height is 24 inches.
- (3) All street address signs shall contrast to the color of the surface on which they are mounted and shall be clearly identifiable from the street.
- (4) Every building is required to post its street address.
- (D) *Private Traffic and on site Directional Signs.* Traffic and directional signs indicating points of entry or exit for a facility or off-street parking area, provided such signs are limited a maximum of four square feet in area and three feet in height and do not interfere with safe vehicular or pedestrian traffic circulation or obstruct the view of drivers exiting onto highways or thoroughfares. Such signs may contain information such as "in," "enter," "entrance," "out," "exit," "do not enter" or similar language as approved by the Planning Director or designee. Arrows indicating desired traffic movement may also be used for directional signage. Such signs may contain no advertising, including logos and must be of a rectangular shape. Such signs must be on the property to which they refer and may not be placed within a public right-of-way.
- (E) *Residential Information Signs.* Information signs are allowed only when they display information necessary for the safety and convenience of residents and visitors, such as "beware of dog" and "no trespassing." Such signs may not exceed two square feet in area and may contain no advertising.
- (F) *Security System Signs.* Signs displaying information about the security system protecting buildings or property, provided that such signs do not exceed one square foot in area.
- (G) *Barber Poles.* According to state law, all barber shops must display either a barber pole or a window sign reading "Barber." If a pole is displayed, it may not exceed 28 inches in height.
- (H) *ATMs.* Signage for all ATM's (Automated Teller Machines) shall be limited to one square foot of sign area and include no more than three colors. ATM signage must have an opaque background. If the ATM contains a logo, it may be internally illuminated. (All external illumination shall comply with the Dublin Lighting Guidelines.) In addition, monochromatic, non-illuminated logos of accepted credit systems, (Visa, Mastercard, American Express, etc.), are limited to less than one square foot in area and must be oriented to the user of the device only.

### § 153.156 GENERAL REQUIREMENTS FOR TEMPORARY AND PERMANENT SIGNS.

- (A) *Location.* Refer to § 153.154.
- (B) *Size.* Sign area shall include the face of the entire display area not including the bracing, framing and structural supports of the sign, unless such support

## 041221 - Draft Sign Regulations

members are made part of the message or face of the sign. Where a sign has two or more display faces, the area of all faces of the sign shall be included in determining the area of the sign, unless the two faces are joined back to back, are parallel to each other and not more than 24 inches apart. The area of a sign consisting of individual letters or symbols, either freestanding or attached to or painted on a surface, building, wall, or window, shall be considered to be that of the smallest single rectangle which encompasses all the letters and symbols.

- (C) *Design.* Signs shall be designed with the maximum of creativity and the highest quality of materials and fabrication. It is strongly recommended that all signs be designed by a professional sign designer and be installed by a qualified sign builder or contractor. Signs shall be designed to fully integrate with the building architecture and overall site design.
- (1) Signs shall not resemble the color, shape, design or other characteristics of any common traffic control device, directional or warning signs directed or maintained by the state, city, or any railroad, public utility, or similar agency concerned with the protection of the public health and safety.
  - (2) Permanent signs shall display as the primary image only the name of the business in text. Logos and any additional text, graphic, or image displayed on the sign face will be considered a secondary image shall not exceed 20% of the maximum permitted area of the sign face.
  - (3) All permanent and temporary ground signs must be of a rectangular shape. This requirement does not apply when individual channel letters are used.
  - (4) Colors.
    - (a) Except as provided in division (b) below, signs shall be limited to three colors. Black and white are considered colors. The background color is considered one of the three permissible colors, unless channel letters are used, in which case the background is not to be considered one of the three permissible colors.
    - (b) A corporate trademark or symbol used as a logo or secondary image shall not be limited in the number of colors used in a sign, but shall be considered as one of three permissible colors. The primary image, or secondary images, and/or background shall use one of the colors used in the corporate trademark or symbol logo.
  - (5) Any multi-faced sign shall consistently display the same name, message and graphics on all faces.
  - (6) Reverse sides of signs shall be unobtrusive and blend with the surroundings.
  - (7) Reverse sides of all permanent signs and structural supports must be completely enclosed.
- (D) *Landscaping.* The base of all permanent ground signs shall be effectively landscaped with living plant material and maintained in good condition at all times. The minimum landscaped area shall extend at least three feet beyond all faces or supporting structures in all directions. Exposed foundations must be constructed with a finished material such as brick, stone, or wood, or be

## 041221 - Draft Sign Regulations

screened with evergreens to the top of the anchor bolts. The landscaped area shall include all points where sign structural supports attach to the ground.

- (E) *Lighting.*
  - (1) Signs shall be illuminated only by the following means:
    - (a) By a white, steady, stationary light of reasonable intensity, directed solely at the sign and/or otherwise prevented from beaming directly onto adjacent properties or rights-of-way. Light fixtures shall be screened from view by site grading or evergreen shrubs. No exposed light sources are permitted.
    - (b) By white interior light of reasonable intensity with primary and secondary images lit or silhouetted on an opaque background. The background must be opaque. No additional background lighting or illuminated borders or outlines shall be permitted.
  - (2) The level of illumination emitted or reflected from a sign shall not be of intensity sufficient to constitute a demonstrable hazard to vehicular traffic on any right-of-way or parking lot from which the sign may be viewed.
- (F) *Construction and Maintenance.*
  - (1) All permanent signs must be constructed to meet all current building code regulations of the municipality.
  - (2) All signs and related surroundings shall be properly maintained and shall not show signs of rust or corrosion, exposed wiring, chipped paint or faces, cracked, broken, or missing faces, or loose materials.
  - (3) The structural integrity of all sign foundations must be maintained.
  - (4) All signs shall be constructed of quality materials commensurate with the duration of sign and that are colorfast.
  - (5) Approved signs shall be inspected on a regular basis to ensure compliance with the regulations.

### § 153.157 PERMANENT SIGNS.

All permanent signs shall also comply with the following requirements and with the height, area and setback requirements of § 153.163.

- (A) *Wall Signs.* Wall signs are permitted for any business or use not identified by a ground sign.
  - (1) *Placement.*
    - (a) Wall signs shall not protrude more than 14 inches from the wall or face of the building to which it is attached, whether or not a raceway is used.
    - (b) Signs may be attached to a building wall or architecturally integrated extension which faces a street, parking lot or service drive, or may be attached to a canopy which projects beyond the building, provided that no part of the sign may extend above the roof or canopy.
  - (2) *Height.* Refer to § 153.163 for height limitations according to use. The height of a wall sign is measured from the established grade line to the top

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of the sign. Note that corporate office signs along interstate districts have no height, but in no case shall the sign extend above the roof line of the building.

- (a) Signs may be attached to a building facade which faces a street, parking lot or service drive. It may be attached to a canopy which projects beyond the building, provided that no part of the sign extends above the roof or canopy.
- (3) *Size.* The maximum allowable size for any wall sign shall be one square foot for every lineal foot of width of the building face to which the sign is attached, but shall not exceed the maximum size allowed for the use by § 153.163 unless located in the Interstate District.
- (4) *Number.* Wall signs shall be limited in number to one per building or use. For buildings or uses on corner lots having at least 100 feet of lot frontage on each of two public rights-of-way, a second wall sign is permitted facing the second right-of-way. Each sign is limited to one square foot in area for every lineal foot of width of the building face to which the sign is attached, not exceeding the installed maximum size allowed for the use by § 153.163. The distance between the signs shall not be less than two-thirds the length of the longest elevation to which the sign is attached. The distance will be measured by two straight lines along the elevations of the building, from edge of sign to edge of sign. In no case shall two wall signs be closer than 30 feet apart. The provision for a second sign does not apply to individual tenants in a multi-tenant building.
- (B) *Ground Signs.* Ground signs shall include free-standing, pole, pylon and monument signs. A ground sign is permitted only when all of the following conditions are fulfilled:
  - (1) *Placement.*
    - (a) The sign is located on the property to which it refers;
    - (b) The use is free-standing on its individual lot, is accessible by automobile and has off- street parking;
    - (c) The use has no wall sign visible from the public right-of-way or adjacent property; and
    - (d) Such signs shall not be located in such a way that they interfere with the safe movement of vehicular and pedestrian traffic.
  - (2) *Size.* The maximum allowable size for any ground sign shall be in accordance with § 153.163
  - (3) *Height.* Refer to § 1153.163 for height limitation according to use. The height shall be measured from the established grade line to the highest point of the sign or its frame/support. The height may not be artificially increased by the use of mounding.
  - (4) *Setback.* All ground signs must be set back a minimum of eight feet from any public right-of-way or property boundary line unless such signs are specifically exempted of this requirement, refer to § 153.163.

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- (5) *Number.* Ground signs shall be limited in number to one per lot or multiple lots if devoted to one specific use or user. Buildings on corner lots having at least 100 feet of frontage on two public rights-of-way may be entitled to two ground signs, one facing each public right-of-way, if they meet the following criteria:
- (a) The total combined height of both signs shall not exceed 1 1/3 times the maximum permitted height of a single ground sign for that use.
  - (b) The total combined area of both signs shall not exceed 1 1/3 times the maximum permitted area of a single ground sign for that use.
  - (c) The two signs shall be no closer than two-thirds the length of the longest public right-of-way frontage. The distance shall be measured by drawing two straight lines, measured from the edge of each sign, forming a 90 degree angle.
- (C) *Window Signs.* Window signs shall be permitted for the use specified in § 153.163 in addition to any permitted wall sign or ground sign. The sum of the area of the window signs and the area of the wall or ground sign may not exceed the maximum allowable area for the wall or ground sign.
- (1) *Placement.* Window signs shall be limited to the ground floor or first floor windows only, unless a use is located in the second or higher stories of a building and has no first floor occupancy.
  - (2) *Number.* Window signs shall be limited to one sign per window.
  - (3) *Size.* The total area of all such window signs is not to exceed 10% of the total window area of the establishment or 10 square feet, whichever is less. The maximum allowable area on the second floor may not exceed that of the first floor.

### § 153.158 TEMPORARY SIGNS.

The following standards supplement the general requirements within § 153.156. Unless otherwise explicitly stated below, the following standards supersede the provisions within § 153.156 when regulating temporary signage.

- (A) *Banners.*
- (1) *General.* Banners are permitted only for the promotion of special events, during a grand opening, or during the time between permanent sign permit approval and installation. A temporary sign permit is required for all banners.
  - (2) *Location.* All banners shall be located on the site where the abovementioned activity occurs. They shall not be located in any public right-of-way or in such a way that they would interfere with the safe movement of vehicular and pedestrian traffic.
  - (3) *Illumination.* Banners shall not be illuminated.
  - (4) *Size, Height.* Such signs shall be limited to 30 square feet in area. If located on the building, it cannot be located higher than 15 feet to the top of the banner.

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- (5) *Placement.* All banners shall be safely secured to a building, structure, or stake, and shall have ventilated faces to reduce wind load.
- (6) *Duration.* Banners may be erected for a maximum of 14 days.
- (B) *Community Activities Signs.*
- (1) *General.* The installation of these banners is coordinated through Communications and Public Information and Special Events. Temporary banners or standardize sandwich board signs may be installed during a community activity. On-site temporary signage before or during, a community activity, with the exception of banners and gas-inflatable devices, does not require a permit.
  - (2) *Illumination.* May not be illuminated.
  - (3) *Duration.* May not be displayed more than seven days immediately preceding the event and shall be removed no later than 24 hours following conclusion of the event.
- (C) *Construction Fence Signs.*
- (1) *General.* Construction fence signs require a sign permit.
  - (2) *Location and Duration.* Permitted to be affixed to construction or site fencing during the duration of construction.
  - (3) *Illumination.* May not be illuminated.
- (D) *Construction Trailer Signs.*
- (1) *General.* Construction Trailer Signs do not require a sign permit. Such signs are subject to the restrictions listed in § 153.153 and § 153.154.
- (E) *Development Period Signs.*
- (1) *General.* Application shall be made to the Planning Director or designee for review. A sign permit must be obtained in accordance with § 153.151.
  - (2) *Location.* Must be installed on the property for which a valid building permit is in effect. Must be placed at least eight feet from any public right-of-way.
  - (3) *Illumination.* May not be illuminated.
  - (4) *Placement, Number.* Signs are permitted per development site. Signs are limited to no more than one sign per street frontage, except that sites having at least 200 feet of frontage on each of two public rights-of-way may place a second sign facing the second right-of-way, if both signs comply with code requirements. If the site is entitled to two development period signs, the distance between the signs shall be not less than two-thirds the length of the longest right-of-way frontage. The distance shall be measured by drawing two straight lines, from the edge of each sign, forming a 90-degree angle.
  - (5) *Size, Height.* Such signs shall be limited to 32 square feet in area and eight feet in height.

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- (6) *Duration.* Approval shall be for a period not to exceed one year. In residential subdivisions, development signs shall be removed when 75 percent of the lots in such subdivision have received any certificate of occupancy.
- (F) *Garage or Yard Sale Period Signs.*
- (1) *General.* A sign permit must be obtained in accordance with § 153.151.
  - (2) *Number.* A maximum of three such signs may be posted after a garage sale permit has been obtained.
  - (3) *Size, Height.* Such signs are provided by the City and shall be limited to two square feet in area and one-foot in height.
  - (4) *Placement.* They may be located in a public right-of-way so long as no safety or visibility hazards are created.
  - (5) *Duration.* Erected within 24 hours before a garage or yard sale and removed no later than two hours after the garage sale has ended.
- (G) *Gas-Inflatable Sign/Device.*
- (1) *General/Duration.* Such signs are permitted only for special events in accordance with the restrictions set forth in § 153.158(B) and § 153.158(L), and for seasonal decorations in accordance with the requirements of § 153.158 K). A temporary sign permit is required for all gas-inflatable devices. A scaled diagram of the device and a site plan showing where the device is to be located are required.
  - (2) *Location.* Shall be located only on the site where the special event occurs.
  - (3) *Materials.* Must not be inflated with helium or any other buoyant gas.
  - (4) *Illumination.* May not be internally illuminated.
  - (5) *Placement.* Shall be securely attached/tethered to the ground so that they will not shift more than three feet in any direction during any wind condition up to 25 miles per hour. Such signs shall not be attached to or mounted on any platform, roof, or similar structure, and must be placed so that they will be clear of all utility lines, roads, parking lots and adjacent property in case of collapse.
- (H) *Model Home Period Sign.*
- (1) *General.* A sign permit must be obtained in accordance with § 153.151. See § 153.073 for additional regulation pertaining to model homes. Shall be permitted in lieu of an exempt residential sale or leasing period sign as described in §153.158(I).
  - (2) *Location.* Shall be located only on the lot or parcel where homes are being constructed.
  - (3) *Size, Height.* Such signs shall be limited to eight square feet in area and six feet in height.
  - (4) *Illumination.* May not be internally illuminated.

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- (5) *Duration.* Shall be permitted during any period when an approved residential development is under construction, until such time as the subdivision or development is complete or the model home is discontinued.
- (I) *Non-residential Sale or Leasing Period Signs.*
- (1) *General.* A sign permit must be obtained in accordance with § 153.151, and information verifying the availability of space for lease or sale shall be required with the permit submission.
  - (2) *Number.* One such sign is permitted per parcel, either ground, wall, or window.
  - (3) *Size, Height.*
    - (a) Ground-mounted signs. Ground-mounted signs are limited to 16 square feet in area and 4 feet in height.
    - (b) Wall signs. Wall signs shall be limited to 16 square feet in area with a maximum height of 15 feet to the top of the sign.
    - (c) Window signs. Window signs shall not to exceed 10% of the total window area of the establishment or 6 square feet, whichever is less.
  - (4) *Placement.* Signs must be located so that they do not interfere with the safe movement of vehicular and pedestrian traffic.
  - (5) *Duration.* Such signs shall be permitted for 30 days continuously and no more than 90 total days in a calendar year, and must be removed within 14 days after the sale, rental, or lease has occurred.
  - (6) *Materials/Design.* Such signs shall be professionally design and constructed. Plywood and cardboard are not permitted materials.
- (J) *Residential Sale or Leasing Period Sign*
- (1) *General.* A sign permit is not required for Residential Sale or Leasing Period Signs. Such signs are subject to the restrictions listed in § 153.153 and § 153.154.
  - (2) *Size, Height.* Such signs are limited to seven square feet in area and three feet in height in all residential areas.
  - (3) *Placement.* Free-standing signs must be located so that they do not interfere with the safe movement of vehicular or pedestrian traffic. Permitted temporary off-premises signs must not be located so that they interfere with the safe movement of vehicular or pedestrian traffic and may not be located within street medians.
  - (4) *Duration.* Such signs are permitted during any period when any premise or part thereof is actively offered for sale or lease, and removed no later than 30 days after the premises or part thereof is occupied by a new owner or tenant.
- (K) *Seasonal Business Period Sign.*
- (1) *General.* A sign permit must be obtained in accordance with § 153.151.
  - (2) *Number.* One sign per street frontage is permitted.

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- (3) *Size, Height.* Such signs are limited to 32 square feet in area and 8 feet in height.
  - (4) *Setback.* They must be set back at least eight feet from any public right-of-way.
- (L) *Seasonal Decorations.*
- (1) *General.* Seasonal decorations do not require a sign permit. Such decorations are subject to the restrictions listed in § 153.153 and § 153.154.
  - (2) *Illumination.* Such decorations may be illuminated, providing no safety or visibility hazards are caused by such illumination. Animated and flashing seasonal decorations are permitted for residential uses only, and may not be installed in locations that create safety or visibility hazards.
  - (3) *Duration.* Decorations erected or installed shall be permitted an aggregate total of 60 days in any one given year.
- (M) *Special Events*
- (1) *General.* A temporary sign permit will be issued for a special event only after a special event application form has been filled out and approved. The event coordinator is required to complete a special event application form, which includes a description of the proposed signage. On-site temporary signage before or during a special event, with the exception of banners and gas-inflatable devices, does not require a permit.
  - (2) *Number.* A special event organizer may erect a maximum of eight temporary off-premise signs, provided that a sign permit is obtained from the Planning Director or designee before installation. The location and number of signs permitted, up to the maximum permitted in this Subsection 153.158(L) will be determined on a case-by-case basis, based on considerations of traffic safety and size of attendance.
  - (3) *Placement.* The city will provide and install standardized sandwich boards for all off-premise signs. The event organizer is responsible for supplying paper or plastic signs, which will be affixed to the boards.
  - (4) *Size.* A maximum of two signs may be up to six square feet in area and three feet in height. A maximum of six signs may be up to two square feet in area and one foot in height.
  - (5) *Duration.* A maximum of two signs may be installed no earlier than seven days immediately preceding the event but must be removed no later than 24 hours following conclusion of the event. A maximum of six signs may be installed no earlier than 24 hours immediately preceding the event but must be removed within 24 hours following conclusion of the event.
  - (6) *Illumination.* May not be illuminated.

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### (N) *Other Temporary Signs.*

- (1) *General.* All other temporary signs do not require a sign permit and are subject to the restrictions listed in § 153.153 and § 153.154. Permission to post such signs must be obtained from the owner(s) of the property on which the signs are placed.
- (2) *Number.* Up to four temporary signs may be erected on a lot or parcel.
- (3) *Size.* No temporary sign may exceed six square feet in size unless specifically permitted elsewhere in this section.
- (4) *Height.* No temporary sign may exceed three feet in height unless specifically permitted elsewhere in this section.
- (5) *Illumination.* Are not to be illuminated in any manner.
- (6) *Placement.* Are not to be affixed to any utility pole, tree, or natural object, are not located within a right-of-way, and do not create a safety or visibility hazard.
- (7) *Duration.* All of the permitted signs are limited to a period of four months.

### § 153.159 SIGNS WITH SPECIAL CONDITIONS.

For all permanent sign types listed below, a sign permit must be obtained in accordance with § 153.151. In addition to the requirements and regulations in Sections 153.150 through 153.162, the following special conditions shall apply:

#### (A) *Corporate Office Signs along Interstate District.*

- (1) For the purposes of this chapter, the Interstate District is hereby defined to include property with frontage on Interstate 270 that has been improved with corporate office building(s) constructed with two or more stories above the natural grade. Such building is entitled to a wall sign or a ground sign facing the interstate in addition to other permitted signage. In all cases, a maximum of two signs shall be permitted. For wall signs, the permitted sign area is based upon the number of building stories above natural grade and the building setback from the interstate right-of-way line. Buildings that are set back at least 50 feet from the interstate shall be entitled to 100 square feet of signage per story, up to a maximum of 300 square feet. Multi-story buildings set back less than 50 feet from the interstate shall be entitled to a maximum 100 square feet of wall signage regardless of number of stories. Any such wall sign shall be individual channel letters and shall be limited to one color. Wall signs may not extend above the roof line of the building. They may not be attached to a penthouse or roof structure including but not limited to mechanical equipment or roof screening. For ground signs, the permitted sign size is based upon the building setback. Buildings set back at least 100 feet from the interstate, shall be entitled to a sign no greater than 80 feet in area and not more than 12 feet in height.

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- (2) Buildings setback less than 100 feet from the interstate shall be entitled to a sign no greater than 50 feet in area and not more than eight feet in height. All Interstate District signs shall conform to all setback, design, location, and other requirements not specifically addressed in this section.
- (B) *Joint Identification Signs.* One ground sign identifying only the name of a shopping center or other building complex shall be permitted, if there is a minimum of three uses sharing the same site. Such signs shall be permitted in addition to the permitted signs of individual occupants, but shall not list the names of these occupants. A joint identification sign shall not exceed the maximum permitted height of any ground sign identifying the individual occupants and the area of a joint identification sign shall not exceed 80 square feet. A second joint identification sign of the same size is permitted if the site has frontage on two streets, provided that the total lot frontage (on two streets) is 1000 feet or greater. The two signs shall be no closer than 75 feet. For all buildings or complexes designed and/or intended for multi-tenant usage, a total sign plan conforming to all the requirements of this Code must be submitted to the Planning Director or designee before any sign permit for the complex or an individual tenant will be issued.
- (C) *Entry Feature Signs.* These shall include signs graphically identifying a subdivision and/or multi-family development. Such signs shall be limited to monument signs only. Pole and pylon signs are prohibited. Such signs must consist entirely of natural materials, such as wood, brick and stone. The reverse sides of such signs shall be finished to match the fronts. The graphic area of such signs shall not exceed 20 square feet and the height of the monument shall be limited to six feet. Such signs may not interfere with the safe movement of vehicular and pedestrian traffic. If an entry feature sign is to be located within the right-of-way it must be reviewed and approved by City Council, the Planning and Zoning Commission and the City Engineer. Such signage must meet Dublin lighting and landscaping requirements.
- (D) *Signs within the Architectural Review District.* Refer to the Architectural Review Board regulations and the Historic Design Guidelines for regulations pertaining to signs in these locations.
- (E) *Nonconforming Signs.* All pre-existing illegal nonconforming signs must be removed in accordance with this subchapter. The Planning Director shall issue an order for the sign to be removed within 15 days. The cost of removal will be assessed to the property owner. If the property owner refuses to pay for removal of the sign, the cost of such removal shall be assessed to the property owner's tax records. All pre-existing legal signs that do not conform to the standards of this subchapter must be brought into conformity under any of the following conditions:
- (1) Upon any change in the use of the property for which such property was intended at the time this subchapter became effective.
  - (2) Upon the discontinuance of the present use of property for a period of more than six months.

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- (3) Upon alterations to the existing sign, the following regulations shall apply:
  - (a) Structural. No display sign shall hereafter be altered, rebuilt, enlarged, extended, or relocated except in conformity with the provisions of this subchapter.
  - (b) Repainting or Refacing. The repainting of existing nonconforming signs shall not be considered an alteration within the meaning of this section. Refacing an existing nonconforming sign shall not be considered an alteration as long as the refacing constitutes an exact replica of the existing sign face. The design, color scheme, translucency, graphics and text must exactly match those existing. If any portion of the replacement face(s) is not an exact replica of the original sign face, the replacement face(s) must be brought into compliance with this subchapter in so far as practicable.
  - (c) Existing Signs; continuance. Except as otherwise specifically provided, nothing in this section shall require the removal or discontinuance of a legally existing nonconforming permanent display sign which is attached to the property, as distinguished from a temporary or portable sign, that is not altered, rebuilt, enlarged, extended or relocated.
- (F) *Gasoline Stations.* Gasoline stations, whose principal business is the sale of motor fuel, may display signs in addition to those hereinabove authorized. Such signs shall be limited to the following:
  - (1) One non-illuminated, double-faced sign not exceeding five square feet on a side is permitted for each set of motor fuel pumps identifying "self service" or "full service."
  - (2) Price and grade information can be displayed only on the permitted sign, in manually changeable copy. Changeable copy for these purposes shall not include liquid crystal display (LCD), light emitting diodes (LED), or other similar electro/mechanical displays. This is the only circumstance in which changeable copy may be used.
  - (3) Signs limited to the identification of the brand name, logo or type of fuel sold and other signs as may be required by law shall be permitted on the motor fuel pumps. Fuel pumps shall not be illuminated. No signs projecting above the pumps may be permitted, except as required by law.
  - (4) Any other such signs as may be required by law.
- (G) *Architectural Review District.* Signs within the Architectural Review District shall require prior review and approval by the Architectural Review Board. Signs within the Architectural Review District shall be in conformance with the Historic Dublin Guidelines, or any properly adopted successor guidelines or regulations. In no case shall such guidelines permit signage which exceed the size, height, color, opacity, and design requirements within this subchapter.

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- (H) *Drive-thru menu board signs.* This shall include free-standing, pole, pylon and monument signs. A drive-thru menu board sign is permitted only when all of the following conditions are fulfilled:
  - (1) The sign is located on the property to which it refers;
  - (2) The sign is not visible from the public right-of-way; and
  - (3) The sign does not exceed 32 square feet in size.
- (I) *Signs on vending machines, trash bins, or other devices.* All such signs shall be screened from view of any public right-of-way and adjoining private property.
- (J) *Neon signs.* Neon may only be used for internal illumination if totally enclosed and not externally visible.

### § 153.160 FEES AND MAINTENANCE.

- (A) *Fees.* Permit and any other fees as determined by Council are posted in a fee schedule available through the Planning Division. The application fee is payable at the time of application and the permit fee is payable upon receipt of the sign permit.
- (B) *Reinspection and Maintenance.* All signs for which a permit shall be issued in accordance with this subchapter shall be subject to the following provisions:
  - (1) The Planning Director or designee shall reinspect each sign once every 24 months following erection of such sign to determine its continued compliance with the approved permit and plans as they were issued and to insure proper operating conditions and maintenance in accordance with this subchapter. The sign owner shall be solely responsible for maintaining the appearance, safety and structural integrity of the sign at all times.
  - (2) Whenever the inspecting official finds a sign in need of repair, support, replacement, cleaning, repainting, or any maintenance service necessary to maintain reasonable and proper appearance and public safety, he or she shall issue an order to the owner allowing 30 days to effect needed repairs or maintenance. If the inspecting official determines that the existing condition of the sign creates an immediate hazard to the health or safety of the general public, he or she shall issue an order to the owner requiring the sign to be removed immediately.
  - (3) Failure of an owner to comply with the provisions listed above shall be cause for the inspecting official to order the permit issued for the sign void and issue an order for the sign to be removed. The cost of removal will be assessed to the property owner. If the property owner refuses to pay for removal of the sign, the cost of such removal shall be assessed to the property owner's tax records.
- (C) *Registration of sign contractors.* It shall be unlawful for any person to construct, install, relocate, alter, or maintain, any building mounted or ground sign within the city if the person is not currently registered with the city as a

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registered sign contractor or has not provided the bond required by division (E) of this section.

- (1) A person desiring to be a registered sign contractor authorized to construct, install, relocate, alter, maintain, or remove building mounted or ground signs within the city shall register with the Division of Planning on a form prescribed by the Division for such registration and pay the fee for such registration as prescribed in the city's fee schedule.
- (2) The registration form shall include the following information:
  - (a) Name of the registrant;
    1. Name includes fictitious names or trade names (i.e., the "DBA" name) as well as the legal name of the entity or natural person.
  - (b) Current address of the registrant;
  - (c) Current phone number of the registrant;
  - (d) A space or box to indicate whether the application is for a new registration, or a renewal of an existing registration;
  - (e) Designation of a person who will be the primary contact between the registrant and the city, including the address, phone number, and e-mail address for such person;
  - (f) A statement, signed by a person with authority to bind the prospective registrant, acknowledging that the erection of signs within the city is subject to the Dublin Codified Ordinances and agreeing that the prospective registrant shall not construct, install, relocate, alter, maintain, or remove any ground or building mounted sign unless in compliance with the City of Dublin Codified Ordinances.
  - (g) Proof of general commercial liability insurance with a minimum combined bodily and property damage coverage in the amount of \$300,000, and showing the city as a certificate holder. Liability insurance coverage shall be maintained in full force and effect and a copy of any policy changes including renewal forwarded to the Planning Division throughout the term of registration.
  - (h) Any other information as determined by the Planning Director.
- (3) It shall be the duty of the registrant to provide updated information to the city if any person listed in the registration form disassociates from the registrant or any address, telephone number, or e-mail address changes for the registrant or its designated contact person.
- (4) If the registrant is a corporation, limited liability company, partnership, limited liability partnership, or other entity that is not a natural person, the registrant shall include the information listed above for all shareholders, partners, members, or other persons holding greater than a 10% equity interest in the entity.
- (5) Failure to provide all required information shall result in denial of registration.

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- (6) The Planning Director may revoke the registration, or deny a registration renewal, to a person who has forfeited any portion of the bond required by division (E) of this section within the prior three calendar years, or who installs, constructs, relocates, or alters a sign without first obtaining a permit.
  - (7) No person who has outstanding fees, taxes, or judgments against said person and in favor of the city shall be registered until every such fee, tax, or judgment is satisfied. No person who is subject of an outstanding zoning violation shall be registered until such violation is resolved.
  - (8) Registration shall not be effective until the registrant has been provided a certificate issued by the city stating that the registrant has been registered.
  - (9) Registration renewals shall be due between November 1 and December 1 of each year. Registrations will expire at 12:00 a.m. on December 31. All first-time registrants who are registered after January 1 shall have to re-register within the registration renewal period of the same year.  
Example: a first-time registrant who registers March 1, 2019, will have to re-register during the registration renewal period in 2019.
- (D) *Permit applicant's acknowledgment.* In conjunction with the submittal of an application for a sign permit, the owner of the property, tenant in possession of the property, or registered sign contractor shall comply with the following at the time of application submittal:
- (1) The owner of the property, tenant in possession of the property, or registered sign contractor shall have acknowledged in writing that the installation of the sign(s) is required to comply with the terms of the approved permit.
  - (2) The owner of the property, tenant in possession of the property, or registered sign contractor shall have acknowledged in writing that all fabrication and installation work and materials used in connection with the sign(s) shall conform to the requirements of the municipality and be installed under the Chief Building Official's and Planning Director's general supervision; that the owner of the property, tenant in possession of the property, or registered sign contractor is required to notify the Chief Building Official and Planning Director in writing three days or more before any installation has begun on such sign(s) to permit inspection; that in the event of any violation of, or noncompliance with, any of the provisions and stipulations of the approved permit(s), the municipality shall have the right to stop the work forthwith and complete or cause the completion of such improvements according to the approved permit and that in such event the owner of the property, tenant in possession of the property, or registered sign contractor shall reimburse the municipality for any and all expenses incurred thereby. The city may draw upon the bond provided pursuant to division (E) of this section to collect such reimbursement. Drawing upon the bond shall not prevent the city from

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pursuing any other remedy available to collect reimbursement for its expenses.

- (E) *Sign contractor bond required.* A registered sign contractor shall maintain a bond as described in division (F) of this section, to be applied against any building mounted or ground sign the sign contractor constructs, installs, alters, relocates, or maintains. The registered sign contractor shall not commence work on any building mounted or ground sign until providing the required bond. Expiration of the bond or other failure to maintain it in good standing shall be cause for immediate revocation of the sign contractor's registration. At the time of registration or re-registration with the city, the sign contractor shall provide proof that the bond remains in good standing and is in the amount that the Planning Director has established pursuant to division (F) of this section.
- (F) *Form of sign contractor bond.* The bond required by division (E) of this section shall be in a form approved by the Planning Director and conditioned to save the city harmless from all loss and damage to persons or property which may be occasioned in any way, by accident or the want of care or skill on the part of the registered sign contractor or any agent thereof, in the prosecution of the work. The bond shall also provide for payment to the city for damages to the city or city property in the course of performance of work, including reimbursement to the city of any expenses the city incurs in remedying or removing a non-compliant sign constructed, installed, altered, relocated, or maintained by the registered sign contractor. The bond shall be in an amount to be determined and published by the Planning Director, in an amount or amounts reasonably calculated to provide security to the city.

### § 153.161 ABANDONED SIGNS.

- (A) A sign shall be considered abandoned:
  - (1) When the sign remains after the discontinuance of a use.
    - (a) A business is considered to have discontinued operations if it is closed to the public for at least 90 consecutive days.
    - (b) A seasonal business is considered to have discontinued operations if it is closed to the public for at least 72 hours after the expiration of an 80-day seasonal business permit.
  - (2) When the sign on its immediate premises is not adequately maintained and the repairs or maintenance ordered under § 153.161(B) are not effected within the 30-day time limit.
  - (3) When the pre-existing legal sign does not conform to the provisions of this subchapter and is not brought into conformity upon any change in use or design as specified in § 153.160(J).
- (B) The Planning Director shall determine whether a sign shall be considered abandoned. Upon determination that the sign is abandoned, the right to maintain and use such sign shall terminate immediately and the Planning

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Director shall issue an order for the sign to be removed within 15 days by the property owner. Any abandoned sign still standing after 15 days following an order for removal may be removed by the city. If the property owner refuses to pay for removal of the sign, the cost of such removal, as determined by City Council, will be added to the owner's tax records.

### § 153.162 TABLE OF HEIGHT, AREA AND SETBACK REQUIREMENTS.

<b>RESIDENTIAL</b>							
	Wall Signs Maximum Area	Wall Signs Maximum Height		Ground Signs Maximum Area	Ground Signs Maximum Height	Ground Signs Minimum Setback	Window Signs Maximum Area
<b>PERMANENT SIGNS</b>							
School/Church	20	8		15	6	8	not permitted
Day Care (Conditional Use)	8	8		8	6	8	not permitted
Entry Feature Sign	not permitted	n/a		20	6	0	not permitted
Sexually Oriented Business	32	15		not permitted	not permitted	not permitted	10

<b>NONRESIDENTIAL</b>							
	Wall Signs Maximum Area	Wall Signs Maximum Height		Ground Signs Maximum Area	Ground Signs Maximum Height	Ground Signs Minimum Setback	Window Signs Maximum Area
<b>PERMANENT SIGNS</b>							
School, Church, Library	20	8		15	6	8	not permitted
Development	32	8		32	8	8	not permitted

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<b>NONRESIDENTIAL</b>							
	Wall Signs Maximum Area	Wall Signs Maximum Height		Ground Signs Maximum Area	Ground Signs Maximum Height	Ground Signs Minimum Setback	Window Signs Maximum Area
Day Care/Nursing Homes	20	8		15	6	8	not permitted
Office (Admin., Professional)	50	15		50	15	8	10
General Commerce (Retail, Restaurant, Lodging, Consumer Service, Personal Service, Entertainment, Wholesaling, Bank, Hospital, Manufacturing, Research)	80	15		50	15	8	10
Joint Identification	not permitted	n/a		80	15	8	not permitted
Service Stations	see § 153.160(L)			see § 153.160(L)			see § 153.160(L)

## SIGNS

### § 153.150 PURPOSE.

The purpose of this subchapter is to protect the general health, safety, morals and welfare of the community by providing an instrument for protecting the physical appearance of the community and for encouraging high quality, effective outdoor graphics for the purposes of navigation, information and identification. Specifically, it is the intent of this subchapter to provide businesses in the municipality with equitable sign standards in accord with fair competition and aesthetic standards acceptable to the community, to provide the public with a safe and effective means of locating businesses, services and points of interest within the municipality, and to provide for a safe vehicular and pedestrian traffic environment. This subchapter is based on the premise that signs are as much subject to control as noise, odors, debris and other similar characteristics of land use, that if not regulated, can become a nuisance to adjacent properties or the community in general, or depreciate the value of other properties within the community. It is also the intent of this subchapter, as with the entire Dublin Planning and Zoning Code, to guarantee equal treatment under the laws through accurate record keeping and consistent enforcement.

('80 Code, § 1189.01) (Ord. 66-94, passed 3-20-95)

### § 153.151 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ABANDONED SIGN.** A sign associated with an abandoned use, a sign that remains after the termination of the business, or a sign on its immediate premises not adequately maintained and not repaired within the specified time under order of § 153.162.

**ANIMATED SIGN.** Any sign that uses movement or change of artificial and natural lighting or noise to depict action or create a special effect or scene.

**ATM (AUTOMATED TELLER MACHINE).** An electronically operated device used to conduct financial transactions on site, by means of direct computerized access. Such devices may be accessible by automobile and/or pedestrians.

**BANNER.** A nonrigid cloth, plastic, paper, or canvas sign typically related to a special event or promotion, that is cultural, educational, charitable, or recreational in its function, under the sponsorship of a for-profit establishment or business, or a public, private nonprofit, or religious organization.

**BENCH SIGN.** Any sign painted on, located on, or attached to any part of the surface of a bench, seat, or chair placed on or adjacent to a public roadway.

**BILLBOARD.** An off-premise sign directing attention to a specific business, product, service, entertainment or other activity sold, offered, or conducted off-site.

**BUS SHELTER SIGN.** Any sign painted on or affixed to any bus shelter.

**CHANGEABLE COPY SIGN.** A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged by mechanical, electronic or manual means without altering the face or surface of the sign.

**CHANNEL LETTERS.** The outline of a letter, border, or similar object with a vertical side wall to confine the lighting on the face either to restrict vision at an angle or to prevent light spillage over adjacent areas.

**COMMUNITY ACTIVITY.** An activity that is open to the general public and sponsored by a public, private nonprofit or religious organization that is educational, cultural, or recreational in function. Charitable events sponsored by for-profit organizations are also considered community activities. Examples of a community activity are a school play or a church fair.

**DEVELOPMENT SIGN.** A temporary sign indicating such things as the names of the architects, engineers, landscape architects, contractors, or similar artisans, and the owners, financial supporters, sponsors and similar individuals or firms having a role or interest with respect to the development, structure, or project. This includes both private and public projects.

**DIRECTIONAL SIGN.** A temporary or permanent sign that provides information regarding location, instructions for use, or functional/directional data.

**ELECTRONIC SCOREBOARD.** An electronically-controlled changeable copy sign used to display scoring information for sporting events. Such signs are located on the sports field.

**ENTRY FEATURE SIGN.** An on-premises ground-mounted sign that graphically identifies a residential subdivision and/or multifamily development. For commercial properties, see **JOINT IDENTIFICATION SIGN**.

**ESTABLISHED GRADE LINE.** The average finished grade for that area of the site where the sign is to be located, provided however that the height of the sign shall not be artificially increased by the use of mounding. All references to sign height are from the established grade line unless otherwise noted.

**EXTENSION.** A wall or other structure which is connected to and extended from a building.

**FLAG.** Any fabric or bunting containing the officially recognized and adopted colors, patterns, or symbols used as the official symbol of a government, political, or corporate entity.

**FLASHING SIGN.** Any directly or indirectly illuminated sign that exhibits changing natural or artificial light or color effects by any means whatsoever.

**FOR SALE/FOR LEASE SIGN.** A sign indicating the sale, rental, or lease of a structure or property.

**FREE-STANDING SIGN.** See **GROUND SIGN**.

**GAS-INFLATABLE SIGN/DEVICE.** Any device which is capable of being expanded by any gas and used on a permanent or temporary basis to attract attention to a product or event. This definition includes both hot and cold-air balloons tethered or otherwise anchored to the ground.

**GOVERNMENTAL SIGN.** A sign erected and maintained pursuant to and in discharge of any government functions or required by law, ordinance, or other governmental regulations.

**GROUND SIGN.** Any sign which is physically attached to a foundation. These are commonly known as free-standing, pole, pylon, or monument signs.

**HOSPITAL.** Any medical facility that is capable of retaining patients overnight.

**ILLUMINATED SIGN.** Any sign lighted by or exposed to artificial lighting either by light on or in the sign or directed toward the sign.

**INFORMATION SIGN.** A sign displaying necessary information for the convenience and safety of residents and visitors, and containing no advertising.

**JOINT IDENTIFICATION SIGN.** A sign that identifies the name, through type, graphics, or other symbols, of a shopping center, office park, industrial park, or other building complex containing three or more uses on the same lot, allowed in addition to the permitted signs of the individual occupants.

**LOGO.** A non-text graphic representation of a corporate trademark, or symbol of a company name, trademark, emblem, figure, element, abbreviation, etc., uniquely designed for recognition.

**MONUMENT SIGN.** A ground sign attached to a wall or a base constructed specifically for the display of the sign. A common example is a permanent subdivision sign.

**NONCONFORMING SIGN.** A pre-existing legal or illegal sign which does not conform to the standards set forth in this code.

**OPEN HOUSE.** A temporary public showing of a structure available for sale, rental, or lease.

**PENNANT.** A flag or banner longer in the fly than in the hoist, usually tapering to a point.

**PERMANENT SIGN.** Any permitted or legal nonconforming sign intended to remain in place until a change of occupancy occurs. A permanent sign must be securely attached or installed upon a building, structure, or the ground.

**POLE SIGN.** See **GROUND SIGN.**

**POLITICAL SIGN.** A sign concerning candidates for elective office, public issues and similar matters to be decided by the public at an election.

**PORTABLE SIGN.** Any sign that is designed to be or capable of being moved or transported, and not permanently affixed or attached to any building, structure, or grounds.

**PRIMARY IMAGE.** The name of the use or business identified on a sign. The primary image must be displayed in text.

**PRODUCT SIGN.** A sign typically located in a window, advertising a product or service offered by a business.

**PROJECTED IMAGE.** An image projected onto a building, structure, or sign.

**PROJECTING SIGNS.** A sign that is wholly or partly dependent upon a building for support or suspended from a pole attached to a building. Such signs must be perpendicular to the building face upon which they are attached.

**PROMOTIONAL SIGNS.** A temporary sign that provides information regarding time, place, and the like of a special event, community activity or similar activity.

**PYLON SIGN.** See **GROUND SIGN.**

**RACEWAY.** An elongated metal enclosure used to mount individual channel lettering and to conceal related transformers and wiring.

**REFACING.** Any alteration to the face of a sign involving the replacement of materials or pans. Refacing does not refer to replacing the entire sign structure or the removal of the sign.

**ROOF LINE.** The uppermost line or point of the façade or parapet of a flat roof structure, or the lower edge of an eave, gable or rake of a sloped roof structure.

**ROOF SIGN.** Any sign erected on or above the roof line of a building.

**SANDWICH BOARD SIGN.** A sign with two hinged boards which can be placed on the ground.

**SECONDARY IMAGE.** Any and all text, graphics, or images displayed on a sign in addition to the name of the use or business and/or logo, including but not limited to pictorial representations, tag lines, products, prices, and phone numbers.

**SECTION.** In the text, the term **SECTION** refers to the Arabic numeral under which it appears in this subchapter.

**SETBACK.** The distance from the property line and/or right-of-way line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line and/or right-of-way line.

**SIGN.** A sign is defined as any name, number, symbol, identification, description, display, illustration, object, graphic, sign structure, or part thereof, whether permanent or temporary, which is affixed to, painted on, represented directly or indirectly upon, or projected onto a building, structure, lot, or other device, whether mobile or affixed to the ground, and which directs attention to any object, product, place, activity, person, institution, organization, or business. This definition includes all signs visible from any

public right-of-way or adjacent property, including interior signs oriented towards the exterior façade of any building or structure as well as back-lighted translucent panels or strip lighting affixed to any wall or roof where any such panels or lighting serves to identify and attract attention rather than illuminate space for human activity.

**SIGN FACE.** The surface intended for the display of information on the sign.

**SIGN STRUCTURE.** The supporting unit of a sign face, including but not limited to frames, braces and poles.

**SPECIAL EVENT.** A special event or activity that is open to the general public and supported by the office of Public Information and Special Events, and the city. A special event is educational, cultural or recreational in function. Such events shall be coordinated through the City Office of Public Information and Special Events. Examples of a special event are the Dublin Three Tour Challenge and the Dublin Irish Fest.

**STREAMER.** A ribbon-shaped or cord-like rope which may have pennants and/or banners attached and which is stretched or hung between two or more supports.

**SUBCHAPTER.** Refers to §§ [153.150](#) through [153.164](#) in its entirety.

**TRAILBLAZER SIGN.** A government sign identifying company logos for lodging, gasoline stations, restaurants and other such establishments.

**TRAILER SIGN.** Any sign which is attached to, supported by, or part of a structure which is designed to move on trailer wheels, skids, or other similar devices, or transported, pushed, or pulled by a motor vehicle.

**TREE LAWN.** That portion of a public right-of-way lying between the back face of the curb and the leading edge of the sidewalk.

**WALL SIGN.** Any sign attached to or erected against the inside or outside wall of a building or structure, with the exposed display surface of the sign in a plane parallel to the plane of the building or structure and extending less than 14 inches from the building or structure.

**WINDOW SIGN.** Any signs, posters, symbols and other types of identification or information about the use or premises directly attached to the window of a building or erected on the inside of the building and visible from any public right-of-way or adjacent property.

('80 Code, § 1189.02) (Ord. 66-94, passed 3-20-95; Am. Ord. 103-95, passed 12-18-95; Am. Ord. 19-12, passed 4-23-12)

## **§ 153.152 PERMIT REQUIRED.**

All signs located on land within or hereafter annexed to the municipality shall comply with this subchapter unless specifically exempt by § [153.157](#). No person shall locate or retain any sign, or cause a sign to be located, relocated, altered, modified, or retained unless all provisions of this subchapter have been met. To ensure compliance with these regulations, a sign permit shall be secured from the Zoning Administrator or designee for each sign unless such sign is specifically exempted in this

subchapter. Any sign requiring a structural steel foundation and/or electricity must obtain foundation and/or electric permits from the Building Division, as well as a sign permit. An application fee will be required at the time of application. A permit fee will be required when and only when the permit is approved. Fees may be paid by cash, check, or money order. No permit shall be issued until a completed application and fees have been submitted. Prior to issuance of a permit, signs within the Architectural Review District must be approved by the Architectural Review Board. Such signs may be subject to different or more stringent criteria as adopted for the Architectural Review District.

('80 Code, § 1189.03) (Ord. 66-94, passed 3-20-95) Penalty, see § [153.999](#)

### **§ 153.153 SUBMITTAL REQUIREMENTS FOR SIGN PERMITS.**

When applying for a sign permit, the following materials must be submitted:

- (A) A completed application and fee for each requested sign.
- (B) Scale elevation drawing(s) of proposed sign(s).
- (C) Foundation and anchoring drawing(s) of proposed sign(s).
- (D) A dimensioned site plan showing the location of proposed sign(s) and adjacent buildings or other structures.
- (E) For wall signs, a building elevation drawn to scale showing the proposed wall sign and the dimension from established grade to the top of the sign.
- (F) For ground signs, a sign base landscaping plan.

('80 Code, § 1189.04) (Ord. 66-94, passed 3-20-95) Penalty, see § [153.999](#)

### **§ 153.154 PROHIBITED SIGNS.**

The following signs or similar devices are prohibited: Off-premise signs, trailblazer signs, externally visible neon and neon look-alike signs, trailer signs, search lights, laser lights, pennants, streamers, spinners, bench signs, portable signs, roof signs, billboards, changeable copy (except for gasoline station price signs and drive-thru menu boards under § [153.161](#)), flashing signs, projected images and animated signs, signs with moving or moveable parts, and any look-alike version of any of these prohibited sign types. Projecting signs are permitted only in the Architectural Review District. Signs on vending machines, trash bins, or other devices serving any premises shall be screened from view of any public right-of-way and adjoining private property. Neon may be used for internal illumination if totally enclosed and not externally visible.

('80 Code, § 1189.05) (Ord. 66-94, passed 3-20-95; Am. Ord. 103-95, passed 12-18-95) Penalty, see § [153.999](#)

### **§ 153.155 PROHIBITED SIGN LOCATIONS.**

Signs may not be installed in any of the following locations:

(A) In any public right-of-way, unless specifically authorized by this subchapter and the City Engineer;

(B) In any utility easement or no-build zone;

(C) In any public park or other public property;

(D) On any traffic control signs, construction signs, fences, utility poles, street signs, trees or other natural objects;

(E) In any location where the view of approaching and intersecting traffic would be obstructed. No sign shall be located so as to interfere with the safe movement of vehicles or pedestrians entering, leaving, or crossing a public right-of-way;

(F) In any residential area, except as expressly permitted in §§ [153.156](#), [153.157](#), [153.159](#), [153.160](#) and [153.161](#) of this subchapter;

(G) On any property without the prior authorization granted by the property owner on which any sign is to be placed.

('80 Code, § 1189.06) (Ord. 66-94, passed 3-20-95; Am. Ord. 103-95, passed 12-18-95) Penalty, see § [153.999](#)

### **§ 153.156 COMMUNITY ACTIVITIES; SPECIAL EVENTS.**

(A) A community activity or special event may be promoted by installing banners along the designated light poles within the historic district. The installation of these banners is coordinated through the Office of Special Events. All banners are a standard size, installed by the city and limited to a maximum of three colors.

(B) A community activity, as defined in § [153.151](#), shall be limited to a maximum of one off-site promotional sign. These signs are considered temporary signs, and a sign permit is required before installation. A temporary sign permit may be obtained from the Zoning Administrator or designee. The application and permit fees, as determined by Council, are included in the fee schedule available from the Planning Division. On-site community activity signage to be used ONLY for the duration of the event, with the exception of banners and gas-inflatable devices, does not require a permit. The city will provide and install standardized sandwich board for all off-site promotional signs. The event organizer is responsible for supplying paper or plastic signs which will be affixed to the sign posts.

(1) The event must be open to the public and be non-discriminatory. Free admission is not a requirement.

(2) Community activity promotional signage shall not contain any commercial advertising. If an organization is sponsoring the event, the title of the organization may be used on promotional signage.

(3) Promotional signs may not exceed six square feet in area and three feet in height.

(4) No more than three colors shall be included on such sign(s), including black and white.

(5) Such signs shall not be illuminated.

(6) Promotional signs shall not be displayed more than seven days immediately preceding the event and shall be removed no later than 24 hours following conclusion of the event.

(C) A special event, as defined in § [153.151](#), shall be entitled to a maximum of two off-site promotional signs and six directional signs. These signs are considered temporary signs, and a sign permit is required before installation. A temporary sign permit will be issued for a special event only after a special event application form has been filled out and approved by the Special Event Coordinator or designee. On-site special event signage to be used ONLY for the duration of the event, with the exception of banners and gas-inflatable devices, does not require a permit. The event coordinator is required to complete a special event application form which includes a description of the proposed promotional and directional sign package. The location and number of signs permitted will be determined on a case by case basis, not to exceed one off-site promotional sign, and six directional signs. The city will provide and install standardized sandwich boards for all off-site promotional and directional signs. The event organizer will be responsible for supplying paper or plastic signs which will be affixed to the boards.

(1) The event must be open to the public and be non-discriminatory. Free admission is not a requirement.

(2) Special event promotional signage shall not contain any commercial advertising. If an organization is sponsoring the event, the title of the organization may be used on promotional signage.

(3) Promotional signs may not exceed six square feet in area and three feet in height.

(4) Promotional signs shall not be displayed more than seven days immediately preceding the event and shall be removed no later than 24 hours following conclusion of the event.

(5) Directional signs may not exceed two square feet in area and one foot in height.

(6) Directional signs shall be installed no more than 24 hours immediately preceding the event and shall be removed within 24 hours following conclusion of the event.

(7) No more than three colors shall be included on such signs(s), including black and white.

(8) Such signs shall not be illuminated.

('80 Code, § 1189.07) (Ord. 66-94, passed 3-20-95; Am. Ord. 103-95, passed 12-18-95) Penalty, see § [153.999](#)

## § 153.157 SIGNS NOT REQUIRING A PERMIT.

The following signs do not require a permit, but are subject to the restrictions listed in §§ [153.155](#), [153.156](#), [153.158](#) and [153.164](#) of this subchapter unless expressly exempted. Nothing in this section shall be construed to allow any sign which is prohibited in § [153.154](#), unless any such sign is expressly permitted.

(A) *Government Flags.* The flag, pennant, or insignia of any nation, state, city or other political unit. Poles for such flags must be no more than 35 feet in height, or lower if in a lower structure height district. A foundation permit must be received from the Building Department for all flagpoles. The area of such flags must be determined according to the following table:

<b><i>Pole Height</i></b>	<b><i>Maximum Flag Size</i></b>
35'	5' by 9' 6"
30'	5' by 8'
25'	4' by 6'
20'	3' by 5'

(B) *Corporate Flags.* Corporate flags are exempt from the Sign Code subject to the following conditions:

- (1) No more than one corporate flag may be flown per eligible parcel of land.
- (2) The minimum parcel size shall be not less than three acres.
- (3) The corporate flag shall not be larger than a government flag, if one is flown, and in no case larger than three feet in height and five feet in length.
- (4) All corporate flags must be flown below any government flag flown.
- (5) The maximum height for a corporate flag on a separate pole shall be twenty feet as measured from established grade line to the top of the pole.
- (6) Corporate flags may display only the name, corporate emblem and/or logo of a given corporation. Slogans and tag lines are not permitted.

(C) *Governmental Signs.* Governmental signs shall include traffic or similar regulatory devices, official "Welcome to Dublin" signs, legal notices, warnings at railroad crossings, or any other such sign required by law. Such signs shall be consolidated with other governmental signs whenever possible.

(D) *Public Information Signs.* Public information signs established by the city, including "Block Watch," "Tree City, USA," and other such signs, provided that they do not exceed three square feet in area. Such signs shall be consolidated with other governmental signs whenever possible. If the sign is located in right-of-way it must be approved by City Engineer.

(E) *Public Banners.* Banners established by the City of Dublin to promote the community and city-sponsored events and located on light posts in the public right-of-way, provided that such banners are restricted to eight square feet in area and limited to three colors, including black and white.

(F) *Holiday Signs.* Signs clearly in the nature of decorations customarily associated with any national, state, local, or religious holiday, to be limited to an aggregate total of 60 days in any one given year, and to be displayed not more than 60 consecutive days. Such signs may be illuminated, providing no safety or visibility hazards are caused by such illumination. Animated and flashing holiday signs are permitted for residential uses only, providing no safety or visibility hazards are caused by such illumination. Gas-inflatable holiday signs must comply with § [153.161](#)(B), and a sign permit must be obtained before a gas-inflatable sign may be installed.

(G) *Political Signs.* Political signs or posters concerning candidates for office, public issues or similar matters to be decided by the public at an election shall not exceed six square feet in size, shall not be illuminated in any manner, shall not be affixed to any public utility, pole, tree, or natural object, nor be located within a public right-of-way, nor create a safety or visibility hazard. Permission to post such signs must be obtained from the owner(s) of the property on which the signs are placed.

(H) *Street Address Signs.* Signs bearing only the street address of the properties on which they are located. For residences, such numbers must consist of Arabic numerals no less than three inches nor more than eight inches in height. For non-residential uses, maximum number height varies according to front setback. If the setback is less than 100 feet, the maximum number height is 12 inches. For setbacks between 100 and 200 feet, the maximum height is 18 inches. For setbacks over 200 feet, the maximum height is 24 inches. All street address signs shall contrast to the color of the surface on which they are mounted and shall be clearly identifiable from the street and attached to the building or mailbox. Every building is required to post its street address.

(I) *Residential For Sale/For Lease Signs.* Signs indicating the sale, rental, or lease of residences, provided such signs are limited in size to seven square feet in area and three feet in height in all residential areas. Free-standing signs must be located so that they do not interfere with the safe movement of vehicular or pedestrian traffic, and all signs shall be removed within 14 days after the sale, rental, or lease has occurred. Only one such ground or window sign per street frontage is permitted.

(J) *Open House Signs.* Signs promoting an open house for property that is available for sale, rent, or lease, provided that only three such signs for each open house. All such signs shall be installed not more than two hours immediately preceding the open house and removed no more than two hours following conclusion of the open house. Such signs may not exceed seven square feet in area or three feet in height and must not be located in such a way that would interfere with the safe movement of vehicular or pedestrian traffic. Such ground signs may not be located within medians.

(K) *Window Display Signs.* Signs incorporated into the window display of a business, provided such window display signs are:

(1) Limited to one sign per window, with the total area of each sign not exceeding 10% of the area of the window in which it is placed, or six square feet, whichever is less, and limited to an aggregate maximum of 24 square feet per business;

(2) Placed only in ground level windows;

(3) Erected for no longer than 30 days each. All previously displayed signage must be removed and not reinstalled for 30 days,

(4) The name of the company or business is limited to a maximum of 25% of the actual size of the window display sign.

(L) *Private Traffic and on site Directional Signs.* Traffic and directional signs indicating points of entry or exit for a facility or off-street parking area, provided such signs are limited a maximum of four square feet in area and three feet in height and do not interfere with safe vehicular or pedestrian traffic circulation or obstruct the view of drivers exiting onto highways or thoroughfares. Such signs may contain information such as "in," "enter," "entrance," "out," "exit," "do not enter" or similar language as approved by the Zoning Administrator or designee. Arrows indicating desired traffic movement may also be used for directional signage. Such signs may contain no advertising, including logos and must be of a rectangular shape. Such signs must be on the property to which they refer and may not be placed within a public right-of-way.

(M) *Informational Window Signs.* Window signage with a total area of two square feet or less and bearing only information about entry and exit, business hours, authorized service representative information and/or discount and credit systems accepted in that establishment (e.g., American Express, MasterCard, Visa, Golden Buckeye Card). This includes product signs. Each individual sign is limited to three colors.

(N) *Residential Information Signs.* Information signs are allowed only when they display information necessary for the safety and convenience of residents and visitors, such as "beware of dog" and "no trespassing." Such signs may not exceed two square feet in area and may contain no advertising.

(O) *Scoreboards.* Scoreboards used for sporting events, provided that they are not visible from a public right-of-way or adjacent property.

(P) *Security System Signs.* Signs displaying information about the security system protecting buildings or property, provided that such signs do not exceed one square foot in area.

(Q) *Construction Trailer Signs.* Signs painted on or affixed to construction trailers, vans, or other vehicles temporarily in use on a construction site.

(R) *Barber Poles.* According to state law, all barber shops must display either a barber pole or a window sign reading "Barber." If a pole is displayed, it may not exceed 28 inches in height.

(S) *ATMs.* Signage for all ATM's (Automated Teller Machines) shall be limited to one square foot of sign area and utilize no more than three colors. ATM signage must have

an opaque background. If the ATM contains a logo, it may be internally illuminated. (All external illumination shall comply with the Dublin Lighting Guidelines.) In addition, monochromatic, non-illuminated logos of accepted credit systems, (Visa, Mastercard, American Express, etc.), are limited to less than one square foot in area and must be oriented to the user of the device only.

('80 Code, § 1189.08) (Ord. 66-94, passed 3-20-95; Am. Ord. 103-95, passed 12-18-95; Am. Ord. 66-04, passed 9-20-04) Penalty, see § [153.999](#)

## **§ 153.158 GENERAL REQUIREMENTS FOR TEMPORARY AND PERMANENT SIGNS.**

(A) *Location.* Refer to § [153.155](#).

(B) *Size.* Sign area shall include the face of the entire display area not including the bracing, framing and structural supports of the sign, unless such support members are made part of the message or face of the sign. Where a sign has two or more display faces, the area of all faces of the sign shall be included in determining the area of the sign, unless the two faces are joined back to back, are parallel to each other and not more than 24 inches apart. The area of a sign consisting of individual letters or symbols, either freestanding or attached to or painted on a surface, building, wall, or window, shall be considered to be that of the smallest single rectangle which encompasses all the letters and symbols.

(C) *Design.* Signs shall be designed with the maximum of creativity and the highest quality of materials and fabrication. It is strongly recommended that all signs be designed by a professional sign designer and be installed by a qualified sign builder or contractor. Signs shall be designed to fully integrate with the building architecture and overall site design.

(1) Signs shall not resemble the color, shape, design or other characteristics of any common traffic control device, directional or warning signs directed or maintained by the state, city, or any railroad, public utility, or similar agency concerned with the protection of the public health and safety.

(2) Signs shall display as the primary image only the name of the business in text. Logos and any additional text, graphic, or image displayed on the sign face will be considered a secondary image shall not exceed 20% of the maximum permitted area of the sign face.

(3) All ground signs, including directional and temporary development signs, must be of a rectangular shape. This requirement does not apply when individual channel letters are used.

(4) Colors.

(a) Except as provided in division (b) below, signs shall be limited to three colors, including black and white. The background color is considered one of the three permissible colors, unless channel letters are used, in which case the background is not to be considered one of the three permissible colors.

(b) A corporate trademark or symbol used as a logo or secondary image shall not be limited in the number of colors used in a sign, but shall be considered as one of three permissible colors. The primary image, or secondary images, and/or background shall use one of the colors used in the corporate trademark or symbol logo.

(5) Any multifaced sign shall consistently display the same name, message and graphics on all faces.

(6) Reverse sides of signs shall be unobtrusive and blend with the surroundings.

(7) Reverse sides of all permanent signs and structural supports must be completely enclosed.

(D) *Landscaping.* The base of all permanent ground signs shall be effectively landscaped with living plant material and maintained in good condition at all times. The minimum landscaped area shall extend at least three feet beyond all faces or supporting structures in all directions. Exposed foundations must be constructed with a finished material such as brick, stone, or wood, or be screened with evergreens to the top of the anchor bolts. The landscaped area shall include all points where sign structural supports attach to the ground.

(E) *Lighting.*

(1) Signs shall be illuminated only by the following means:

(a) By a white, steady, stationary light of reasonable intensity, directed solely at the sign and/or otherwise prevented from beaming directly onto adjacent properties or rights-of-way. Light fixtures shall be screened from view by site grading or evergreen shrubs. No exposed light sources are permitted.

(b) By white interior light of reasonable intensity with primary and secondary images lit or silhouetted on an opaque background. The background must be opaque. No additional background lighting or illuminated borders or outlines shall be permitted.

(2) The level of illumination emitted or reflected from a sign shall not be of intensity sufficient to constitute a demonstrable hazard to vehicular traffic on any right-of-way or parking lot from which the sign may be viewed.

(F) *Construction.* All signs must be constructed to meet all current building code regulations of the municipality. All signs and related surroundings shall be properly maintained and shall not show signs of rust or corrosion, exposed wiring, chipped paint or faces, cracked, broken, or missing faces, or loose materials. The structural integrity of all sign foundations must be maintained.

('80 Code, § 1189.09) (Ord. 66-94, passed 3-20-95; Am. Ord. 103-95, passed 12-18-95; Am. Ord. 19-12, passed 4-23-12) Penalty, see § [153.999](#)

## **§ 153.159 PERMANENT SIGNS.**

All permanent signs shall also comply with the following requirements and with the height, area and setback requirements of § [153.164](#).

(A) *Wall Signs.* Wall signs are permitted for any business or use not identified by a ground sign.

(1) *Placement.*

(a) Wall signs shall not protrude more than 14 inches from the wall or face of the building to which it is attached, whether or not a raceway is used.

(b) Signs may be attached to a building wall or architecturally integrated extension which faces a street, parking lot or service drive, or may be attached to a canopy which projects beyond the building, provided that no part of the sign may extend above the roof or canopy.

(2) *Height.* Refer to § [153.164](#) for height limitations according to use. The height of a wall sign is measured from the established grade line to the top of the sign. Note that corporate office signs along interstate districts have no height, but in no case shall the sign extend above the roof line of the building.

(a) Signs may be attached to a building facade which faces a street, parking lot or service drive. It may be attached to a canopy which projects beyond the building, provided that no part of the sign extends above the roof or canopy.

(3) *Size.* The maximum allowable size for any wall sign shall be one square foot for every lineal foot of width of the building face to which the sign is attached, but shall not exceed the maximum size allowed for the use by § [153.164](#) unless located in the Interstate District.

(4) *Number.* Wall signs shall be limited in number to one per building or use. For buildings or uses on corner lots having at least 100 feet of lot frontage on each of two public rights-of-way, a second wall sign is permitted facing the second right-of-way. Each sign is limited to one square foot in area for every lineal foot of width of the building face to which the sign is attached, not exceeding the installed maximum size allowed for the use by § [153.164](#). The distance between the signs shall not be less than two-thirds the length of the longest elevation to which the sign is attached. The distance will be measured by two straight lines along the elevations of the building, from edge of sign to edge of sign. In no case shall two wall signs be closer than 30 feet apart. The provision for a second sign does not apply to individual tenants in a multi-tenant building.

(B) *Ground Signs.* Ground signs shall include free-standing, pole, pylon and monument signs. A ground sign is permitted only when all of the following conditions are fulfilled:

(1) *Placement.*

(a) The sign is located on the property to which it refers;

(b) The use is free-standing on its individual lot, is accessible by automobile and has off- street parking;

(c) The use has no wall sign visible from the public right-of-way or adjacent property; and

(d) Such signs shall not be located in such a way that they interfere with the safe movement of vehicular and pedestrian traffic.

(2) *Size.* The maximum allowable size for any ground sign shall be in accordance with § [153.164](#).

(3) *Height.* Refer to § [153.164](#) for height limitation according to use. The height shall be measured from the established grade line to the highest point of the sign or its frame/support. The height may not be artificially increased by the use of mounding.

(4) *Setback.* All ground signs must be set back a minimum of eight feet from any public right-of-way or property boundary line unless such signs are specifically exempted of this requirement, refer to § [153.164](#).

(5) *Number.* Ground signs shall be limited in number to one per lot or multiple lots if devoted to one specific use or user. Buildings on corner lots having at least 100 feet of frontage on two public rights-of-way may be entitled to two ground signs, one facing each public right-of-way, if they meet the following criteria:

(a) The total combined height of both signs shall not exceed 1 1/3 times the maximum permitted height of a single ground sign for that use.

(b) The total combined area of both signs shall not exceed 1 1/3 times the maximum permitted area of a single ground sign for that use.

(c) The two signs shall be no closer than two-thirds the length of the longest public right-of-way frontage. The distance shall be measured by drawing two straight lines, measured from the edge of each sign, forming a 90 degree angle.

(C) *Window Signs.* Window signs shall be permitted for the use specified in § [153.164](#) in addition to any permitted wall sign or ground sign. The sum of the area of the window signs and the area of the wall or ground sign may not exceed the maximum allowable area for the wall or ground sign.

(1) *Placement.* Window signs shall be limited to the ground floor or first floor windows only, unless a use is located in the second or higher stories of a building and has no first floor occupancy.

(2) *Number.* Window signs shall be limited to one sign per window.

(3) *Size.* The total area of all such window signs is not to exceed 10% of the total window area of the establishment or 10 square feet, whichever is less. The maximum allowable area on the second floor may not exceed that of the first floor.

(D) *Projecting Signs.* Permitted only in the Old Dublin Historic District.

('80 Code, § 1189.10) (Ord. 66-94, passed 3-20-95; Am. Ord. 103-95, passed 12-18-95) Penalty, see § [153.999](#)

## **§ 153.160 TEMPORARY SIGNS.**

(A) *Development Signs.* These shall include signs indicating or promoting the development of land, facilities, or structures. Such signs must comply with the

provisions of § [153.158](#) with the exception that development signs shall not be illuminated. Such signs must be of a rectangular shape. No more than one such sign shall be permitted per street frontage and such signs shall be installed on the property to which they refer. For sites having at least 100 feet of frontage on each of two public rights-of-way, a second sign may be permitted facing the second right-of-way if both signs comply with code requirements. Such signs shall be limited to 32 square feet in area and eight feet in height. They shall be placed at least eight feet from any public right-of-way. If the site is entitled to two temporary development signs, the distance between the signs shall be not less than two-thirds the length of the longest right-of-way frontage. The distance shall be measured by drawing two straight lines, from the edge of each sign, forming a 90 degree angle.

Application shall be made to the Zoning Administrator or designee for review. Approval shall be for a period not to exceed one year. In residential subdivisions, development signs must be removed when 75% of the lots in such subdivision have received any certificate of occupancy.

(B) *Community Activity Signs.* See § [153.156](#)

(C) *For Sale/For Lease.* See §§ [153.157](#)(I) and [153.161](#)(F)

(D) *Political Signs.* See § [153.157](#)(G)

('80 Code, § 1189.11) (Ord. 66-94, passed 3-20-95; Am. Ord. 103-95, passed 12-18-95) Penalty, see § [153.999](#)

### **§ 153.161 SIGNS WITH SPECIAL CONDITIONS.**

For all permanent and temporary sign types listed below, permits must be obtained in accordance with § [153.152](#). In addition to the requirements and regulations previously listed, the following special conditions shall apply:

(A) *Corporate Office Signs along Interstate District.*

(1) For the purposes of this chapter, the Interstate District is hereby defined to include property with frontage on Interstate 270 that has been improved with corporate office building(s) constructed with two or more stories above the natural grade. Such building is entitled to a wall sign or a ground sign facing the interstate in addition to other permitted signage. In all cases, a maximum of two signs shall be permitted. For wall signs, the permitted sign area is based upon the number of building stories above natural grade and the building setback from the interstate right-of-way line. Buildings that are set back at least 50 feet from the interstate shall be entitled to 100 square feet of signage per story, up to a maximum of 300 square feet. Multi-story buildings set back less than 50 feet from the interstate shall be entitled to a maximum 100 square feet of wall signage regardless of number of stories. Any such wall sign shall be individual channel letters and shall be limited to one color. Wall signs may not extend above the roof line of the building. They may not be attached to a penthouse or roof structure including but not limited to mechanical equipment or roof screening. For ground signs, the permitted sign size is based upon the building setback. Buildings set

back at least 100 feet from the interstate, shall be entitled to a sign no greater than 80 feet in area and not more than 12 feet in height.

(2) Buildings setback less than 100 feet from the interstate shall be entitled to a sign no greater than 50 feet in area and not more than eight feet in height. All Interstate District signs shall conform to all setback, design, location, and other requirements not specifically addressed in this section.

(B) *Gas-Inflatable Sign/Device.* Such signs are permitted only for special events in accordance with the restrictions set forth in § [153.156](#), and for holiday decorations in accordance with the requirements of § [153.157](#)(F). Such signs shall be located only on the site where the special event occurs. A temporary sign permit is required for all gas-inflatable devices. A scaled diagram of the device and a site plan showing where the device is to be located are required. Such signs must not be inflated with helium or any other buoyant gas. Such signs shall be securely attached/tethered to the ground so that they will not shift more than three feet in any direction during any wind condition up to 25 miles per hour. Such signs shall not be attached to or mounted on any platform, roof, or similar structure. Such signs must be placed so that they will be clear of all utility lines, roads, parking lots and adjacent property in case of collapse. Such signs may contain no commercial advertising and shall not be internally illuminated.

(C) *Banners.* Banners are permitted only for the promotion of special events or for grand openings of businesses. A grand opening occurs only when there is a change of tenant or owner that brings a new business to a site. All banners are subject to the following regulations:

(1) All banners shall be located only on the site where the community event or grand opening occurs. They shall not be located in any public right-of-way or in such a way that they would interfere with the safe movement of vehicular and pedestrian traffic.

(2) Only three colors shall be used on any banner, including black and white.

(3) All banners shall be safely secured to a building, structure, or stake. Banners shall have ventilated faces to reduce wind load.

(4) Banners shall not be illuminated.

(5) A temporary sign permit is required for all banners. A scaled diagram of the banner(s), a site plan showing the location of the banner(s) and a description of how the banner(s) is to be ventilated and secured shall be submitted to the Zoning Administrator or designee.

(6) Banners may be erected for a maximum of 14 days.

(D) *Joint Identification Signs.* One ground sign identifying only the name of a shopping center or other building complex shall be permitted, if there is a minimum of three uses sharing the same site. Such signs shall be permitted in addition to the permitted signs of individual occupants, but shall not list the names of these occupants. A joint identification sign shall not exceed the maximum permitted height of any ground sign identifying the individual occupants and the area of a joint identification sign shall not exceed 80 square feet. A second joint identification sign of the same size

is permitted if the site has frontage on two streets, provided that the total lot frontage (on two streets) is 1000 feet or greater. The two signs shall be no closer than 75 feet. For all buildings or complexes designed and/or intended for multi-tenant usage, a total sign plan conforming to all the requirements of this Code must be submitted to the Zoning Administrator or designee before any sign permit for the complex or an individual tenant will be issued.

(E) *Entry Feature Signs.* These shall include signs graphically identifying a subdivision and/or multi-family development. Such signs shall be limited to monument signs only. Pole and pylon signs are prohibited. Such signs must consist entirely of natural materials, such as wood, brick and stone. The reverse sides of such signs shall be finished to match the fronts. The graphic area of such signs shall not exceed 20 square feet and the height of the monument shall be limited to six feet. Such signs may not interfere with the safe movement of vehicular and pedestrian traffic. If an entry feature sign is to be located within the right-of-way it must be reviewed and approved by City Council, the Planning and Zoning Commission and the City Engineer. Such signage must meet Dublin lighting and landscaping requirements.

(F) *Commercial and Industrial For Sale/For Lease Signs.* Signs indicating the sale, rental, or lease of commercial or industrial real estate are limited to 16 square feet in area and 4 feet in height for lots with less than 100 feet of street frontage and 32 square feet in area and 8 feet in height for lots with street frontage of 100 feet or more. Individual tenant spaces within a parcel are allowed a window or wall sign no larger than 16 square feet in area. Free-standing signs must be located so that they do not interfere with the safe movement of vehicular and pedestrian traffic and must be removed within 14 days after the sale, rental, or lease has occurred. Only one such sign per street frontage is permitted.

(G) *Signs for Model Homes.* A sign permit must be obtained for model home signs. Such signs shall be permitted in lieu of an exempt residential for sale/for lease sign as described in § [153.157\(I\)](#). Such signs must not exceed eight square feet in area and may not be internally illuminated. See § [153.073](#) for additional regulation pertaining to model homes.

(H) *Signs within the Architectural Review District.* Refer to the Old Dublin Signage and Graphics Guidelines for regulations pertaining to signs in these locations.

(I) *Garage/Yard Sale Signs.* Three such signs may be posted no more than 24 hours immediately preceding the event and such signs must be removed no more than two hours after the event has ended. The city provides the signs which may be obtained when a permit has been approved. Such signs are one foot in height and two square feet in area. They may be located in a public right-of-way so long as no safety or visibility hazards are created.

(J) *Nonconforming Signs.* All pre-existing illegal nonconforming signs must be removed in accordance with this subchapter. The Zoning Administrator shall issue an order for the sign to be removed within 15 days. The cost of removal will be assessed to the property owner. If the property owner refuses to pay for removal of the sign, the cost of such removal shall be assessed to the property owner's tax records. All pre-

existing legal signs that do not conform to the standards of this subchapter must be brought into conformity under any of the following conditions:

(1) Upon any change in the use of the property for which such property was intended at the time this subchapter became effective.

(2) Upon the discontinuance of the present use of property for a period of more than six months.

(3) Upon alterations to the existing sign, the following regulations shall apply:

(a) Structural. No display sign shall hereafter be altered, rebuilt, enlarged, extended, or relocated except in conformity with the provisions of this subchapter.

(b) Repainting or Refacing. The repainting of existing nonconforming signs shall not be considered an alteration within the meaning of this section. Refacing an existing nonconforming sign shall not be considered an alteration as long as the refacing constitutes an exact replica of the existing sign face. The design, color scheme, translucency, graphics and text must exactly match those existing. If any portion of the replacement face(s) is not an exact replica of the original sign face, the replacement face(s) must be brought into compliance with this subchapter in so far as practicable.

(c) Existing Signs; continuance. Except as otherwise specifically provided, nothing in this section shall require the removal or discontinuance of a legally existing nonconforming permanent display sign which is attached to the property, as distinguished from a temporary or portable sign, that is not altered, rebuilt, enlarged, extended or relocated.

(K) *Seasonal Business*. One sign per street frontage is allowed for a seasonal business. Such signs are limited to 32 square feet in area and 8 feet in height. They must be setback at least eight feet from any public right-of-way. Such signs are limited to three colors, including black and white.

(L) *Gasoline Stations*. Gasoline stations, whose principal business is the sale of motor fuel, may display signs in addition to those hereinabove authorized. Such signs shall be limited to the following:

(1) One non-illuminated, double-faced sign not exceeding five square feet on a side is permitted for each set of motor fuel pumps identifying "self service" or "full service."

(2) Price and grade information can be displayed only on the permitted sign, in manually changeable copy. Changeable copy for these purposes shall not include liquid crystal display (LCD), light emitting diodes (LED), or other similar electro/mechanical displays. This is the only circumstance in which changeable copy may be used.

(3) Signs limited to the identification of the brand name, logo or type of fuel sold and other signs as may be required by law shall be permitted on the motor fuel pumps. Fuel pumps shall not be illuminated. No signs projecting above the pumps may be permitted, except as required by law.

(4) Any other such signs as may be required by law.

(M) *Architectural Review District.* Signs within the Architectural Review District shall require prior review and approval by the Architectural Review Board. Signs within the Architectural Review District shall be in conformance with the Old Dublin Sign Guidelines, or any properly adopted successor guidelines or regulations. In no case shall such guidelines permit signage which exceed the size, height, color, opacity, and design requirements within this subchapter.

(N) *Drive-thru menu board signs.* This shall include free-standing, pole, pylon and monument signs. A drive-thru menu board sign is permitted only when all of the following conditions are fulfilled:

- (1) The sign is located on the property to which it refers;
- (2) The sign is not visible from the public right-of-way; and
- (3) The sign does not exceed 32 square feet in size.

('80 Code, § 1189.12) (Ord. 66-94, passed 3-20-95; Am. Ord. 103-95, passed 12-18-95; Am. Ord. 26-10, passed 8-9-10) Penalty, see § [153.999](#)

#### **§ 153.162 FEES AND MAINTENANCE.**

(A) *Fees.* Permit and any other fees as determined by Council are posted in a fee schedule available through the Planning Division. The application fee is payable at the time of application and the permit fee is payable upon receipt of the sign permit.

(B) *Reinspection and Maintenance.* All signs for which a permit shall be issued in accordance with this subchapter shall be subject to the following provisions:

(1) The Zoning Administrator or designee shall reinspect each sign once every 24 months following erection of such sign to determine its continued compliance with the approved permit and plans as they were issued and to insure proper operating conditions and maintenance in accordance with this subchapter. The sign owner shall be solely responsible for maintaining the appearance, safety and structural integrity of the sign at all times.

(2) Whenever the inspecting official finds a sign in need of repair, support, replacement, cleaning, repainting, or any maintenance service necessary to maintain reasonable and proper appearance and public safety, he or she shall issue an order to the owner allowing 30 days to effect needed repairs or maintenance. If the inspecting official determines that the existing condition of the sign creates an immediate hazard to the health or safety of the general public, he or she shall issue an order to the owner requiring the sign to be removed immediately.

(3) Failure of an owner to comply with the provisions listed above shall be cause for the inspecting official to order the permit issued for the sign void and issue an order for the sign to be removed. The cost of removal will be assessed to the property owner. If the property owner refuses to pay for removal of the sign, the cost of such removal shall be assessed to the property owner's tax records.

(C) *Registration of sign contractors.* It shall be unlawful for any person to construct, install, relocate, alter, or maintain, any building mounted or ground sign within the city if the person is not currently registered with the city as a registered sign contractor or has not provided the bond required by division (E) of this section.

(1) A person desiring to be a registered sign contractor authorized to construct, install, relocate, alter, maintain, or remove building mounted or ground signs within the city shall register with the Division of Planning on a form prescribed by the Division for such registration and pay the fee for such registration as prescribed in the city's fee schedule.

(2) The registration form shall include the following information:

(a) Name of the registrant;

1. Name includes fictitious names or trade names (i.e., the "DBA" name) as well as the legal name of the entity or natural person.

(b) Current address of the registrant;

(c) Current phone number of the registrant;

(d) A space or box to indicate whether the application is for a new registration, or a renewal of an existing registration;

(e) Designation of a person who will be the primary contact between the registrant and the city, including the address, phone number, and e-mail address for such person;

(f) A statement, signed by a person with authority to bind the prospective registrant, acknowledging that the erection of signs within the city is subject to the Dublin Codified Ordinances and agreeing that the prospective registrant shall not construct, install, relocate, alter, maintain, or remove any ground or building mounted sign unless in compliance with the City of Dublin Codified Ordinances.

(g) Proof of general commercial liability insurance with a minimum combined bodily and property damage coverage in the amount of \$300,000, and showing the city as a certificate holder. Liability insurance coverage shall be maintained in full force and effect and a copy of any policy changes including renewal forwarded to the Planning Division throughout the term of registration.

(h) Any other information as determined by the Planning Director.

(3) It shall be the duty of the registrant to provide updated information to the city if any person listed in the registration form disassociates from the registrant or any address, telephone number, or e-mail address changes for the registrant or its designated contact person.

(4) If the registrant is a corporation, limited liability company, partnership, limited liability partnership, or other entity that is not a natural person, the registrant shall include the information listed above for all shareholders, partners, members, or other persons holding greater than a 10% equity interest in the entity.

(5) Failure to provide all required information shall result in denial of registration.

(6) The Planning Director may revoke the registration, or deny a registration renewal, to a person who has forfeited any portion of the bond required by division (E) of this section within the prior three calendar years, or who installs, constructs, relocates, or alters a sign without first obtaining a permit.

(7) No person who has outstanding fees, taxes, or judgments against said person and in favor of the city shall be registered until every such fee, tax, or judgment is satisfied. No person who is subject of an outstanding zoning violation shall be registered until such violation is resolved.

(8) Registration shall not be effective until the registrant has been provided a certificate issued by the city stating that the registrant has been registered.

(9) Registration renewals shall be due between November 1 and December 1 of each year. Registrations will expire at 12:00 a.m. on December 31. All first-time registrants who are registered after January 1 shall have to re-register within the registration renewal period of the same year. Example: a first-time registrant who registers March 1, 2019, will have to re-register during the registration renewal period in 2019.

(D) *Permit applicant's acknowledgment.* In conjunction with the submittal of an application for a sign permit, the owner of the property, tenant in possession of the property, or registered sign contractor shall comply with the following at the time of application submittal:

(1) The owner of the property, tenant in possession of the property, or registered sign contractor shall have acknowledged in writing that the installation of the sign(s) is required to comply with the terms of the approved permit.

(2) The owner of the property, tenant in possession of the property, or registered sign contractor shall have acknowledged in writing that all fabrication and installation work and materials used in connection with the sign(s) shall conform to the requirements of the municipality and be installed under the Chief Building Official's and Planning Director's general supervision; that the owner of the property, tenant in possession of the property, or registered sign contractor is required to notify the Chief Building Official and Planning Director in writing three days or more before any installation has begun on such sign(s) to permit inspection; that in the event of any violation of, or noncompliance with, any of the provisions and stipulations of the approved permit(s), the municipality shall have the right to stop the work forthwith and complete or cause the completion of such improvements according to the approved permit and that in such event the owner of the property, tenant in possession of the property, or registered sign contractor shall reimburse the municipality for any and all expenses incurred thereby. The city may draw upon the bond provided pursuant to division (E) of this section to collect such reimbursement. Drawing upon the bond shall not prevent the city from pursuing any other remedy available to collect reimbursement for its expenses.

(E) *Sign contractor bond required.* A registered sign contractor shall maintain a bond as described in division (F) of this section, to be applied against any building mounted or ground sign the sign contractor constructs, installs, alters, relocates, or maintains. The registered sign contractor shall not commence work on any building mounted or ground sign until providing the required bond. Expiration of the bond or other failure to maintain it in good standing shall be cause for immediate revocation of the sign contractor's registration. At the time of registration or re-registration with the city, the sign contractor shall provide proof that the bond remains in good standing and is in the amount that the Planning Director has established pursuant to division (F) of this section.

(F) *Form of sign contractor bond.* The bond required by division (E) of this section shall be in a form approved by the Planning Director and conditioned to save the city harmless from all loss and damage to persons or property which may be occasioned in any way, by accident or the want of care or skill on the part of the registered sign contractor or any agent thereof, in the prosecution of the work. The bond shall also provide for payment to the city for damages to the city or city property in the course of performance of work, including reimbursement to the city of any expenses the city incurs in remedying or removing a non-compliant sign constructed, installed, altered, relocated, or maintained by the registered sign contractor. The bond shall be in an amount to be determined and published by the Planning Director, in an amount or amounts reasonably calculated to provide security to the city.

('80 Code, § 1189.13) (Ord. 66-94, passed 3-20-95; Am. Ord. 42-18, passed 6-25-18) Penalty, see § [153.999](#)

### **§ 153.163 ABANDONED SIGNS.**

(A) A sign shall be considered abandoned:

(1) When the sign remains after the discontinuance of a use.

(a) A business is considered to have discontinued operations if it is closed to the public for at least 90 consecutive days.

(b) A seasonal business is considered to have discontinued operations if it is closed to the public for at least 72 hours after the expiration of an 80-day seasonal business permit.

(2) When the sign on its immediate premises is not adequately maintained and the repairs or maintenance ordered under § [153.162](#)(B) are not effected within the 30-day time limit.

(3) When the pre-existing legal sign does not conform to the provisions of this subchapter and is not brought into conformity upon any change in use or design as specified in § [153.161](#)(J).

(B) The Director of Land Use and Long Range Planning shall determine whether a sign shall be considered abandoned. Upon determination that the sign is abandoned, the right to maintain and use such sign shall terminate immediately and the Director of Land Use and Long Range Planning or designee shall issue an order for the sign to be

removed within 15 days by the property owner. Any abandoned sign still standing after 15 days following an order for removal may be removed by the city. If the property owner refuses to pay for removal of the sign, the cost of such removal, as determined by City Council, will be added to the owner's tax records.

('80 Code, § 1189.14) (Ord. 66-94, passed 3-20-95; Am. Ord. 28-08, passed 5-19-08) Penalty, see § [153.999](#)

**§ 153.164 TABLE OF HEIGHT, AREA AND SETBACK REQUIREMENTS.**

<b>RESIDENTIAL</b>							
<i>Wall Signs Maximum Area</i>	<i>Wall Signs Maximum Height</i>	<i>Ground Signs Maximum Area</i>	<i>Ground Signs Maximum Height</i>	<i>Ground Signs Minimum Setback</i>			<i>Window Signs Maximum Area</i>
<b>PERMANENT SIGNS</b>							
School/Church	20	8		15	6	8	not permitted
Day Care (Conditional Use)	8	8		8	6	8	not permitted
Entry Feature Sign	not permitted	n/a		20	6	0	not permitted
Sexually Oriented Business	32	15		not permitted	not permitted	not permitted	10
<b>TEMPORARY SIGNS</b>							
Development	not permitted	n/a		32	8	0	not permitted
Model Home	not permitted	n/a		8	6	8	not permitted
Residential For Sale/For Lease	not permitted	n/a		7	3	0	7

<b>NONRESIDENTIAL</b>									
<i>Wall Signs Maximum Area</i>	<i>Wall Signs Maximum Height</i>	<i>Ground Signs Maximum Area</i>	<i>Ground Signs Maximum Height</i>	<i>Ground Signs Minimum Setback</i>					<i>Window Signs Maximum Area</i>
<b>PERMANENT SIGNS</b>									
School, Church, Library		20	8		15	6	8		not permitted
Development		32	8		32	8	8		not permitted
Day Care/Nursing Homes		20	8		15	6	8		not permitted
Office (Admin., Professional)		50	15		50	15	8		10
General Commerce (Retail, Restaurant, Lodging, Consumer Service, Personal Service, Entertainment, Wholesaling, Bank, Hospital, Manufacturing, Research)		80	15		50	15	8		10
Joint Identification		not permitted	n/a		80	15	8		not permitted
Service Stations		see § <a href="#">153.161(L)</a>			see § <a href="#">153.161(L)</a>				see § <a href="#">153.161(L)</a>
<b>TEMPORARY SIGNS</b>									
Banners		30	15		30	15	0		30
Commercial and Industrial For Sale/For Lease		see § <a href="#">153.161(F)</a>			see § <a href="#">153.161(F)</a>				see § <a href="#">153.161(F)</a>

('80 Code, § 1189.15) (Ord. 66-94, passed 3-20-95) Penalty, see § [153.999](#)

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Vote on the motion: Mr. Reiner, yes; Ms. Amorose Groomes, yes; Vice Mayor De Rosa, yes; Mr. Keeler, yes; Mayor Fox, yes; Ms. Krumb, yes; Ms. Alutto, yes.

- Temporary Sign Regulations

Ms. Rauch stated that in April 2021, Council approved amendments to the Code specifically regarding temporary signs. The item staff brought forward for discussion was the non-residential for sale/for lease temporary sign. Staff has been contacted by commercial real estate brokers and business owners regarding concerns over the sign revisions. Ms. Rauch highlighted the provision comparison as originally stated and then as revised. She noted the difference in sign sizes as well as duration of the signs. She stated that there is an online tool, but the physical sign, per the comments received, is still critical. She stated that staff completed some benchmarking to explore any other opportunities and how other communities regulate temporary signs. Staff found that, specifically looking at duration, the majority of communities mirror what Dublin's code said previously and was not set on a specific number of days. She noted that when staff met with the commercial business owners and brokers, they discussed what they perceived to be potential outcomes of the discussion; they are:

- Reconsideration of the adopted code requirements;
- Reduced sign size/height with less restrictive duration; and
- Consistent sign design.

Ms. Rauch asked for Council's direction on the reconsideration of the adopted code request and if they desired to do so, under what specific standards. She added that this topic began in the Community Development Committee and suggested it could return there for further discussion.

Public Comments were as follows:

Michael Copella, 200 Civic Center, Columbus, Ohio, stated that he manages CBRE locally. He stated CBRE is the largest real estate provider on the globe. He shared his concern for public access to what is available on the market. The public does not have access to available databases for commercial properties. He stated that people look for properties in three ways: online search, contact a broker, or drive around and see what is available. He stated that phone calls from signs does drive a good deal of business. He shared that the time it takes to fill a vacancy doesn't work with the 90 day duration restriction. Small business owners are affected because there is a cost associated with taking these signs up and down. Marketing property is more difficult in the City of Dublin under the current terms, so it could affect larger businesses looking for space. He shared concerns regarding sign size and the requirements of what is on the sign according to the State. He stated he would be happy to work with the committee to come up with other alternatives.

Paul Krimm, 2088 Fairfax Road, Columbus, Ohio, reiterated a few of Mr. Copella's comments. He added that an effectively run office building typically doesn't have all of the tenants' leases running on the same schedule, so there is usually vacancy. He understands that the aesthetic was concerning. He stated that he too, has an interest in making sure his signs are aesthetically pleasing. He stated he agrees with Mr. Copella's statements.

Matt Starr, 6640 Riverside Drive, Dublin, Ohio, stated that he brings the perspective of a Dublin resident, developer and business owner. He stated his agreement with the other speakers, but he wanted to add that he understands that many of the signs around the community seem permanent. He is okay with most of the adopted code amendment for the most part. He understands that property along the interstate would want larger signs. He asked about the material of signs and that the materials note that plywood would not be allowed, but almost all signs are made of plywood. He asked what the intended material should be. Ms. Rauch stated that the code doesn't stipulate what it has to be, but the concern was the way that plywood weathers over time. It was intended to require a material that is longer lasting.

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Ms. Kramb stated that economic development does have an online tool. How do the properties get into this tool and is there a cost to that tool? Ms. Rauch stated, to her understanding, the tool is available to anyone and there is no cost to it, but the properties listed are really up to what they know to be available at that time. In response to Ms. Kramb's question, Ms. O'Callaghan stated that the online tool available is called Catalyst and that it is the online tool that one of the speakers referenced. Staff does access this and does receive phone calls about it, but it doesn't necessarily mean that every available property is listed on there.

Mayor Fox stated that when this issue was discussed at Planning and Zoning the aesthetic was a concern and the duration was a concern.

Ms. Alutto agreed it is the aesthetic and the signs are permanent signs because they are up for years. She appreciated the speakers willingness to help the committee.

She is comfortable with referring it back to the Community Development Committee.

Mr. Reiner agreed that Community Development Committee would be happy to discuss further. He also doesn't understand what other material options are out there other than plywood.

Vice Mayor De Rosa stated that she feels the issue is both aesthetics and duration.

She stated that she is hearing that a sign would have to be up all the time. She doesn't think that is a good solution. She is fine with forwarding this issue to the Community Development Committee.

Mr. Keeler agreed with Vice Mayor De Rosa that it is a perception issue. We don't want to appear as though we have all this vacant property. He doesn't want to make this more difficult for owners, but it is a perception issue.

Ms. Kramb stated that at some point there has to be a deadline. A temporary sign does not stay up indefinitely. She questioned how effective the signs really are.

Ms. Amorose Groomes stated that this is a result of an industry failing to police itself.

She looks forward to a robust conversation at Community Development Committee and to finding a win for both sides. There are perspectives on both sides.

Mayor Fox moved to refer this topic to the Community Development Committee for further discussion.

Ms. Alutto seconded.

Vote on the motion: Mr. Keeler, yes; Ms. Kramb, yes; Mayor Fox, yes; Ms. Amorose Groomes, yes; Ms. Alutto, yes; Vice Mayor De Rosa, yes; Mr. Reiner, yes.

- DORA Expansion

Ms. LeRoy stated that two Designated Outdoor Refreshment Areas (DORA) have been active in Downtown Dublin since spring of 2021. Feedback from residents, business owners and guests have been mostly positive with few reported issues related to the DORA. As a result of the feedback, the DORA hours were continued in the fall of 2021 and into the future. In order to increase the flexibility of the DORA boundaries, staff is proposing expansion of the boundaries by way of an application to the State of Ohio as shown in the attached maps. This expansion will allow Council to activate or deactivate any area within the approved boundary with a single motion in the future without having to submit a new application to the State. If approved, when a new restaurant opens outside of the current active area, or there are requests to extend the active area for a specific event, Council can approve or disapprove the expansion at any time. [Ms. LeRoy shared the recommended boundaries by showing a series of maps in detail.]

Ms. LeRoy state that with new boundaries, Council may also consider adding Riverside Crossing Park and the Dublin Link bridge in the active area, whether on a daily basis or for specific events. This is not an option within the current boundaries. When a survey was conducted in the summer, the most mentioned topic in the open-ended questions was related to having the DORA extend across the Dublin Link Bridge.

Mayor Fox stated that the area of Coast Wine at South High and Eberly Hill is not included in the DORA because the residential property just North of that property. It is no longer a residential property and likely will not be in the future. Ms. LeRoy stated

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for temporary signs matches the provisions for permanent signs. She confirmed they were the same requirements.

The second follow-up was relating to the request to add language regarding verification of vacant properties for sale or lease. She stated that staff added language to the proposed code section that requires the applicant to provide that information on the application for that sign type.

Ms. Rauch stated that the third follow-up was regarding the need for notification to all temporary sign permit holders that there will be changes and what they will need to do. Staff recommended approval.

Ms. Weisenauer read a public comment into the record as follows:

Bryan Griffith, 3852 Carberry Drive wrote:

*153.158(J) states that residential sale and leasing signs are subject to 153.153 and 153.154, which, among other prohibitions, prohibit off premises signs, signs in the right-of-way, signs on public property, signs which interfere with vehicle or pedestrian traffic. 153.158(J)(3), then states signs off-premises signs may not interfere with vehicle and pedestrian traffic, and may not be located in street medians. But, these obligations were already contained in 153.154. It is unclear how 158(J) is attempting to modify or amend the prohibitions in 153 and 154. Furthermore, nothing in 158(J) expressly permits a sign in a residential area, as prohibited by 154(F). I recommend replacing the text of 158(J)(3) to read: "Placement. Such signs may be placed on the property for sale or lease, within a residential area." Also, in 153.158(J)(4), there is no practical limitation on the duration of such a sign. Some residential property may be actively for sale or lease for years at a time. Perhaps a limit of 180 days in any 24 month period, or similar, would help limit the number of unnecessary signs.*

Ms. Rauch stated that they were aware of these comments prior to the meeting and staff recommendation is not to make any changes. She added that, regarding the redundancy noted by Mr. Griffith, there is no harm in keeping the language there.

There is also a purpose to that particular regulation to ensure that the sidewalk is not being blocked and vehicle line of sight is not interfered with. Ms. Rauch stated that, regarding the duration mentioned by Mr. Griffith, staff is trying to provide maximum flexibility for residential home owners trying to sell their property, but commercial property owners do have a duration limit.

Vice Mayor De Rosa inquired as to the effective date of the permits and the duration of a permit. Ms. Rauch stated that the permits are yearly permits. When this Code amendment is effective, the changes would be in effect at the permit holder's renewal time. In response to Vice Mayor De Rosa's question regarding if a person just renewed their permit, Ms. Rauch responded that the permit holder would have the full year to have their sign up.

Ms. Fox stated that this amendment was thoroughly vetted through the board/Commissions. It will reduce clutter but still allow the reasonable advertising for vacancies. She is supportive of these amendments.

Vote on the Ordinance: Mayor Amorose Groomes, yes; Ms. Fox, yes; Mr. Peterson, yes; Ms. Alutto, yes; Vice Mayor De Rosa, yes; Mr. Keeler, yes; Mr. Reiner, yes.

## **Ordinance 13-21**

### **Amending Various Sections of Ordinance 15-17 (Compensation Plan for Non-Union Personnel) for Certain Personnel Restructuring and Adjusting the Operating Budget Accordingly.**

Ms. Rose stated that there have been no changes since the first reading. Staff recommended approval.

The Clerk and Ms. Weisenauer noted that no comments have been received regarding this item.

Vote on the Ordinance: Mr. Keeler, yes; Vice Mayor De Rosa, yes; Mr. Reiner, yes; Ms. Fox, yes; Mayor Amorose Groomes, yes; Mr. Peterson, yes; Ms. Alutto, yes.

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## **INTRODUCTION/FIRST READING/ PUBLIC HEARING - ORDINANCES**

### **Ordinance 14-21**

**Rezoning Two Parcels, 5555 and 5565 Perimeter Drive containing Dublin City Hall from SO, Suburban Office and Institutional District to PUD, Planned Unit Development District – Coffman Park totaling approximately 4.44 Acres located Southwest of the Intersection of Perimeter Drive and Emerald Parkway (Case 21-015Z/PDP).**

Ms. Alutto introduced the Ordinance.

Ms. Martin stated that this Ordinance is a request to rezone the City Hall property and complete the Coffman Park municipal complex. She illustrated the location of the property on a map. This property is proposed to be rezoned from SO, Suburban Office/Institutional District to PUD, Planned Unit Development District. The proposal includes amendments to the Coffman Park PUD development text to incorporate City Hall by establishing three subareas: A, B, and C. All land rezoned in 1994 and 2007 is proposed to be located in Subarea A, all land rezoned in 2011 is proposed to be located in Subarea B, and the City Hall properties are proposed to be located in Subarea C. Subarea C permits municipal administrative functions, civic uses, parks and open space, and SO uses. All development and design standards are required to be in accordance with SO regulations. The development text adds sign standards to facilitate additional building identification and engagement opportunities given the prominent civic function.

The Planning and Zoning Commission recommended approval to City Council at its March 4, 2021 meeting. The Commission determined that this proposal is consistent with the recommendation of the Community Plan. Staff recommended approval of this Ordinance at the second reading/public hearing on April 26, 2021.

The Clerk and Ms. Weisenauer noted that no comments have been received regarding this item.

Second reading and public hearing is scheduled for the April 26, 2021 Council meeting.

### **Ordinance 15-21**

**Rezoning Two Parcels, 6077 and 6101 Avery Road, from SO, Suburban Office and Institutional District and from NC, Neighborhood Commercial District (Washington Township) to TF, Technology Flex District totaling approximately 1.26 Acres located West of Avery Road, South of the Intersection with Irelan Place (Case 21-020Z).**

Ms. Alutto introduced the Ordinance.

Ms. Martin stated that this is a City-sponsored request to rezone two City-owned parcels totaling 1.26 acres. Currently, these parcels are two different zoning districts. These two parcels are proposed to be rezoned from SO, Suburban Office and Institutional District and from NC, Neighborhood Commercial District (Washington Township) to TF, Technology Flex District, which is consistent with the surrounding zoning districts. Ms. Martin reviewed the future land use recommendations by providing a map. One of the parcels is designated as open space. In coordination with the Parks and Recreation department, it has been determined that this parcel is not likely to be used as open space in the future due to its adjacency to other larger open spaces.

The Planning and Zoning Commission recommended approval to Council of this rezoning at the March 18, 2021 meeting. Staff recommended approval at the second reading/public hearing on April 26, 2021.

The Clerk and Ms. Weisenauer noted that no comments have been received regarding this item.

Second reading and public hearing is scheduled for the April 26, 2021 Council meeting.

### **Ordinance 16-21**

**Amendment to Zoning Code Section 153.074 to Address the Conversion of Garages into Habitable Space (21-010ADMC).**

Ms. Alutto introduced the Ordinance.

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The Clerk and Ms. Weisenauer noted that no comments have been received regarding this matter.

Mr. Coratola, Ease Logistics, stated that he appreciated the economic development agreement. He stated he is pleased to showcase how a community can partner with businesses to be innovative (referring to a pilot on the 33 Corridor). This agreement will allow space for this business to grow. Mayor Amorose Groomes expressed her appreciation for Mr. Coratola calling Dublin home.

Vote on the Ordinance: Mayor Amorose Groomes, yes; Mr. Keeler, yes; Mr. Reiner, yes; Ms. Alutto, yes; Ms. Fox, yes; Mr. Peterson, yes; Vice Mayor De Rosa, yes.

## **Ordinance 09-21**

### **Determining to Proceed with the Acquisition, Construction, and Improvement of Certain Public Improvements in the City of Dublin, Ohio in Cooperation with The Columbus Regional Energy Special Improvement District (4015-4059 W. Dublin-Granville Road, Dublin, Ohio Project)**

Ms. O'Malley stated that there have been no changes from the first reading of these three ordinances pertaining to the PACE project at 4015-4059 W. Dublin-Granville Road. She provided a memo to address Council's questions from the first reading. Mayor Amorose Groomes expressed her appreciation for the answers to the questions as we see more of these type of projects in the future.

The Clerk and Ms. Weisenauer noted that no comments have been received regarding this matter.

Vote on the Ordinance: Ms Fox, yes; Mr. Peterson, yes; Vice Mayor De Rosa, yes; Ms. Alutto, yes; Mr. Reiner, yes; Mr. Keeler, yes; Mayor Amorose Groomes, yes.

## **Ordinance 10-21**

### **Levying Special Assessments for the Purpose of Acquiring, Constructing, and Improving Certain Public Improvements in the City of Dublin, Ohio in Cooperation with The Columbus Regional Energy Special Improvement District (4015-4059 W. Dublin-Granville Road, Dublin, Ohio Project)**

The Clerk and Ms. Weisenauer noted that no comments have been received regarding this matter.

Vote on the Ordinance: Mr. Keeler, yes; Ms. Alutto, yes; Mayor Amorose Groomes, yes; Mr. Peterson, yes; Vice Mayor De Rosa, yes; Mr. Reiner, yes; Ms. Fox, yes.

## **Ordinance 11-21**

### **Authorizing and Approving an Energy Project Cooperative Agreement by and between the City of Dublin, Ohio, The Columbus Regional Energy Special Improvement District, Inc., Stoneridge Investment LLC, and The Columbus-Franklin County Finance Authority, a Special Assessment Agreement by and between the City of Dublin, Ohio, the County Treasurer of Franklin County, Ohio, The Columbus Regional Energy Special Improvement District, Inc., Stoneridge Investment LLC, and the Columbus-Franklin County Finance Authority, and Related Agreements, All of Which Provide for the Financing of Special Energy Improvements Projects (4015-4059 W. Dublin-Granville Road, Dublin, Ohio Project)**

The Clerk and Ms. Weisenauer noted that no comments have been received regarding this matter.

Vote on the Ordinance: Mr. Reiner, yes; Mr. Peterson, yes; Vice Mayor De Rosa, yes; Ms. Fox, yes; Mayor Amorose Groomes, yes; Mr. Keeler, yes; Ms. Alutto, yes.

## **INTRODUCTION/FIRST READING/ PUBLIC HEARING - ORDINANCES**

### **Ordinance 12-21**

#### **Amendments to the Code Sections 153.002 and 153.150-153.162 regarding the Temporary Sign Provisions of the City of Dublin's Zoning Code (Case 20-098ADMC)**

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Ms. Alutto introduced the Ordinance.

Ms. Rauch stated that this Ordinance proposes to amend the Zoning Code regarding temporary sign regulations. These draft regulations are proposed to align with the Reed v. Gilbert decision and guidance; which provided limitations to time, place and manner of temporary signs. This case also stated that the regulations cannot limit content or message of the signs. Ms. Rauch stated that in collaboration with Thad Boggs, Frost Brown Todd and Don Elliot, Clarion and Associates, a proposed amendment was brought forward for Council consideration. She provided a timeline of the review that has taken place with this amendment. The proposed temporary sign regulations include:

- Relocated and updated the sign definitions;
- Reorganized sign section – outlining temporary versus permanent;
- Revised temporary sign classifications;
- Updated general requirements within each classification; and
- Material standards were added.

Ms. Rauch provided a high level overview of the proposed revisions. She did point out that development period signs proposed revisions restricted the number of signs permitted. She stated this was heavily discussed at the Planning and Zoning Commission. They decided on one sign per parcel, except where 200 feet of frontage is available on two separate public rights of way. She stated the goal of the Commission was to limit the number of signs to avoid clutter. Ms. Rauch stated that another heavily discussed topic was the non-residential sale or leasing period sign. She stated the proposed revisions include:

- Reducing the permitted number to one sign per parcel;
- Reducing the size requirements; and
- Reducing the duration requirements.

Ms. Rauch stated that the proposed amendment would allow one sign for 30 days continuously and no more than 90 days per calendar year. Ms. Rauch highlighted a few sign types that were renamed classifications but mostly retained their requirements and had only minor clarifications.

The Planning and Zoning Commission reviewed this proposed amendment in February and recommended approval. Staff recommended approval at the second reading/public hearing on April 12.

Ms. Weisenauer shared the following comment received regarding this Ordinance:

Bryan Griffith, 3852 Carberry Drive, Dublin, wrote the following:

*"I am writing in support of Ordinance 12-21, to improve the temporary signage regulations in Dublin. I would encourage the City to further clarify and highlight that real estate for sale and open house signs are temporary signs which may not be placed in the right-of-way. Every weekend, across the City, real estate agents place open house and for sale signs on street corners around pointing to homes deeper within the neighborhood. They do not ask permission of the City fo Dublin or the landowner. Pursuant to § 153.154 (A) & (G), these signs are prohibited. Furthermore, the procedure for reporting, removing, and disposing of improper temporary signs should be clearly communicated to landowners who are frequently targeted by illegal temporary signs. This would expedite cleaning up our community and reduce the amount of work asked of our City staff.*

Mr. Keeler asked about the non-residential leasing sign and the proposed duration requirement on a commercial building. Ms. Rauch stated that, as proposed, the duration is 30 days continuously and no more than 90 days in a calendar year. He asked what the property owner should do if it doesn't sell within the 90 days. Ms. Rauch stated that the goal was to establish some parameters regarding what the requirements might look like and not allow these signs to remain on the property in perpetuity. Mr. Keeler clarified the type of signs this was addressing, for example, the large signs mounted on 4 X 4 posts. He stated that there seems to be a lot of commercial buildings that may not sell or lease in that duration of time. Ms. Rauch stated that it is a challenge, but with no restrictions, the signs can stay up for years and add to the visual clutter along the roadway.

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Ms. Alutto asked if a commercial building had a sign up for 90 days, is there a period of time that they could wait and put it back up again for another 90 period? She also asked when the calendar year started, when the sign first goes up? Ms. Rauch stated the sign would only be permitted for 90 days per calendar year from when the sign went up.

Ms. Fox stated that the idea was to allow the property owner to advertise their building, much of which is done on the internet anyway, while keeping the clutter to a minimum. She added that it was also a requirement that the sign be professional.

Ms. Alutto asked about enforcement of these requirements. Ms. Rauch stated that the commercial building owner would apply for a certificate of zoning plan approval when you want to put the sign up. The form would state the date the sign must come down and the automated system would alert staff that it is expired. The owner could then renew, up to the 90 days, and if past the 90 days, the sign would not be permitted to be up. Ms. Alutto asked if there was an inventory of the signs that are up today. Ms. Rauch responded in the affirmative. Ms. Alutto asked if when this code amendment goes into effect, staff will be communicating these changes to the building owners. Ms. Rauch stated that they would.

Mr. Peterson stated he was supportive of these limitations. He asked if it is dependent upon office space, for example, if one space in the building is for lease and then a different office space is for lease right after. Ms. Rauch stated that it is one sign per parcel, not per office space, so the building owner would be prohibited from putting up additional signage after 90 days. Mr. Peterson stated that he understands the intent but that he is also supportive of getting these buildings occupied and feels as though we are taking marketing away from the owners. He agrees that when you drive through Metro Place for example, there are so many signs that it does create visual clutter. Mr. Boggs stated that this was a topic of discussion at Planning and Zoning. Vice Mayor De Rosa stated she is supportive of the proposed amendments and that once all the signs are cleared up, it will be more noticeable when a sign goes up. She asked about removing the color restrictions for banners, but not for other types. Ms. Rauch stated that it was banners because that was the sign type that was being discussed at the time. She will look into that further.

Vice Mayor De Rosa asked if we could allow a company or an organization to put their logo on their signs. Do we have consistency? Ms. Rauch stated that she thought the color limitation was eliminated but she will make certain of that.

Vice Mayor De Rosa asked about the notification of this change to property owners. Ms. Rauch stated that the permits they would have are currently on a yearly basis. Mr. Boggs stated that staff could not cut short an existing permit, so as owners were required to get a new permit for signage, the new restrictions would be in effect and applied. Mr. Boggs also stated that one topic that has not yet been discussed that could be helpful for creativity on signage is the Master Sign Plan process that they could go through. Vice Mayor De Rosa stated that they would not likely go through that process for a temporary sign. Mr. Boggs agreed. Vice Mayor De Rosa clarified that this would not be in effect until 2022 due to the yearly permit. Mr. Boggs stated that it would likely be a rolling basis, meaning that whenever your yearly permit expires, you would renew with the new restrictions. Ms. Alutto clarified that the same was true for the size and colors of signs, in that if they were already existing, they could stay. Mr. Boggs agreed.

Mr. Reiner stated that the Community Development Committee held extensive discussion on this amendment as well.

Mayor Amorose Groomes asked if the building owners had to prove that they had vacancies to obtain a permit. Ms. Rauch stated that it does not address that, as staff believes that if building owners get 90 days, then they would use that time judiciously. Mayor Amorose Groomes stated that she think we would want to make them show proof of vacancy since the content cannot be restricted. She would like to see language added requiring the proof of vacancy. She would also suggest sending notification even though it is not yet in effect to make everyone aware. She clarified that this amendment does cover the signs affixed to buildings. Ms. Rauch agreed.

The second reading/public hearing will be held at the April 12, 2021 Council Meeting.



# RECORD OF ACTION

## Planning & Zoning Commission

Thursday, February 4, 2021 | 6:30 pm

The Planning and Zoning Commission took the following action at this meeting:

### 5. Temporary Signs 20-098ADMC

### Administrative Request - Code Amendment

Proposal: Amendments to the City of Dublin Sign Code to comply with all requirements of the U.S. and Ohio constitutional, statutory, and case law decisions requiring that sign regulations remain content neutral.

Request: Review and approval of an Administrative Request for a Temporary Sign Code Amendment under the provisions of Zoning Code Section 153.232 and 153.234.

Applicant: Dana L. McDaniel, City Manager, City of Dublin

Planning Contact: Jennifer M. Rauch, Planning Director

Contact Information: 614.410.4690, jrauch@dublin.oh.us

Case Information: www.dublinohiousa.gov/pzc/20-098

**MOTION:** Mr. Grimes moved, Ms. Kennedy seconded, to recommend approval to City Council for the Administrative Request for a Temporary Sign Code Amendment.

**VOTE:** 7 – 0.

**RESULT:** The Administrative Request for a Temporary Sign Code Amendment was recommended to City Council for approval.

#### RECORDED VOTES:

Jane Fox	Yes
Warren Fishman	Yes
Kristina Kennedy	Yes
Mark Supelak	Yes
Rebecca Call	Yes
Leo Grimes	Yes
Lance Schneier	Yes

#### STAFF CERTIFICATION

DocuSigned by:

*Jennifer Rauch*

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Jennifer M. Rauch, Planning Director



## **5. Temporary Signs, Administrative Request - Code Amendment, 20-098ADMC**

Proposal for Amendments to the City of Dublin Sign Code to comply with all requirements of the U.S. and Ohio constitutional, statutory, and case law decisions requiring that temporary sign regulations remain content neutral.

### **Staff Presentation**

Ms. Rauch stated that the Planning and Zoning Commission reviewed and provided feedback on these draft regulations at their October 1, 2020 meeting. The Commission supported the draft language and requested minor amendments and additional information regarding the recommended approach to address other temporary signs. The revised draft includes these revisions. [reviewed minor changes made.]

### **Commission Questions/Discussion**

Ms. Kennedy stated that in Item B, under "Prohibited Sign Locations," it is stated that they are prohibited in any utility easement. Do property owners typically know where their utility easements are?

Ms. Rauch responded that they are shown on the property's plat or plat plan, which are provided to a buyer at the home purchase closing.

Ms. Kennedy stated that she does not know where hers are located, and she assumes other residents may have a similar issue.

Ms. Rauch stated that in residential communities, the easements typically are located to the side and rear of the property, where signs are not placed. If any issue should arise, City Code Enforcement staff would discuss the issue with the property owner and help them understand where the signs could be placed.

Ms. Call referred to Item I-3, and inquired if eliminating the frontage restriction regarding lots with less than 100 square feet of frontage could ultimately result in an increase in sign clutter.

Mr. Boggs responded that because the restriction is one sign per parcel (Item I-2), all sites, large or small, are permitted only one sign of the smaller sign. The proposed language will result in a reduction in clutter based on the permitted size of the signs, if not in number of signs.

Ms. Call inquired about the enforcement of these regulations, when passed, for existing signs on these parcels.

Mr. Boggs responded that these restrictions would apply to temporary signs, and the signs that prompted the concern about visual clutter are also temporary signs. The duration limits would be applied, along with an educational component for the property owners regarding the revised Code. Ultimately, if there was not compliance with the new Code, the enforcement process would be initiated.

Ms. Call inquired when would the new Duration period begin for existing signs.

Mr. Boggs responded that it would begin on the effective date of the ordinance. The reason is that the first enforcement mechanism is a citation to the Mayor's court, which is a criminal filing. Criminal law cannot be applied retroactively.

Mr. Supelak referred to Item I-5 and noted that the language regarding duration needs clarification.

Ms. Rauch responded that the clarification would be made before referral to City Council.

Ms. Call inquired if a front and back sign is counted as one sign, are two sign fronts on a corner with two frontages on a sign post counted as two signs?

Ms. Rauch responded that the Code indicates that "where a sign has two or more display faces, the area of all signs shall be included in determining the area, unless the two faces are joined back to back and parallel to each other and not more than 24 inches part." The Code clarifies that situation.

Mr. Supelak stated that the 24 inches apart would be either side of a wall. The Commission previously reviewed such a case, wherein the distance between the signs on either side of a fin wall was greater than 24 inches. Is there merit to considering a greater distance?

Ms. Call responded that she believes there is less concern about the distance between two signs on each side of a wall than about two, parallel signs.

Mr. Supelak responded that 24 inches would likely be applicable to a large monument sign.  
Ms. Call stated that she would have no objection to 24 inches, as the applicant also has the option of submitting a Master Sign Plan application for signage that exceeds Code requirements.  
[Consensus of the Commission was to retain the 24-inch stipulation.]

Ms. Fox inquired if the proposed Code would address drive-thru menu boards.  
Mr. Boggs responded that the proposed changes focus only on temporary signs. The signs to which she is referring are permanent sign fixtures.  
Ms. Fox stated that she understands that issue was not addressed in this revision. It is unfortunate, however, that property owners must apply for an Amended Development Agreement, when we recognize that technology has advanced to the point that most sites now have menu boards incorporating higher technology. When could that issue be addressed?  
Ms. Rauch stated that this question warrants greater discussion, as in many cases, those are Development Text requirements, not just a Code requirement. We can schedule that topic for a future discussion.  
Mr. Boggs pointed out that Development Text issues could be handled as Minor Text Modifications, and be administratively approved.

Ms. Kennedy referred to Item M-4 and inquired if simple birthday celebration signs would exceed the size limitations.  
Mr. Supelak stated that because such signs are placed for approximately 24 hours, they would be gone before enforcement could transpire.  
Mr. Boggs concurred. From a practical enforcement perspective, the City's resources are finite, and must be marshalled toward priority issues. In addition, the type of sign to which she refers is truly temporary. If it were in place for a period of time and drew Code Enforcement's attention, the Code Enforcement Officer first would make an attempt to contact the property owner and advise them of the issue. There are multiple opportunities to voluntarily comply before enforcement ensues.

Ms. Call stated that for clarity purposes, regardless of the content of the sign, the issue is that of a sign being placed on a residential property for a short time duration.

**Public Comments**

No comments were received on the case.

Mr. Grimes moved, Ms. Kennedy seconded a recommendation for City Council approval of the Code Amendment regarding Temporary Signs.

Vote: Mr. Fishman, yes; Ms. Fox, yes; Ms. Call, yes; Mr. Supelak, yes; Mr. Grimes, yes; Mr. Schneier, yes; Ms. Kennedy, yes.  
[Motion carried 7-0.]

**COMMUNICATIONS**

The next regular meeting of PZC is scheduled for 6:30 p.m., Thursday, February 18, 2021.

The meeting was adjourned at 9:55 p.m.

*Rebecca Call*  
\_\_\_\_\_  
Chair, Planning and Zoning Commission

*Judith K. Beal*  
\_\_\_\_\_  
Assistant Clerk of Council



# RECORD OF ACTION

## Planning & Zoning Commission

Thursday, October 1, 2020 | 6:30 pm

The Planning and Zoning Commission took the following action at this meeting:

### 2. Temporary Sign Code Update 20-098ADMC **Administrative Request – Code Amendment**

Proposal: Update the City of Dublin Sign Code to comply with all requirements of the U.S. and Ohio constitutional, statutory, and case law decisions requiring that sign regulations remain content neutral.

Request: Review and recommendation of approval to City Council for proposed amendments to the Zoning Code under the provisions of Zoning Code Sections 153.232 and 153.234.

Applicant: Dana L. McDaniel, City Manager, City of Dublin

Planning Contact: Jennifer M. Rauch, AICP, Planning Director

Contact Information: 614.410.4690, jrauch@dublin.oh.us

Case Information: www.dublinohiousa.gov/pzc/20-098

**MOTION:** Ms. Kennedy moved, Mr. Grimes seconded, to table the request.

**VOTE:** 7 – 0.

**RESULT:** The Temporary Sign Code Update was tabled.

#### RECORDED VOTES:

Jane Fox	Yes
Warren Fishman	Yes
Kristina Kennedy	Yes
Mark Supelak	Yes
Rebecca Call	Yes
Leo Grimes	Yes
Lance Schneier	Yes

#### STAFF CERTIFICATION

DocuSigned by:

*Jennifer Rauch*

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Jennifer M. Rauch, AICP, Planning Director



Ms. Call referred to Item C-7a, which states, "A building under active construction/renovation and having a valid building permit(s) at the time of initial inspection shall be exempt from enforcement procedures until the expiration of the longest running, currently active building permit." What are the regulations for how long a building permit can be active or extended, and therefore, qualify for this exemption?

Ms. Noble responded that a building permit is valid for 12 months. The intent is to be flexible with that requirement, as long as progress is occurring.

Mr. Boggs stated that the property owner could obtain a building permit with the intention of completing repairs, but then encounter issues causing the work to languish. Staff will provide clarity to the language of C-7a in regard to "active construction."

Mr. Supelak noted that the building permit process is sufficiently expensive and cumbersome to deter this type of issue.

Mr. Fishman inquired how the requirement for securing windows with glass would impact Code Enforcement, if they are responsible for that securing.

Mr. Boggs responded that Code Enforcement would bill the property owner for the costs.

Mr. Schneier stated that he is concerned about attempting to limit the opportunity to take advantage of the system, which probably would be an exception. Trying to legislate that could cause the City to over-reach and run the risk of being arbitrary. Trying to define "active" could be subject to various interpretations, and attempting to limit it requires too much specificity in the Code. Rather than attempting to write it to address the current issue with the Monterey Drive duplexes, perhaps the language should address more common situations. There are situations where well-meaning efforts can be caught up in a regulatory morass.

Ms. Call stated that the changes that have been requested are to Item C-3a regarding materials to secure vacant materials; Item C-3l modifying the compliance language for Accessory Structures; clarification/tightening of the exemption language in 3-7a regarding "active" building permits; and C-7a removal of a different duration for "for sale" and "for lease" properties.

Ms. Noble stated that she has clear direction as to the modifications the Commission has requested.

Ms. Fox inquired about the advisability of adding language that would permit the City to enter a building in the case of numerous citations that could indicate an internal issue exists, as well.

Mr. Boggs stated that this Code amendment addresses exterior public nuisance conditions. The City would not enter a property without the existence of an immediate emergency or obtaining a Court warrant to do so. Although the number of citations is not germane to the issue, the City's Code would be helpful in pursuing authorization to enter.

Mr. Supelak moved, Mr. Grimes seconded to forward to City Council the proposed amendment to Section 153.076 of the City of Dublin Zoning Code (Property Maintenance) as revised with a recommendation of approval.

Vote: Mr. Fishman, yes; Ms. Kennedy, yes; Mr. Grimes, yes; Ms. Fox, yes; Mr. Supelak, yes; Ms. Call, yes; Mr. Schneier, yes.

[Motion passed 7-0]

## **2. Temporary Sign Code Update, 20-098ADMC, Administrative – Code Amendment**

Ms. Call stated that this is a request for review and recommendation of approval to City Council for an update to Zoning Code Section 153.150 – Temporary Signs, to comply with all requirements of the U.S.

and Ohio constitutional, statutory, and case law decisions requiring that sign regulations remain content neutral.

### **Staff Presentation**

Ms. Rauch stated the Planning and Zoning Commission reviewed and provided feedback on the draft regulations at their August 20, 2020 meeting. The Commission requested clarification/modifications regarding development period signs, non-residential for sale/lease signs, construction fence details, temporary sign material standards, and removal of sandwich board signs. The revised draft includes the following revisions: (1) language added that sign materials should be commensurate with the sign's duration; (2) sign inspections should occur on a regular basis based on the approval/validity timeframes; (3) parameters added for construction fencing sign permit, timeframe and location; (4) clarification that development period signs are limited to one per site; and (5) clarification added regarding non-residential for sale/leasing period signs. In regard to the development period signs, a total of 13 existing signs were identified, including 6 single-family, 2 multi-family and 5 commercial. Only one of those is within the Bridge Street District, and only three sites have two signs on one parcel. In regard to non-residential for sale/lease signs, 132 signs exist, the majority of which are 32 square feet.

### **Public Comment**

No public comment was received regarding this case.

### **Commission Discussion**

Ms. Call inquired how many non-residential for sale/lease properties have multiple signs on one parcel.

Ms. Rauch responded that she does not have that number, but the recommendation is that only sign per parcel be permitted.

Ms. Fox suggested that the lot frontage be increased to at least 200 feet for the smaller non-residential for sale/lease signs.

Mr. Grimes inquired if the electronic listing of available commercial properties is provided at the City's website.

Ms. Rauch responded that Ms. Gilger, the City's Economic Development Director, indicates that although there is an electronic listing, businesses and property owners need the option of a physical sign on the site, as well.

Mr. Grimes inquired if the frontage for these signs should be increased to be greater than 200 feet before a larger sign would be permitted.

Mr. Schneier stated if the frontage were to be increased, there should be some basis for whatever amount is specified.

Mr. Fishman stated that there is a significant amount of sign clutter. Smaller signs of quality materials are preferable.

Ms. Kennedy referred to the Section 153.150 Purpose statement that, "The purpose of this subchapter is to protect the general health, safety, morals and welfare of the community by providing an instrument for protecting the physical appearance of the community and for encouraging high quality, effective outdoor graphics for the purposes of navigation, information and identification." Is there another section that addresses inappropriate sign language?

Mr. Boggs stated that swear or vulgar language is protected under the First Amendment. It is not considered obscene unless it depicts a sexual activity. The City is legally prohibited from restricting crude language.

Ms. Kennedy referred to Section 153.55, Permanent Signs Not Requiring a Permit, (E) Residential Information Signs, which, "...display information necessary for the safety and convenience of residents and

visitors, such as 'Beware of Dog,' and 'No Trespassing.'" It appears there is no oversight of the language used, and no permit is required.

Mr. Boggs responded that the Reed v. Town of Gilbert, AZ decision addressed the legality of temporary sign regulations, not permanent signs; however, it is safe to assume the analysis would be the same in regard to content or viewpoint.

Mr. Schneier referred to the term "morals," used in the Purpose statement, which is probably a vestige from a prior time. Perhaps that term should not be used in the Code update, as the City has no right to regulate the morality of Dublin residents or their signs. He would suggest eliminating any language that appears to regulate conduct or behavior.

Mr. Boggs agreed that the term likely is a vestige from the time in which a morality type of legislation was permitted; however, it is not a direction that current First Amendment jurisprudence has taken. The word can be removed without impacting the remaining language.

Mr. Supelak referred to Section 153.158(O), which states: "(7) Duration. All of the permitted signs are limited to a period of four months." That amount of time seems broad for this category.

Ms. Fox inquired if these regulations are for residential signs as well as commercial signs. Although the content cannot be controlled, can the number and duration be controlled?

Mr. Boggs responded that the challenge is that even content-neutral time, place and manner restrictions must be narrowly tailored to significant government interests and allow ample alternative avenues for communication. Four months is a duration period; it is not content-based and applies equally; it should be the same for number and size. All requirements must be justifiable as being in the municipality's interest, i.e. protecting the residential character of its neighborhoods; avoiding visual clutter; or interference with traffic or communications. Four months could be considered an aggressive requirement. Some signs can be dealt with under the Permanent Sign Code, rather than the Temporary Sign Code.

Ms. Call stated that the language states that there can be up to two temporary signs on a lot or parcel. There is no differentiation for a 5-acre lot/parcel versus several .12-acre lots within a neighborhood. How can the right of homeowners to place signs on their property be balanced against the need not to encourage clutter?

Mr. Boggs responded that even if the requirement is based upon frontage, speech cannot be based upon an economic variable; it could be construed as having an impact on disfavored groups. That is the reason an absolute number has been chosen.

Mr. Supelak requested clarification regarding sign placement on trees. Section (O)(6) states: "Placement. Are not to be affixed to any public utility, pole, tree, or natural object, are not located within a public right-of-way, and do not create a safety or visibility hazard." There is a need to avoid ambiguity. There are cases within the City neighborhoods that we do not want to proliferate across the City.

Ms. Fox inquired if the Temporary Sign Code addresses political signs as an allowed use, as they should not be limited.

Mr. Boggs responded that a political sign category is not permitted by the Reed decision. Court has stated that political speech must be protected; however, Reed states that distinctions based on content are prohibited. Every non-commercial sign must receive the same treatment as a political sign; therefore, no distinction can be made for political signs.

Ms. Fox stated that if so, only two political signs would be permitted.

Mr. Boggs inquired if the number of two was carried over from the previous Code, or a new proposal.

Ms. Rauch responded that she believes it is a carryover.

Mr. Boggs responded that he would not vouch for two as being the right number, but would provide a written opinion, which could help in determining the right number.

Ms. Call referred to (I) Non-residential Sale or Leasing Period Signs., which permits a 32-square-foot sign for parcels with 100+ feet of frontage. Adjacent properties could object to that amount of frontage being

taken up by a sign and drawing attention from their business signs. She would be in favor of limiting the sign to 16 square feet for up to 200 feet of frontage; for frontage 200 feet or greater, a 32-square foot sign could be permitted. For a typical nonresidential parcel with 100 feet of frontage and lot coverage of 50-60 percent, what size building and permanent sign would be anticipated? A temporary sign should not be larger than the permitted permanent sign.

Ms. Rauch stated the maximum size permitted a ground sign would be 50 square feet. That is not based on the site frontage, so 32 square feet would be less than what a permanent ground sign is permitted.

Ms. Call stated that a for sale/lease sign would be in addition to the permanent sign for an existing building however. She inquired fellow Commissioners' opinions.

Ms. Fox stated that the intent is to reduce visual clutter but not to reduce the ability for a property owner to have a for sale/lease sign. Her suggestion would be to reduce the size of the sign to 16 square feet, and not be based upon the amount of frontage. In addition, the property owner is permitted only one of three sign options.

Ms. Call inquired if a large parcel, such as Cardinal Health, should be limited to 16-square-foot signs. Although that site has two frontages, 55-70 mph traffic passes it quickly.

Ms. Fox stated that the large signs on commercial sites along I-270 are not an issue; the problem is with the commercial sites on arterial streets.

Consensus of Commission members was to reduce the size from 32 square feet to 16 square feet for nonresidential for sale/lease signs.

Ms. Fox referred to Section 153.151 – Permit Required, which states that "...Fees may be paid by cash, check, or money order." That sentence should be deleted.

Ms. Rauch suggested that this item be tabled to permit staff to make the requested changes and provide the additional information discussed; the revised amendment would be scheduled at a future meeting for the Commission's recommendation.

Ms. Kennedy moved, Mr. Grimes seconded to table the proposed amendment to Section 153.050 of the City of Dublin Zoning Code (Temporary Signs).

Vote: Ms. Fox, yes; Mr. Fishman, yes; Ms. Kennedy, yes; Mr. Schneier, yes; Mr. Grimes, yes; Mr. Supelak, yes; Ms. Call, yes.

[Motion passed 7-0]

## **INFORMAL DISCUSSIONS**

### **3. Residential Development Standards, Administrative**

Ms. Call stated that this is a continuation of an informal discussion regarding recent trends in residential developments pertaining to lot sizes, side yard setbacks, lot coverage, and density.

#### **Staff Presentation**

Ms. Husak stated that this is a continuation of the Commission's August 20 discussion on Residential Development Standards. Staff has had difficulty finding the requested development standards for neighboring or regional communities. Therefore, this discussion will focus on the City of Dublin. One remaining developable area where development could occur is north of US33. There is a significant amount of vacancy in that area, and staff frequently receives inquiries regarding the type of development acceptable there. Several pages of the Community Plan, including a map of the Southwest Area, were provided in the meeting packet. Development in that area is difficult, as there are plans for the future extension of Tuttle Crossing Boulevard to the west. Although that project is not programmed in the



# RECORD OF ACTION

## Planning & Zoning Commission

Thursday, August 20, 2020 | 6:30 pm

The Planning and Zoning Commission took the following action at this meeting:

### 2. Sign Code Update 20-098ADMC

### Administrative Review Code

Proposal:	An amendment to Sections 153.150-153.164 of the City of Dublin Zoning Code to provide regulations for temporary sign requirements.
Request:	Review and recommendation of approval to City Council.
Applicant:	Dana L. McDaniel, City Manager, City of Dublin
Planning Contact:	Jennifer Rauch, AICP, Planning Manager
Contact Information:	614.410.4690, jrauch@dublin.oh.us
Case Information:	www.dublinohiousa.gov/pzc/20-098

**MOTION:** Ms. Kennedy moved, Mr. Grimes seconded, to table the proposed amendment to the City of Dublin Zoning Code Section regulations, for temporary sign requirements.

**VOTE:** 7 – 0.

**RESULT:** The Sign Code Updates were tabled.

#### RECORDED VOTES:

Jane Fox	Yes
Warren Fishman	Yes
Kristina Kennedy	Yes
Mark Supelak	Yes
Rebecca Call	Yes
Leo Grimes	Yes
Lance Schneier	Yes

#### STAFF CERTIFICATION

DocuSigned by:

*Jennifer Rauch*

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Jennifer Rauch, AICP, Planning Manager



## **CASE**

### **2. Sign Code Update, 20-098ADMC, Administrative Review**

Ms. Call stated that this is a request for a recommendation of approval to City Council for an amendment to Sections 153.150-153.164 of the City of Dublin Zoning Code to provide regulations for temporary sign requirements.

#### **Staff Presentation**

Ms. Rauch stated that this discussion is for the purpose of reviewing a proposed amendment to the Temporary Sign section of the City's Sign Code. There is need to modify the Code to be aligned with the recent Supreme Court decision regarding the recent Reed v. Town of Gilbert, AZ case concerning temporary sign regulations. Per that decision, temporary sign regulations cannot limit the particular message on a sign or differentiate between temporary noncommercial signs, based on their content. They can focus only on time, place, and manner, such as number of signs, height, sign location, lighting, and time restriction for a particular sign. Draft temporary sign regulations have been developed that align with the Reed v. Gilbert decision; no changes to the permanent Sign Code are proposed. The Community Development Committee (CDC) reviewed an initial draft amendment on November 6, 2019 and, based on their direction, the draft was reviewed and discussed by the Planning and Zoning Commission (PZC) and Architectural Review Board (ARB) at a joint meeting on June 4, 2020. That feedback was incorporated and an updated draft was provided to the ARB on August 12, 2020. That draft included modifications to the non-residential for sale or leasing period signs; clarifications to color requirements and duration requirements added where needed; and revised regulations to permit sandwich board signs City-wide. Research also was conducted to ascertain other communities' regulations regarding nonresidential signage, and input was obtained from the City's Economic Development Department. ARB reviewed the proposed changes, and with some minor modifications and clarifications, made a recommendation of approval to the Commission. Ms. Rauch noted that the first group of pages in the draft provides the complete set of Code Definitions; the Regulations begin on page 45.

#### **Commission Review**

Commission members reviewed the modifications made to the Temporary Sign Code, and requested the following additional modifications to Section 153.158 in the following categories:

(A) Banners – Language that has been added: that "Banners are permitted...during the time between permanent sign permit approval and installation," and in regard to Size and Height, that such signs shall be limited to 30 square feet in area, and if located on the building, it cannot be located higher than 15 feet to the top of the banner."

(C) Construction Trailer Signs – Language added: that "Decorative inserts or wraps on construction or site fencing are not considered a sign."

(D) Development Period Signs – Clarification language added regarding number and timeframe. Under the "Duration" section, as it is currently written, the time period cannot exceed one year. For this sign type, if a longer period is needed, it would be necessary to apply for and obtain an annual extension. This section also states that in residential subdivisions, development signs shall be removed when 75% of the lots in the subdivision have received certificate of occupancy.

Mr. Fishman noted that some of these signs tend to become permanent; there is one such sign on Avery Road.

Ms. Fox responded that if there is not an active permit authorizing it to exist in that location, such a sign would be an enforcement matter. At what point would the City not continue to approve renewal of the temporary sign?

Ms. Rauch responded that if the development had not reached 75%, the developer would be permitted to have the sign.

Mr. Boggs noted that for any new types of signs that do not exist in the current Temporary Sign Code, the enforcement component has not yet be determined. Because the City's existing Code is more content based, the goal is to bring it into compliance with the Reed ruling.

Ms. Call inquired if members had any feedback on the size requirements.

Ms. Rauch noted that the members had requested that this temporary sign type not be permitted to be a greater size than the permanent sign, and this size, 32-square-feet in area and eight feet in height, is less than the 50-square-foot threshold for a permanent ground sign.

Ms. Fox suggested that the requirements be beta tested against a condominium development in an urban, higher density setting. In the past, these signs have been used in single-family housing development.

Ms. Call noted that there are many streets within a condominium complex, and the Code permits a 32-square-foot sign on each of the street frontages. If there were many streets, there could be many signs.

Ms. Fox stated that she would advocate for beta testing in the worst-case scenario.

Mr. Fishman stated that not only the size and number, but the material quality also can be an issue in urban areas. After a year, a fiberboard sign has been affected by the weather and is a poor reflection of Dublin.

Ms. Rauch stated the upkeep of the signs could be considered on a case-by-case basis. Because these signs are intended to be temporary, it would not be advisable to require the use of expensive materials. The language regarding material quality can be revised in a balanced manner, so as not to make the sign costs onerous for the developer.

Mr. Fishman responded that a little better sign quality would reduce the amount of Code Enforcement required.

Ms. Call stated that if beta testing is applied here for the development period signs, staff could identify any instances in which the proposed terms should be revised.

Mr. Schneier noted that "development period sign" is defined, but it does not relate specifically to residential signs. Does the definition need to be changed?

Ms. Rauch stated that the language does specify that approval is for a year in residential subdivisions; this is consistent with the current Code.

Mr. Supelak noted that the proposed requirements seem to be appropriate for a single commercial parcel that has street frontages, but in a residential development with many parcels, could there be a proliferation of signs? Is the language adequate?

Mr. Boggs responded that first there must be an active building permit for the development. This language was designed to address a single large development on a single parcel. Is the question

related to whether a residential subdivision with 100 parcels would be permitted to have a sign for each parcel?

Mr. Supelak responded that there is some confusion as to whether this requirement is addressing a single parcel or a residential subdivision. There are many street frontages in a residential subdivision, but it is not desirable to have a sign on every parcel with street frontage.

Mr. Boggs stated that the initial intent of this sign type was not for individual parcels within a developing residential subdivision, but for an approved PUD. A building in the process of a remodel also can have a temporary sign reflecting the name of the remodeling company performing the work. The language can be revised to provide more specificity and clarification regarding multi-unit buildings. The purpose of these regulations is to address the concerns of visual clutter, ensuring traffic sign visibility and community aesthetics. It can also address general quality and repair issues associated with all the temporary sign types.

Mr. Supelak inquired if the requirements could be tethered appropriately to the sign type's Duration period. The materials appropriate for a 30-day sign, perhaps located under awning, would be different from those for a sign that must remain in good repair for a year in a more exposed setting.

Ms. Call suggested altering the time period from one year to six months for this sign type with a required inspection to renew. Having a minimum standard that matched the Duration would avoid the need for a matrix.

Ms. Fox responded it is not likely six months would be sufficient time for a developer to sell all the homes in a subdivision. The Commission's goal is to reduce sign clutter and improve maintenance of the signs. She would prefer to avoid additional parameters and re-inspections. We can state the general intent and objective, and use a Code Enforcement process to ensure the signs are not ignored. She would like to achieve the desired goal without making the Code more complex.

Mr. Supelak stated he is not advocating for a matrix, but the Duration periods for all the temporary sign types are different. Providing quality specifics for each sign type would be difficult. He would suggest adding general language applicable to all the sign types, such as, "the materials selected must be commensurate with the Duration associated with the sign type." General, broad-brush language could tether the materials and the Duration for all the temporary sign types.

Mr. Grimes stated that there could be a hybrid development, both commercial and residential. This section should be applicable to both types of development.

Mr. Fishman stated that the number of signs permitted in a residential development has not been clarified.

Ms. Call responded that the proposed Code allows one 32-square-foot sign for each 100 feet of street frontage. The language should be applicable to dedicated streets.

Mr. Boggs stated that the language in (4) states 100 feet of frontage on each of two public rights-of-way. Until the street has been dedicated and accepted, it is not a public right-of-way. As a practical manner, the required sequence of events for construction of roads per Engineering standards, inspection and acceptance as a public right-of-way, then home construction and occupancy approval may prevent sign clutter. Staff will not issue sign permits until the requirements for public streets have been met.

Staff will prepare revised language reflective of the Commission's direction.

(E) Garage or Yard Sale Period Signs – Added under Size, Height that “such signs are provided by the City and shall be limited to two square feet in area and one foot in height,” and under Duration, that the sign must be erected within 24 hours before a garage or yard sale and removed not later than two hours after the garage sale has ended.

[The Commission made no additional changes.]

(G) Model Home Period Sign. In (2) Location. “Shall be located only on the lot or parcel where homes are being constructed;” and in (5) “Duration. Shall be permitted during any period when an approved residential development is under construction, until such time as the subdivision or development is complete or the model home is discontinued.”

[The Commission made no additional changes.]

(H) Non-residential Sale or Leasing Period Signs.

- In (2), that One sign is permitted per parcel, either ground, wall, or window;
- In (3) Size, Height, that “Ground-mounted signs are limited to 32 square feet in area and 8 feet in height. Wall signs shall be limited to 16 square feet in area with a maximum height of 15 feet to the top of the sign; Window signs shall not exceed 10% of the total window area of the establishment or 6 square feet, whichever is less;”
- In (5) Duration, “Such signs shall be permitted for 30 number of days contiguously and no more than 90 total days in a calendar year;” and
- In (6) “Materials/Design, such signs shall be professionally designed and constructed. Plywood and cardboard are not permitted materials.”

The Commission requested “contiguously” be revised to “continuously.” They also requested that the Size and Height requirement for ground-mounted signs revert to the previous requirement, to be based upon the amount of street frontage. Staff clarified that the enforcement aspect is generated from a digitally maintained list of issuance/expiration dates of the sign permits.

Regarding the suggestion to place the permit issuance/expiration date on the face of the sign, Mr. Boggs stated that it is important not to infringe upon the right of the sign holder. If only a certain message area is permitted, it should not also be required to include a City message. In practice, it could also look busier and detract from the desired aesthetics, which would be counterproductive. The automated permit list should be sufficient for tracking purposes.

(I) Residential Sale or Leasing Period Sign.

A Duration period has been added indicating that such signs are permitted during any period when any premise or part thereof is actively offered for sale or lease, and removed no later than 30 days after the premises or part thereof is occupied by a new owner or tenant.

[The Commission made no additional changes.]

(J) Sandwich Board Signs.

At PZC and ARB’s request, this new section was added under Temporary Signs. These requirements are consistent with those proposed in the Historic District Code update.

Per discussion, Commission consensus was that permitting sandwich board signs throughout the City would defeat the purpose of reducing sign clutter. The use of sandwich board signs should continue to be permitted only within the Bridge Street and Historic Districts, due to their more urban pedestrian environments. The proposed language will not be included in the Temporary Signs section.

Ms. Rauch stated that no changes were made in the remaining sections of the Code.

Commission consensus was to add parameters and a permitting process to Construction Trailer Banner Signs.

### **Public Comments**

There were no public comments.

### **Commission Discussion**

The Commission thanked Ms. Rauch and Planning staff for incorporating the Commission's feedback into the revised Temporary Sign Code section, which they believe will address the sign clutter.

Ms. Rauch stated that the additional changes requested tonight would be incorporated into a final draft and provided to the Commission at a future meeting for final review and recommendation to Council.

Ms. Kennedy moved, Mr. Grimes seconded to table the proposed amendment to the City of Dublin Zoning Code Sections 153.150-153.164 regulations for temporary sign requirements.

Vote: Ms. Call, yes; Mr. Grimes, yes; Ms. Fox, yes; Mr. Fishman, yes; Mr. Supelak, yes; Mr. Schneier, yes; Ms. Kennedy, yes.

[Motion passed 7-0]

### **~~1. Property Maintenance Code Update, 20-097ADMC, Informal Review~~**

~~Ms. Call stated that this is a request for Informal Review and feedback for an amendment to Section 153.076 of the City of Dublin Zoning Code, which provides regulations for enforcement procedures and additional property maintenance.~~

### **Staff Presentation**

~~Ms. Noble provided an overview. On February 18, 2020, the Public Services Committee reviewed the property maintenance topic, and recommended that Council approve an update of the City Code to incorporate the 2018 International Property Maintenance Code. The Committee also recommended that other options be considered by PZC and ARB, as they deal with property maintenance zoning regulations. On April 13, 2020, Council passed Ordinance 09-20, adopting the 2018 International Property Maintenance Code, and at a joint meeting on June 4, 2020, the Planning and Zoning Commission and the Architectural Review Board discussed property maintenance and nuisance abatement regulations. The members discussed options for improving the City's current property maintenance regulations and potentially adding additional methods, such as registration requirements or bonding requirements. Members recommended that regulations to address some continuing issues be included in a future Code modification, specifically: a more definitive enforcement process that includes escalating enforcement measures; a definition for vacant properties; and regulations for securing residential and commercial properties. In response to that direction, staff has drafted Code regulations for the Commission's consideration.~~



# RECORD OF DISCUSSION

## Planning & Zoning Commission

### Architectural Review Board

Thursday, June 4, 2020 | 6:30 pm

The Planning and Zoning Commission and the Architectural Review Board took the following action at this meeting:

#### 2. Sign Code Update 20-098ADMC

#### Informal Review

Proposal: Informal discussion regarding Ohio constitutional, statutory, and case law decisions requiring that sign regulations remain content neutral.  
Request: Review and recommendation regarding proposed amendments to the Zoning Code under the provisions of Zoning Code Sections 153.232 and 153.234.  
Applicant: Dana L. McDaniel, City Manager  
Planning Contact: Jennifer M. Rauch, AICP, Planning Director  
Contact Information: 614.410.4690, jrauch@dublin.oh.us  
Case Information: www.dublinohiousa.gov/pzc/20-098

**RESULT:** The Planning and Zoning Commission and the Architectural Review Board provided feedback on a draft Zoning Code amendment revising the temporary sign regulations. The Board and Commission members were supportive of the draft amendments with a request for several additional changes to the sign requirements. The members recommended more stringent restrictions for Non-Residential Sale or Leasing Period Signs including duration, location, and number of signs. The members requested staff also revisit the duration and color requirements for all temporary signs to ensure consistency and appropriateness throughout the draft ordinance. Staff will revise the draft Code based on the feedback and plan to bring forward amendments to the Board and Commission for formal review and recommendation at a future meeting.

#### MEMBERS PRESENT:

Jane Fox Yes  
Warren Fishman Yes  
Kristina Kennedy Yes  
Mark Supelak Yes  
Rebecca Call Yes  
Leo Grimes Yes  
Lance Scheiner Yes  
Gary Alexander Yes  
Kathleen Bryan Yes  
Amy Kramb Yes  
Sean Cotter Yes  
Frank Kownacki Yes

#### STAFF CERTIFICATION

DocuSigned by:

*Jennifer Rauch*

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Jennifer M. Rauch, AICP  
Planning Director



desire of the bodies, however. The Board of Health addresses number of animals and interior health and sanitation issues, and the issue of the public peace is addressed by a section of the Ohio Revised Code. A number of felony drug offenses and solicitation of prostitution on a property are addressed with State Code. Several years ago, a hotel in Dublin was sued on that basis and ultimately closed down.

Ms. Fox stated that if an issue is already in the Property Maintenance Code, it would seem that it could be pointed out in the City's Code as specific expectations.

Mr. Jones stated that everything in the International Property Maintenance Code is for the continued maintenance of property, such as chipped or peeling paint. It is not because of the aesthetics of paint; it is because not having the proper coating on the exterior of the structure will cause the wood to rot. Everything that is in the Property Maintenance Code is specific to maintenance, not aesthetics, per se. Nuisance regulations cover issues that are for the public health, safety and welfare.

Mr. Supelak stated that during the economic downturn a few years ago, a partially completed steel structure set back off SR 33 sat in that condition for some time. It eventually was completed and is now Sunrise of Dublin. That type of situation should be part of this consideration.

Ms. Call inquired if the staff had sufficient input to proceed.

Ms. Noble responded that staff does have sufficient input to do so.

## **2. Sign Code Update, 20-098ADMC, Informal Review**

Ms. Call stated that this is a request for an informal discussion regarding an Ohio constitutional, statutory and case law decision requiring that sign regulations remain content neutral.

### **Staff Presentation**

Ms. Rauch stated that this discussion is for the purpose of addressing only the temporary sign component of the City's sign code. There is need to modify the City's Code to be aligned with a recent Supreme Court decision regarding sign content. Mr. Boggs will provide the presentation.

Mr. Boggs stated the case to which we are referring is that of Reed versus the Town of Gilbert, a case decided by the Supreme Court in 2015. In that case, the town was treating temporary, non-commercial signs differently based on their content. Directional signs, ideological and political signs were regulated differently. There were a dozen different classifications based on the content of the sign. The Supreme Court said that under the First Amendment, the government could not make content-based distinctions, unless they could satisfy strict scrutiny. Strict scrutiny is often referred to as being strict in theory and fatal in fact. In the municipal law world, the consensus was that the vast majority, if not all, local sign codes probably ran afoul of this decision. It can be difficult to address because there are classifications, even if not content-based, that are important. For sale signs for homes are different than garage sale signage. The proposed revisions provided for consideration tonight have been revised to not deal with content but with time. Time, place and manner restrictions are more easily justified under the First Amendment. The Reed v. Gilbert case probably has not been applied as expansively in the issue of signs as it has been in other areas related to speech. For instance, First Amendment protection has been extended to panhandling based on the theories espoused in the Reed case, but there have not been expansions of Reed in the sign realm at the Supreme Court level or even in the circuit level, which has regional jurisdiction for Ohio, in the five years since the Reed case was decided. The Community Development Committee (CDC) discussed this on November 6, 2019 and requested that this topic be brought to PZC and ARB, because they are involved in sign regulation. The effort has been made to remove content-based distinctions while maintaining a framework within which to regulate signage, reserving the City's ability to provide wayfinding, avoid visual clutter, maintain rights-of-way free of unwanted signage and to address specific problems, such as temporary signs that are not temporary.

Ms. Call stated that for clarification purposes, the discussion would focus on Code Section 153.159 exclusively.

Ms. Rauch responded that is the most applicable portion of this draft. The definitions, located at the beginning, have been modified. There is also Section 153.157, which contains general requirements that relate to location, design and color.

Ms. Fox stated that Council identified the need for a discussion about temporary signs during an earlier discussion regarding the large commercial signs that remain in place indefinitely. Today, on Frantz Road, there are 14 such signs between Rings Road and SR161. That is the primary concern today, and she believes that is where the discussion should begin.

Ms. Rauch stated that on page 13, under "H," non-residential sale or leasing signage is addressed. Included are size and location limitations. They are primarily consistent with the existing Code, except that a duration period has been added, per the CDC discussion. The proposed language is that the signage can be displayed no more than 180 days in a calendar year, and should be removed with 14 days of sale, rental or lease. This issue has been discussed for many years, but it is challenging to address due to the regular turnover of tenants in a commercial building.

Ms. Kramb inquired if it is possible to strengthen the requirements about the location of the signs. Property owners will often remove a sign for one day, and then re-locate it on the property for another 180 days. Is it possible to require that only one sign located anywhere on a parcel be permitted only 180 days?

Ms. Call stated that it should be a total of 180 days, even if separated into two 90-day time spans; the clock does not re-set to zero for the second time span.

Mr. Supelak stated that it is important to address this in a way in which the regulation cannot be "gamed."

Ms. Call suggested modifying the language to, "signage may be displayed on the parcel for up to 180 days."

Ms. Kramb responded that language would address the issue.

Ms. Fox stated that size and time periods need to be addressed for commercial leasing signs. She would suggest no more than four occurrences in a year, and not necessarily consecutive. The proposed language in H suggests a 16-square-foot window sign, which is larger than the Code typically permits. Another question is if a 24-square-foot frontage sign is permitted, why is a window sign needed, as well?

Ms. Call stated that she would prefer to limit it to one sign – either a window sign or a frontage sign.

Ms. Kramb stated that she would prefer that it be limited to one sign per parcel.

Ms. Call stated that she would probably offer one sign per parcel up to a certain number of square feet. For a property as large as Cardinal Health, an entire block of property, something larger and perhaps two signs, should be considered. There is no reason for a single commercial property to have more than one sign.

Ms. Kennedy inquired if staff conducted a study to confirm consistency of this requirement with neighboring communities.

Mr. Boggs responded that he does not believe many of the neighboring communities have attempted to address these issues.

Ms. Rauch stated that she would need to check to see if benchmarking against other communities occurred, but she believes staff modified the City's existing Code. However, as staff proceeds with this modification effort, they could look at the surrounding jurisdictions.

Mr. Boggs stated that due to the Reed case issue, staff has been aware of the need for modification of the City's temporary sign code for some time. The initial focus of this was to ensure that the regulation was content neutral for temporary non-commercial signs; however, language regarding time restriction for temporary commercial leasing signage was added, due to a previous discussion of Council.

Mr. Fishman stated that the discussion has not addressed the aesthetic of the signs. He would prefer a small framed sign versus a large piece of plywood painted white and mounted on two poles. In addition to size, the materials and aesthetics should be considered.

Mr. Supelak stated that the proposed modifications should not only be benchmarked against surrounding communities but against the City's sign code. Temporary signage should not be allowed that is larger than the Code permits for other similar signage.

Ms. Kramb noted that previously, commercial properties experiencing the hardship of vacant space had no other option for advertising their rental. However, you can check on the City's Economic Development website for a database of all available properties. The signs are no longer providing important information; they are primarily an annoyance to the residents. Developers are using the City's website to see what properties are available for lease or for sale. One size-restricted for lease sign is sufficient today.

Mr. Schneier inquired if staff has sought the input of the business community. The priority is economic development, so we do not want to hinder their ability to lease their properties. Although the members here are in agreement, he is concerned that there could be another side to this issue.

Ms. Rauch stated that years ago, there was a similar discussion on temporary commercial leasing signs. Economic development was a concern in the past. As this project proceeds, staff will discuss this with the business community. The City does maintain a robust website database, and businesses are much more technologically focused today, but they will be included in this conversation.

Ms. Call stated that she would like to take time to look at the entire temporary sign provisions to determine if the members have any concerns.

- Banners, community activity signs, construction trailer signs, development period signs

Members expressed no concerns regarding above signs.

- Garage/yard sale signs

Mr. Supelak inquired if a time period should be included, as has been with the other signs.

Mr. Boggs stated that is precluded by the definition of the sign. A yard or garage sale sign is a temporary sign erected only within 24 hours before a yard or garage sale in the vicinity of the sign and removed within two hours of the garage sale ending.

- Inflatable signs or devices.

Ms. Call stated that these signs are tied to special events, so are they addressed as such?

Ms. Rauch stated that they are not included in that definition, but would be added.

- Special events

Mr. Supelak inquired what could constitute a special event – a car dealership sale? Are any additional stipulations needed?

Ms. Call stated that it should address how many times a year a special event could occur.

Mr. Boggs stated that a special event is an activity open to the general public that is nondiscriminatory and supported by the Office of Public Information and Public Events. It must be coordinated through that City office.

- Model home period signs.

Ms. Kramb stated that a time duration should be added.

Ms. Rauch stated that, if missing, staff would consider the duration factor for all of the sign types.

Mr. Boggs stated the duration for model homes is likewise defined in the definition section. The model home sign is permitted only during the period when an approved residential development is permitted to maintain a model home on the parcel.

- Residential for sale or leasing period signs

No changes were requested.

- Seasonal business period signs.

Mr. Schneier inquired the reason this sign type is the only one that addresses colors. Can colors be considered content, and is that enforceable?

Ms. Call stated that, as it was explained to her, colors would not be considered content.

Mr. Boggs stated that color is a nuance issue. The City does have similar limitations on colors elsewhere in the Code. Often, trademarks have multiple colors, and no restrictions are enforced against those. He will take another look at this question from the symbolic speech perspective to see if it is enforceable in this context. Initially, staff thought so, but they will take another look at that. This is a commercial sign, which is a distinction that the Reed ruling has not displaced.

Ms. Fox inquired what is an example of this sign.

Ms. Kramb responded that it would be the Halloween Express store sign and Christmas tree lot sign.

Ms. Fox inquired what is the purpose of the limitation of three colors.

Ms. Rauch stated that previously, the Code has allowed only three colors, including black and white. Temporary signs were restricted to be in line with permanent sign code requirements; however, staff would review this provision, as well.

- Seasonal decorations

Ms. Call stated that there is a restriction of not more than 60 consecutive days, but it does not address signs that are removed, and later, re-installed.

- Other

Ms. Bryan stated that political signs have not been addressed here.

Mr. Boggs responded that political signs are inherently content-based, so it is possible to regulate them by time, place and manner. The size can be regulated, but the sign cannot be regulated in relationship to its message. For example, a requirement restricting political signs to two months prior to an election is illegal.

Ms. Kramb stated that this sign would fall under "Other" temporary signs.

Ms. Kramb stated that, occasionally, businesses have temporary signs while their business signs are being fabricated, and those can be up for an extended period of time; sometimes the quality is inferior. Perhaps this should be a category.

Ms. Rauch indicated staff would consider where to address this, as well.

- Non-residential sale or leasing period signs.

Consensus was to permit only one sign.

Ms. Call stated that the proposed size is 32 square feet. She would be in favor of 16 square feet for smaller parcels, such as up to one-quarter acre. For a larger parcel, 32 square feet could be permitted, and for very large parcels, a larger size.

Mr. Supelak inquired if the size could be consistent with the permanent sign code, which addresses street frontage and street access.

Ms. Kramb stated that in her opinion, nothing greater in terms of number or size should be permitted for a temporary sign than would be permitted for a permanent sign.

Mr. Fishman stated that he would like consistency to be required in regard to aesthetics.

The majority of members considered a duration of 180 days in a calendar year is too vague; more specificity is needed.

Ms. Call stated that she believes 180 days is too much; 90 days is sufficient.

Mr. Fishman inquired if the days could be tied to the days the property is actually vacant, not before or after.

Mr. Supelak stated that often, spaces can remain vacant for the entire year.

Ms. Call stated that those properties could be listed in the economic development database provided at the website. The City does a good job partnering with its businesses to ensure their success.

Mr. Supelak stated that this is a conversation that staff needs to have with the Economic Development department. Should it be possible for the property owner to pay a fee to have the 90-day timeframe extended?

Mr. Boggs stated that, even with commercial leasing signs, First Amendment considerations exist for commercial speech. Even though this would not be a content-based distinction, because signs are a form of speech, there is need to meet an intermediate level of scrutiny. Justification would need to be provided that shows it is related to significant government interest, and that there are ample alternative means for them to communicate their message. To the point made earlier about other available avenues, that is a good inquiry as we consider a better way to remove the visual clutter that comes with temporary signs. There are more means of communicating their message today than there ever have been. He would caution against a fee to extend the timeframe.

Ms. Kramb stated that as staff is looking into additional modifications of the proposal, she would request that they attempt to achieve consistency. For instance, if a development sign is permitted to be in place for a year, should rental properties be limited to signage for only 180 days or less? There should be a consistency in the duration and in the size of signs. Otherwise, it would appear we are regulating content. Mr. Fishman stated that this aspect is difficult. We do not want to penalize developers. On the other hand, the size of signs should be aesthetically pleasing and there should be reasonable duration periods.

Ms. Kennedy stated that she would like to reiterate her earlier point, which is that the changes in the sign code should not negatively impact economic development. If it is possible, obtain feedback from the marketing teams of business owners who are using this type of signage, and feedback on other methods of advertising they are using.

### **Public Comment**

No public comments were received.

Mr. Fishman stated that the discussion did not address A-frame signs, which are proliferating throughout the City.

Ms. Call inquired if A-frame signs are considered temporary signs.

Ms. Rauch responded that they are not. They are a permanent sign type permitted within the Bridge Street District, including the Historic District.

Mr. Fishman stated that he believes these signs are located outside the Bridge Street District; they are in many other areas.

Ms. Rauch stated that staff would look into the matter and see if the sign type is increasing elsewhere.

Ms. Fox stated that last year the large banner located on the AC Marriott Hotel in the Bridge Street District came before Council for consideration. Council struggled with that. Is that type of sign addressed as a special event sign?

Ms. Rauch responded that approval was a special Council action. That type of sign is not accounted for in this Code amendment. It is a unique scenario for that sign to be permitted in that location by Council.

Ms. Fox responded that although Council can make certain unique decisions, is it possible to include some general suggestions to assist when considering special circumstances. It was difficult for Council to determine if it would be a good idea to permit the sign. Although it turned out to be a great idea, consideration of that banner created significant angst for Council. It would be beneficial for future Councils to have guidelines for permitting special circumstance signs if certain factors are present, including a significant benefit to the community.

Mr. Supelak stated that would fall under Special Event Signs, because it is not necessarily a City event. There was a partnership involved.

Ms. Rauch stated that the banner suited that site because the large building elevation could accommodate it. However, there is an issue in opening up the opportunity to others. Staff would discuss the pros and cons and provide those thoughts for the Board and Commission to consider.

Ms. Call inquired about the A-frame signs that are being proliferated throughout the City. Would the "Other" category of temporary signs address that? Sections 153.154 and 155 require a permit, but the permit would not be issued because that sign type is not allowed in areas other than the Bridge Street District. If that is the case, then the Code addresses A-frame signs. If there are concerns that sign clutter is being proliferated in the City, perhaps Code Enforcement could be asked to look into that.

Ms. Rauch inquired if that is a sign that the Commission and Board would like to allow elsewhere. That was not part of the direction for this discussion, but it could be proposed.

Ms. Call stated that she would prefer that Ms. Fox leverage her position on Council to suggest that. The current direction from Council is to address the sign clutter, so we would probably not want to allow more signs. That would not be her first approach. However, in order to be a good business partner and ensure a sense of fairness, the Commission and Board could recommend modifications to the Code regarding temporary leasing signs, duration periods, and also to permit A-frame signs in other non-Bridge Street District commercial districts. Perhaps Ms. Fox could gauge Council's interest in entertaining such a recommendation while staff is working on this further.

Ms. Fox stated that Council would want to hear the level of Board and Commissioners' interest in permitting A-frame signs in other commercial districts. Their concern has been the quality of the signs, not so much the signs themselves. She requested members' interest.

Ms. Rauch clarified that A-frame signs are permitted in the Bridge Street District with only a certificate, without approval of the Commission.

Feedback from the members reflected a split opinion. However, if A-frame signs were to be permitted in other commercial districts, there would need to be certain restrictions.

Ms. Call stated that perhaps as we are considering recommendations for the temporary signs, we could also add some quality controls for different signs.

Ms. Rauch responded that staff would prepare modifications for consideration.

## **COMMUNICATIONS**

Ms. Husak reminded Commissioners that the June 18 PZC meeting had been canceled, as there were no cases ready for consideration.

## **ADJOURNMENT**

The meeting was adjourned at 9:00 p.m.

Rebecca Call [Approved 7-09-2020]

Chair, Planning and Zoning Commission

Kathleen Bryan [Approved 07-22-2020]

Chair, Architectural Review Board

Judith K. Beal

Deputy Clerk of Council

### Temporary and Commercial Signs

Ms. Readler stated that the case *Reed v. Town of Gilbert, Arizona*, changed the way that municipalities can regulate temporary signs.

Mr. Boggs stated that regulating temporary signs is necessary to:

- minimize distraction to motorist and pedestrians in the right-of-way;
- reduce visual clutter in neighborhoods and commercial areas; and
- encourage high quality, effective graphics for navigation, information and identification.

Temporary signs are currently regulated by what is being communicated by the sign (political, directional, information, etc.). Mr. Boggs reviewed the *Reed* case and the majority opinion as a result. The majority opinion concluded:

- the distinctions between temporary directional, ideological, and political signs are content-based distinctions
- content-based distinctions are subject to a "strict scrutiny" review
- the Town did not show that its regulation of temporary directional signs as opposed to ideological or political signs was narrowly tailored to a compelling governmental interest.

There were two concurring opinions that:

- Clarifies that regulations based on size, location, lighting, movement, animation, "on-premises and off-premises," would be permissible
- Advocated a more flexible approach

The problem with the Town of Gilbert's code was that these signs were regulated differently.

Mr. Boggs noted the difference with commercial speech is that it is subject to greater potential restriction under the First Amendment. None of the discussion at this meeting concerned traditional commercial signage.

Ms. Readler stated that there is a temporary sign section that deals with more permanent commercial signs.

Mr. Reiner asked about sandwich board signs. Mr. Boggs stated that those are not as highly regulated because what is being advertising is a commercial message.

Ms. Readler stated that billboards are prohibited under Dublin's code.

Ms. De Rosa asked if it were correct to say that this focuses more on form and time than on content. Mr. Boggs stated that was correct.

Mr. Reiner asked about new development announcing a project and whether or not it is allowed. Ms. Readler stated that there is a "development period" sign that this addressed. Mr.

Reiner stated that legal is recommending that this issue go to PZC for review and then on to Council for consideration.

Vice Mayor Amorose Groomes asked if this will help with the lease and for sale signs that are throughout the City.

Ms. Readler stated that, currently, the language addresses this as a sales or leasing period sign. This type of sign is defined as a temporary sign erected only during any period when a premises or part thereof is actively offered for sale or lease and removed no later than 14 days after the premises or part thereof are occupied by a new owner or tenant.

Ms. De Rosa and Vice Mayor Amorose Groomes both expressed concern over the wording "part thereof."

Mr. Boggs stated that perhaps they could place time limits on it.

Ms. Readler stated that including a maximum days per year would be the best way to resolve that.

Ms. De Rosa stated that she didn't see political signs mentioned. Mr. Boggs stated that is the consequence of the *Reed* case. Ms. Readler stated that political speech is one of the most protected levels of speech under the First Amendment.

Mr. Boggs stated that political signs disappear from the code because they all fall under a blanket regulation regardless of the content.

Mr. Reiner moved to advance this topic to Planning and Zoning Commission for consideration.

Vice Mayor Amorose Groomes seconded.

Vote on the motion: Vice Mayor Amorose Groomes, yes; Ms. De Rosa, yes; Mr. Reiner, yes.

Motion carried.

#### Streetscape/Tree Selection in Historic Dublin

Mr. Earman introduced Mr. Goodall the new City Forester to present the criteria that was used to make some of the decisions about tree plantings on South High Street. Mr. Earman reviewed some of the site limitations that exist on South High Street. Some he mentioned were:

- Compacted clay soils
- Signage
- Light poles
- Narrow tree lawn
- Low soil volume
- Underground utility lines
- Historical relics and others.

Mr. Goodall stated that the landscape architects and Forestry staff worked together to determine what tree species would work well in the area. The Royal Raindrop Crabapple was chosen because of the pink flowering and leaf shape. It would be aesthetically pleasing. There are currently several of these trees planted along Muirfield Drive. The Adirondack Crabapple is very similar to the Royal Raindrop but has a white flower. Both of these species are disease resistant. The other ornamental tree options that staff felt would be good options are the Spring Snow Crabapple and the Ivory Silk Japanese Tree Lilac. They were looking for an option that was the right size and aesthetic due to the power lines and soil volume.

Mr. Reiner stated it is important to trim the limbs so the pedestrian traffic is able to get

## Non Residential Sale/Lease Sign Requirements

Community		Number	Size	Location	Height	Duration
Dublin - Previous		1 per frontage	16SF (Ground, 100' frontage) 32 SF (Ground, 100'+ frontage) 16SF (Wall or Window)		4' (Ground, 100' frontage) 8' (Ground, 100'+ frontage)	Removed within 14 days of sale/lease
Dublin - Revised		1 per parcel (either ground, wall or window)	16SF (Ground and Wall) 10% or 6SF (window)	8' from ROW	4' (Ground) 15'	30 days, no more than 90 days in a year total
Upper Arlington		4	40SF (Free standing) 80SF (Building mounted)	On premise	6'	Removed no later than 5 days after sale/lease
Hilliard		1/property	16SF (100' frontage) 32SF (>100' frontage)	10' from curb	4' (100' frontage) 8' (>100' frontage)	Removed no later than 7 days after sale/lease
Marysville			32SF	10' from property line	12'	Displayed while for sale/lease
Westerville		1/frontage	16SF	10' from ROW	8'	
New Albany			16SF (100' frontage) 36 SF (Ground, 100'+ frontage) 32 SF (Ground, 100'+ frontage) 120SF (Ground, 200'+ freeway frontage) 16SF (Wall and window – tenant)		5' (100' frontage) 8' (100'+ frontage) 10' (200'+ frontage)	Removed within 10 days after sale/lease
Hilton Head, SC	whole building	1/frontage	20SF (building mounted) 40SF (ground)	On premise	10' (building) 8' (ground)	Removed no later than 2 days after sale/lease
	tenant space	1/frontage	4SF	tenant panel		Removed no later than 2 days after sale/lease

Carmel, IN	1/frontage	20SF (Non highway) 32SF (Highway)	5' from ROW	5' (<5acres) 8' (>5acres)	Removed no later than 15 days after sale/lease
Scottsdale, AZ	1 (<1200' frontage) 2 (>1200' frontage)	16SF 32SF (scenic)	On premise	5' 10' (scenic)	Removed no later than 7 days after sale/lease

## signage restrictions are valuable to business owners

Joseph Wisne <jwisne@roto.com>

Tue 12/7/2021 11:02 AM

To: Dana McDaniel <dmcDaniel@dublin.oh.us>; Chris Amorose Groomes <cagroomes@dublin.oh.us>; Cathy DeRosa <CDeRosa@dublin.oh.us>; Christina Alutto <calutto@dublin.oh.us>; Jane Fox <jfox@dublin.oh.us>; Andrew Keeler <AKeeler@dublin.oh.us>; Greg Peterson <gpeterson@dublin.oh.us>; John Reiner <JReiner@dublin.oh.us>; Jennifer Rauch <jrauch@dublin.oh.us>; Lindsay Weisenauer <lweisenauer@dublin.oh.us>

Cc: Bridgette Mariea <bmariea@roto.com>



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I am a Dublin business owner, operating for the last decade out of 60,000 ft<sup>2</sup> of leased space in a visible spot off Perimeter Drive. I want to thank Dublin leadership for its support of restricted real estate signage, per this week's article in Business First.

<https://www.nbc4i.com/news/columbus-business-first/dublin-sign-ordinance-receives-pushback-from-commercial-real-estate-community/>

While I am sure the commercial brokers would prefer their billboards to be as large as possible, they represent a tiny fraction of the concerned business community in this matter. FOR SALE OR LEASE signs are not only blights on the landscape that Dublin has established such exemplary standards to maintain, they also signal an economy or neighborhood in potential decline. I have long detested their presence as direct assaults on our brand whenever clients (e.g. Disney, who is in town this week) show up for visits.

I have also been an active customer of leased commercial property, and can easily confirm the signage to be nearly irrelevant to that search process. Every competent broker knows every available property well before the signage goes up, including properties where no signs yet exist. It costs nothing to consult one of them—the signage may be more instruments of their competitive egos than anything critical to landing deals.

Dublin has once again demonstrated its foresight in curtailing this sort of practice, and the fact that “Dublin is the only Central Ohio market with such an ordinance in place” is one of the reasons our business prefers to remain located here!

Well done and thank you,

Joseph

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**Joseph Wisne**

President & CEO

**Roto**

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**From:** Brent Swander <bswander@columbusrealtors.com>

**Sent:** Monday, July 26, 2021 9:34 AM

**To:** Dana McDaniel <dmcdaniel@dublin.oh.us>

**Subject:** Signs



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Good morning Dana,

Many of our commercial members have started reaching out, with great concern, regarding Dublin's recent sign ordinance changes. Do you have a minute to talk thru these? When Columbus modified their sign ordinance, we played a pretty significant role; I was unaware these were coming in Dublin.

Would welcome the opportunity to talk about them at your convenience.

Thanks,  
Brent

**BRENT SWANDER, RCE**

Vice President of Government Affairs

**COLUMBUS REALTORS®**



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**From:** Doug Sladoje <doug@cswolpa.com>

**Sent:** Friday, August 27, 2021 11:35 AM

**To:** Dana McDaniel <dmcdaniel@dublin.oh.us>

**Cc:** 'Brad Kitchen' <bkitchen@alterrare.com>; Cathy Grose <cathy@cswolpa.com>; Alisa Argust <aargust@alterrare.com>

**Subject:** Dublin - new signage ordinance to eliminate real estate signs



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Dear Dublin City Manager McDaniel,

I have been made aware of a new signage limitation in Dublin that seems to be a bit excessive while trying to solve a problem that doesn't exist. I'm not sure how this new limitation is practical or business friendly.

Apparently City Council decided the local government should take a more prominent role because of a problem with too many signs identifying available buildings/spaces in commercial office buildings. I was unaware this was a

problem worthy of the change. I certainly heard no complaints from residents of Dublin on this issue even though I have been a resident since 1997 and a business owner in Dublin since 2006.

The limitation is probably unnecessary, excessive, and of course will most likely result in the dreaded “unintended consequences” (as well-described by Thomas Sowell). The immediate result that comes to mind is BMW Financial when I first heard of this new regulation.

I respectfully request you take action with Council to arrive at a more sensible solution.

If you made it this far in my email, thank you for your consideration in this matter.

Douglas Sladoje  
5131 Post Road, Suite 100  
Dublin, Ohio 43017  
614-230-0670

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**From:** Brad Kitchen <[bkitchen@alterrare.com](mailto:bkitchen@alterrare.com)>  
**Sent:** Friday, August 27, 2021 10:39 AM  
**To:** Doug Sladoje <[doug@cswwcolpa.com](mailto:doug@cswwcolpa.com)>  
**Subject:** FW: Dublin - new signage ordinance to eliminate real estate signs

Doug

I don't know if you are aware of the new signage regulations in Dublin which is intended to “eliminate the signage clutter” in Dublin, referring to our real estate signs as clutter, per my conversation with Dana McDaniel (city manager). **This new regulation will effectively eliminate all commercial real estate signs in Dublin.** He said this was a city council enacted ordinance, and Dublin economic development is not very happy with it because they realize it will make it harder for them to do their job, and for building owners to lease our buildings with no leasing signs. Dana said the best thing to do at this point is to send him an email expressing our concerns. The more people that reach out the better.

Below is Dana's email address and the email that I sent to them which outlines the new code changes and the issues caused by this code. Please send an email and encourage any of your clients who own buildings in Dublin to do the same.

Dana McDaniel  
Dublin City Manager  
(614) 410-4402 office  
(614) 206-3311 cell  
[dmcdaniel@dublin.oh.us](mailto:dmcdaniel@dublin.oh.us)

On behalf of our company as well as the property owners/tenants/clients we serve, we would like to make some comments regarding the recent change to the signage regulations, specifically for the Non-residential Sale and Leasing signs which most affect our clients.

Below is summary of the new ordinance as it relates to Non-residential Sale or Leasing Signs as we understand it:  
(1) General. A sign permit must be obtained in accordance with § 153.151, and information verifying the

availability of space for lease or sale shall be required with the permit submission.

(2) Number. One such sign is permitted per parcel, either ground, wall, or window.

(3) Size, Height. (a) Ground-mounted signs. Ground-mounted signs are limited to 16 square feet in area and 4 feet in height. (b) Wall signs. Wall signs shall be limited to 16 square feet in area with a maximum height of 15 feet to the top of the sign. (c) Window signs. Window signs shall not to exceed 10% of the total window area of the establishment or 6 square feet, whichever is less.

(4) Placement. Signs must be located so that they do not interfere with the safe movement of vehicular and pedestrian traffic.

(5) Duration. Such signs shall be permitted for 30 days, Removed for 30 days and then can be reinstalled in 30 days, but no more than 90 total days in a calendar year, and must be removed within 14 days after the sale, rental, or lease has occurred.

(6) Materials/Design. Such signs shall be professionally designed and constructed. Plywood and cardboard are not permitted materials.

Comments with regard to the above that affect what I am sure is a shared goal for property owners who have invested in Dublin and, the City of Dublin, which is to keep buildings full of people and companies.

1. Duration – a permit every 30 days, with a max time limit total 90 days in a calendar year – a multi-tenant building may constantly have space coming on and off the market and 90 days is not really very long for a commercial property for sale or for lease regardless if single or multi-occupancy. It typically takes 12 months or more to lease or sell most commercial spaces. Also the way I read it is a permit every 30 days, **REMOVE THE SIGN**, and then reinstall it in 30 days? Commercial signs cost \$500 - \$700 and installing, removing and reinstalling like this would be cost prohibitive.
2. Size – 16 square feet total so double sided signs are almost impossible – it basically allows a 2x4 Double Sided sign, a 2x8 Single Sided sign or a 4x4 Single sided Sign. The State of Ohio requires the Brokerage name to be larger than other names on the sign which does not allow for much more info on the sign that can be easily read other than Brokerage Name, For Lease or Sale, Phone Number.
3. Height – If the sign can only be 4 feet to top of sign, the sign would have to sit on the ground and not on posts if it is a 4x4 sign. Wall signs allowed only 15 feet max height but with tree heights and position of building to road, that could be too low for any visibility.
4. This is a real detriment to the property owners in Dublin – it eliminates one more avenue of marketing for the property owners who invested in the City, pay the real estate taxes, etc. and will translate into more vacancy in commercial real estate in Dublin. As much as 25% of our prospects come from a call on a real estate sign. How else will people now what spaces are available for their business to move into? I wish that it was easy to just use the internet, but navigating the internet to search for commercial space in Dublin is not as easy as we would like it to be because Loopnet.com, the major on line source of marketing of commercial real estate, restricts which properties prospects can be seen if the prospect is not a paid subscriber. With a free log in that most prospects use to search for properties, Loopnet.com will only show the “Premium” listings which a few building owners have paid extra for the added visibility. This will make most buildings invisible to these prospects and they may be more likely to find a property to lease or purchase in another community that makes it easier to market their properties. Other communities will be the beneficiaries of your new signage regulation because they will likely receive more new prospects.

We urge you to modify or eliminate this new signage ordinance so that we can maintain our current commercial real estate signs which will help fill our buildings in Dublin. Without this modification/elimination to the signage code, you will certainly see more vacancy in Dublin, lower values due to the vacancy, and fewer investors purchasing in Dublin. As a commercial real estate broker and owner of commercial properties in Dublin, I will think twice about any further investment in this community if this is how the city is going to work against it's commercial property owners, especially in this challenging time for commercial real estate leasing. We would appreciate your consideration of this request.



**Brad Kitchen, SIOR  
President**

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From the Columbus Business First:

<https://www.bizjournals.com/columbus/news/2021/12/06/dublin-sign-ordinance-receives-pushback.html>

## Dublin sign ordinance receives pushback from commercial real estate community

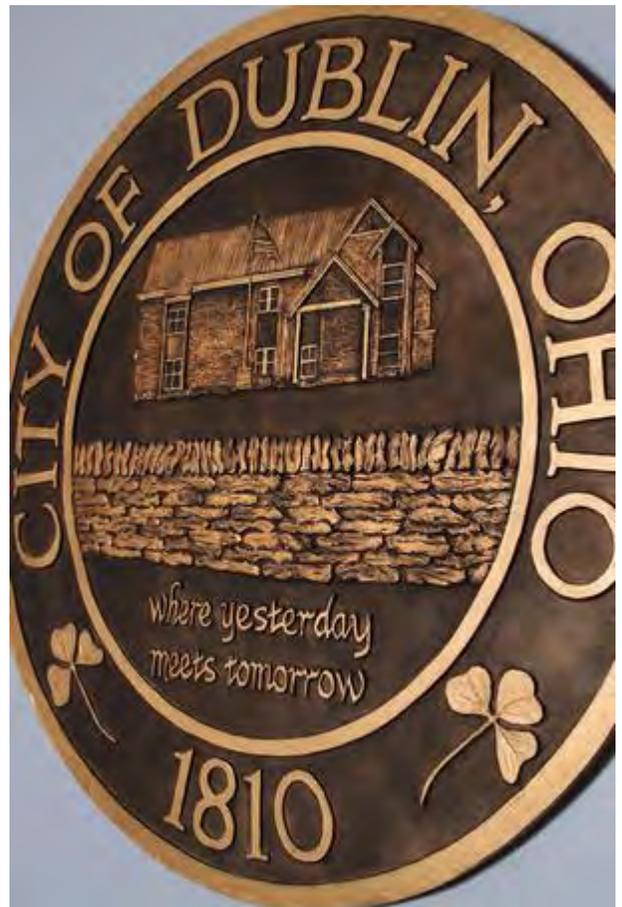
Dec 6, 2021, 6:00am EST **Updated: Dec 6, 2021, 9:05am EST**

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Commercial real estate agents say a new Dublin sign policy could negatively impact their ability to market and sell properties.

In April, Dublin City Council approved an ordinance putting new limits on the size, location, lighting and time restrictions on all signage within the city. Under the new policy, non-residential signs can only be displayed for 30 continuous days and no more than 90 per year. The policy also limits the size of signs to no more than 16 square feet in area, among other restrictions to protect "community aesthetics."

Those restrictions are a problem from the commercial real estate industry, Columbus Realtors CEO [Brent](#)



DAN TRITTSCHUH

Swander told *Columbus Business First*, because signage plays a larger role in leasing commercial properties than it does for residential ones.

The city of Dublin's efforts to improve aesthetics through regulating temporary signs have drawn criticism from local commercial realtors and brokers.

The commercial side of the industry doesn't have a centralized database like the one used by residential agents. Because of the lack of a centralized database, brokers, realtors and others must "use all the tools in their toolkits," said Scott Hrabcak, Columbus Realtors executive vice president of HER Commercial Real Estate Services.

Hrabcak said a lot of business owners drive around looking at properties, and if the signs aren't large enough, or are not there long enough, they are likely to miss them.

The time limits may pose a particular challenge for multi-tenant buildings. For example, if a building has 30 tenants, Hrabcak said, it is difficult to leave a sign up for only 90 days throughout the year, because tenancy will be turning over multiple times a year.

"You lose the ability to capture possible users that frankly may be interested in the structure if you fall out of the 90-day ordinance window," Hrabcak said.

Available office spaces are typically listed as available for about six months prior to vacancy and, in Dublin, generally take about 14 months to lease, Swander said.

"A sign is used to market a property long before it's vacant," Swander said. "It's almost like a coming soon status in the residential market, and that's why a 90-day limit just doesn't work."

Lindsay Weisenauer, Dublin's director of communications and public information, said city staff members have met with representatives from the commercial business community following the policy's adoption and are continuing a dialogue with them.

She said the amendment did not include restrictions on a broker's name or phone number, instead focusing on the temporary sign provisions that "address time, place, and manner, such as number

of signs, height, sign location, lighting, and time restriction for a particular sign."

"City Council's goal is improve aesthetics," Weisenauer said in an email.

Swander said Dublin is the only Central Ohio market with such an ordinance in place.

Swander and Hrabcak said they are continuing to work with the city to provide a business-friendly solution and address its concerns. Swander and other industry representatives met with staff before Thanksgiving, as they continue to make their case for solutions and compromises to the ordinance.

Swander said one of the solutions they brought to the city was to tie sign size to property lot size and allow for highway signage to remain "much larger."

"We want to work collaboratively with the city," Swander said.

**Owen Milnes**

Staff reporter

*Columbus Business First*

