CHAPTER 1165
Signs

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CROSS REFERENCES
Power to regulate signs and billboards - see Ohio R.C. 715.27
Defined - see P. & Z. 1123.49
Appeal of administrative orders - see P. & Z. 1127.08
Building Code - see BLDG. Ch. 1300 et seq.

1165.01 PURPOSE.

The purpose of this chapter is to establish permissive standards by which signs shall be regulated relative to time, place and manner.

(a) The City has determined that the individual user's right to convey a message must be balanced with the public's right to be free of signs which unreasonably complete, distract drivers and pedestrians, and produce confusion as determined by the Planning and Zoning Administrator. It is the City's intent to provide business and industry in the Municipality with equitable sign standards in accordance 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 chapter is based on the premise that signs are subject to control as much as noise, odor, debris and other similar characteristics of land use, and 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. To mitigate the potential negative consequences, reasonable limitations on signs are appropriate with respect to the size, height and construction of signs, and the time, place and manner of their display.

(b) Specifically, the City has determined that regulations for signs are desirable in order to:

(1) Prevent or limit traffic or pedestrian accidents, injuries, deaths, and property damages resulting from obstructed vision, distraction or confusion to the public due to the undue proliferation of signs;

(2) Minimize the risk of damage and injuries from signs that are dilapidated, structurally-deficient, wind-blown or electric shock hazards;

(3) Achieve a degree of uniformity and balance in the size, height, number and placement of signs;

(4) Enhance the aesthetics of the City by regulating the amount of time which temporary signs may be displayed, regulating the location of signs relative to public rights-of-way, and regulating the manner that signs are displayed;

(5) Visually promote and maintain residential, commercial and industrial districts;

(6) Maintain and preserve the City's values in residential, commercial and industrial districts;

(7) Prevent blight characterized by oversized, overcrowded, abandoned, obsolete and/or dilapidated signs;

(8) Eliminate nonconforming signs;

(9) Facilitate an equitable, regulatory and administrative process involving signs located within the City; and

(10) Protect the public's right to receive information protected by the First Amendment of the United States Constitution.

(Ord. 0188-2006. Passed 9-25-06.)

1165.02 SCOPE.

This chapter shall not related to building design. Nor shall this chapter regulate the copy and message of signs; official traffic signs, or signs mounted in the public right-of-way by government agencies having jurisdiction within such right-of-way; flags of any nation, government or non-commercial organization; scoreboards on athletic fields; gravestones; the display of street numbers; or any display or construction not defined herein as a sign.
(Ord. 0188-2006. Passed 9-25-06.)

1165.03 DEFINITIONS.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively described to them by this chapter, if not defined herein, or within other chapters of the City Code, terms used in this chapter shall have the meanings provided in Section 1123.01.

(a) Abandoned Sign. A sign which is discontinued for a period of ninety consecutive days. It shall be prima facie evidence of the intent of the owner to discontinue any further interest in a sign after a cessation of all use of the sign or removal of the face or supportive structure of the sign for the required period.

(b) Aesthetics. A term dealing with form, design, and/or quality of construction of a particular sign, building, site or structure that presents a subjective statement concerning the level of beauty or artistic value.

(c) Animated Sign. Any attention-diverting apparatus, equipment or devices in a sign that uses movement or change of lighting to depict action or create a special effect or scene. Animated signs

shall include: blinking, coursing, flashing, moving, racer-type, rotating, revolving, spinning, and other similar types of apparatus, equipment or devices. (See "electronic message" and "flashing" signs.)

(d) Awning. A permanent roof-like cover, often of fabric, metal or glass which projects from a wall or roof of a structure over a window, walk, door or the like and is designed and intended for protection from the weather or as a decorative embellishment. Also called a canopy when the projection extends more than three feet from the face of the building.

(e) Awning Sign. A sign located on an awning.

(f) Banner Sign. Any sign with or without characters, letters, illustrations or ornamentations applied to cloth, paper, flexible plastic, or lightweight fabric or similar non-rigid material of any kind with only such material for backing that is mounted to a pole, staff, or a building by a string, rope, wire, or frame at one or more edges. All banners are temporary signs.

(1) Civic Banner. A banner sign attached to lampposts in business districts to provide a streetscape feature.

(2) Pennant Banner: A banner sign, usually mounted in a series.

(3) Promotional Banner: A banner sign that is mounted to poles or a building.

(4) Street Banner. A banner extending across a public right-of-way.

(5) Flying Banner; Feather Banner; Attention Flag. A sign made of lightweight, non-rigid material typically supported by one pole, with or without graphics, intended to attract instant attention. These signs are generally teardrop, rectangular, or pennant shaped.

(g) Bench Sign. A sign located on the seat or back of a bench placed on or adjacent to a public right-of-way.

(h) Building Frontage. The horizontal linear dimension designed as the primary facade of that side of the building.

(i) Building Identification Sign. A wall sign bearing the address of the premises, but containing no commercial message.

(j) Building Historical Marker Sign. Any sign composed of letters, words, or insignia cut into a masonry surface or made of bronze or other permanent material permanently mounted to a building to convey a memorial, the name of a building, address, date of construction, or incidental information.

(k) Building Sign. Includes any wall sign, window sign, awning sign, canopy sign, or projecting sign. Building signs do not include roof signs.

(l) Canopy. A permanently roofed shelter projecting over a sidewalk, driveway, entry, window or similar area, which may be wholly supported by a building or partially supported by columns, poles, or braces extending from the ground. Any roof overhang extending more than three feet from the face of a building shall be considered a canopy. Also called an awning when the projection from the face of a building is three feet or less.

(m) Canopy Sign. Any sign that is a part of or attached to a structural protective cover over a door, entrance, window or outdoor service area. A marquee is not a canopy sign.

(n) Changeable Copy Sign. Any sign designed so that letters or numbers attached to the sign can be periodically changed to indicate a different message.

(o) Commemorative Sign. A sign, tablet, or plaque commemorating or memorializing a person, event, structure or site. This chapter shall not regulate these signs.

(p) Commercial Message. Any sign wording, logo, or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

Signs which advertise that patrons are "welcome" or that display "help wanted", "for rent", "for sale" and similar messages shall be deemed commercial messages.

(q) Construction Sign. A sign bearing the names of contractors, architects, engineers and the like, or advertising, promotions, price ranges and similar information, that is placed at a construction site that has received development plan approval.

(r) Deteriorated Sign. A sign which has outlived the useful life span of its construction materials and which is likely to lead to production of litter or other aesthetic problems if continued to be posted, as determined by the Chief Building Official.

(s) Development Identification Sign. A permanent sign identifying an entrance to a residential subdivision, residential complex, institutional use, commercial shopping area, industrial park, business park or other similar use.

(t) Directional Sign. An on-premises freestanding or building sign that includes information secondary to the use of the site on which it is located to assist in the flow and safety of vehicular or pedestrian traffic, such as: "enter" and "exit", "one-way", "reserved parking spaces", "handicapped parking spaces", "no parking", "loading only", "telephone", "entrance", "no trespassing", "caution", "beware of dog" and similar information and directives.

(u) Electronic Message Sign. A sign with a fixed or changing display or message, wherein the sequence of message and the rate of change is electronically programmed and can be modified by electronic process.

(v) Externally Illuminated Sign. A sign illuminated primarily by light directed toward or across it or by backlighting from a source not within it.

(w) Flag. A fabric, banner, or bunting containing distinctive colors, patterns or symbols, used as a symbol of a recognized government or political subdivision, corporation, lodge, fraternity or sorority, political party, nonprofit organization, charity, club, association or other similar entity.

(x) Flashing Sign. A sign, the illumination of which is not constant in intensity when in use, and which exhibits sudden or marked changes in lighting effects.

(y) Freestanding Sign. A sign that is attached to, erected on, or supported by some structure, such as a post, mast, or frame that is not itself an integral part of or attached to a building or other structure whose principal function is something other than support.

(z) Ground Sign. A freestanding detached sign whose support structure is imbedded in the ground.

(aa) Hazardous Sign. Any sign or sign support structure that is structurally or electrically unsafe, as determined by the Chief Building Official.

(bb) Illuminated Sign. A sign lighted by, or exposed to, artificial lighting either by lights on or in the sign, or directed towards the sign.

(cc) Incidental Sign. An on-premises freestanding or building sign that includes information secondary to the use of the site on which it is located, such as "credit cards accepted", official notices required by law, trade affiliations, "no solicitation", security alarm warnings, emergency phone numbers, and other similar directives. No sign with a commercial message shall be considered incidental.

(dd) Internally Illuminated Sign. A sign whose light source is located either in the interior of the sign so that the rays go through the face of the sign, or which is attached to the face of the sign and is perceived as a design element of the sign.

(ee) Landscaping. Bringing the soil surface to a smooth finished grade, installing plant material and other natural materials to produce a pleasing visual effect of the premises.

(ff) Logo. The graphic or pictorial presentation of a message, including, but not limited to, the use of shapes, designs, decorations, emblems, trademarks, symbols or illustrations.

(gg) Marquee Sign. A sign designed to have changeable copy which is attached to a roof-like structure of a permanent nature that projects from the wall of a building or its supports and may overhang the public right of way.

(hh) Master Sign Plan. A plan that establishes a common theme or design, uses, similar construction methods and compatible colors, scale and size, in accordance to Section 1165.09 (Design, Construction and Maintenance).

(ii) Menu Board Sign.

(1) Temporary: A two-sided, erasable-style, portable, freestanding sign displayed only during the hours of operation providing a bill of fare associated with indoor or outdoor dining.

(2) Permanent: A ground-mounted sign displaying the bill of fare for a restaurant, drive-in or drive-thru restaurant or instructions or services for other drive-thru establishments.

(jj) Mobile Sign. A sign attached to, mounted to, pasted, painted or drawn on any vehicle, whether motorized or pulled, that is placed, parked or maintained at one particular location for the express purpose and intent of promotion or conveying an advertising message.

(kk) Monument Sign. A ground sign with low overall height and the base of the sign structure on the ground. See Freestanding Sign.

(ll) Neon Sign. A sign containing glass tube lighting in which gas and phosphorus are used in combination to create a colored light.

(mm) Nonconforming Sign. A sign lawfully erected and maintained prior to the effective date of this section that does not conform with the requirements of this chapter.

(nn) Off-premises Sign. A sign which directs attention to a business, commodity, service, or entertainment conducted, sold or offered at a location other than the lot or premises on which the sign is located.

(oo) On-premises Sign. Any sign which relates to or directs attention to a business, commodity, service or entertainment conducted, sold or offered on the premises where the sign is installed and maintained.

(pp) Permanent Sign. A sign affixed to a structure or embedded in the ground whose principal supporting structure is intended, by design and construction, to be used on a permanent basis.

(qq) Pole Sign. A permanent freestanding sign that is mounted on one or more poles or other support so that the bottom edge of the sign face is six feet or more above the grade.

(rr) Portable Sign. A temporary sign not permanently attached to the ground or other permanent structure which is designed to be easily moved from one location to another. Portable signs include, but are not limited to, signs made as A-frames or T-frames, a sign designed to be transported on wheels, or balloons or umbrellas used as signs.

(ss) Projecting Sign. Any permanent building sign attached perpendicular to a building wall and extending laterally more than twelve inches but not more than forty-eight inches from the face of such wall.

(tt) Public Information Sign. Any sign erected and maintained by public officials or public agencies, or approved and authorized for use by state or local government authorities.

(uu) Reader Board Sign. See Changeable copy sign.

(vv) Right-of-way (ROW). A strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a street, trail, waterline, sanitary sewer, and/or other public utilities or facilities.

(ww) Roof Sign. A sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and projects above the highest point of a building with a flat roof, the eave line of a building with gambrel, gable, or hip roof or the deck line of a building with a mansard roof.

(xx) Sight Triangle. The horizontal and vertical areas at the intersections of streets and/or driveways which must remain unobstructed in order to ensure that drivers can see traffic and pedestrians around the corner of the intersection, entrance or driveway.

(yy) Sign. Any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind.

(zz) Sign Area. The entire face of a sign including the advertising surface and any framing, trim or molding, but not including the supporting structure.

(aaa) Sign Copy. Any word, letter, number or emblem affixed to the sign surface either permanently or in removable form.

(bbb) Sign Erector. Any person or entity engaged in the business of erecting, constructing, altering, maintaining, repairing or removing signs.

(ccc) Sign Face. The area of a sign on which the copy is placed.

(ddd) Sign Height. The vertical distance measured from the lowest adjacent grade to the highest point of the sign or sign structure.

(eee) Street Frontage. The distance along which a property line of a lot adjoins a public or private street.

(fff) Structural Alteration. Any action that changes the height, size or shape of a sign and any action that affects the structural supports of a sign.

(ggg) Suspended Sign. A sign that is suspended from the underside of a horizontal plane surface and supported by such surface.

(hhh) Temporary Sign. A sign that is not permanently affixed to a structure, or permanently embedded in the ground, and is designed to be displayed for a short period of time.

(iii) Wall Sign. Any building sign painted on, attached flush against, or extending not more than twelve inches from an exterior wall in a parallel manner.

(jjj) Window Sign. A permanent sign that is painted or mounted onto a windowpane, or that is hung directly inside a window for the purpose or effect of identifying any premises from the sidewalk or street; or a temporary sign advertising special sales, events, or products. (Ord. 0188-2006. Passed 9-25-06.)

1165.04 PROHIBITED SIGNS.

(a) All signs not expressly permitted in this chapter shall be prohibited within the City. Prohibited signs shall include, but are not limited to, the following:

(1) Abandoned signs or any sign structure and/or frame that no longer supports or displays a sign.

(2) Animated, electronic message, or flashing signs except as provided for in Section 1165.03(tt).

(3) Bench signs.

(4) Hazardous signs that are structurally and/or electrically unsafe, as determined by the Chief Building Official, shall be immediately removed.

(5) Inflatable, lighter-than-air, or kite-type materials attached or tethered to a premises, containing a commercial message and used as signs.

(6) Merchandise, equipment, products, vehicles, trailers, or other items not themselves for sale and placed for attention-getting, identification or advertising purposes. This is not intended to prohibit any form of vehicular signage used in the normal day-to-day operations of a business, such as a sign attached to a bus or lettered on a motor vehicle, unless the primary purpose of such vehicle is for such advertising.

(7) Off-premises, permanent signs except those provided for in Section 1165.08, in the M-1 Manufacturing or SCPD Select Commercial Planned Districts.

(8) Portable signs.

(9) Roof signs.

(10) Street banners.

(11) Signs located within the sight triangle of an intersection and which obstruct, distract, or impair the vision of drivers.

(12) Signs located within the public right-of-way, on utility and street light poles, utility boxes, or street signs.

(13) Signs which appear to resemble any traffic sign or traffic control device on a public street or road, by reason of size, shape, location, color or illumination.

(14) Signs which obstruct free ingress or egress from a door, window, fire escape or other exit way.

(15) Signs with reflective graphics or materials except for those required by the Ohio Department of Transportation.

(16) Electronic message signs except as provided for in Section 1165.03(tt).

(b) No sign shall be mounted within any public right-of-way except by the government agencies having jurisdiction within such right-of-way.
(Ord. 0188-2006. Passed 9-25-06.)

1165.05 NONCONFORMING SIGNS.

Any sign erected prior to the effective date of this section, constructed in conformance with the ordinances and other applicable laws in effect on the date of its construction, but which by reason of its size, height, location, design, or construction is not in conformance with the regulations of this chapter may be continued as a legal nonconforming sign.

(a) Any nonconforming sign displayed on the premises shall be removed or brought into conformance with the provisions of this chapter before a permit for a new sign may be issued.

(b) A legal nonconforming sign shall immediately lose its legal nonconforming designation and shall be immediately brought into compliance with this chapter and a new permit secured if so required, or shall be removed upon any of the following occurrences:

(1) The nonconforming sign is structurally altered, enlarged, relocated or replaced.

(2) The nonconforming sign is determined by the Planning and Zoning Administrator or the Chief Building Official to be in a dangerous or defective condition; to fail to

conform to health and fire codes; a public nuisance; or abandoned, deteriorated; or in need of repair or replacement.

(3) The nonconforming sign face and/or supportive structure is destroyed or damaged in excess of fifty percent (50%) of the combined replacement value of the sign and supportive structure, by any cause.

(c) No nonconforming sign shall be moved in whole or in part to any other location unless such sign is made to conform to this chapter. If an owner is forced to move a nonconforming sign by City, state or federal officials for any reason other than enforcement, such sign shall maintain its nonconforming status, except for the setback requirements.

(d) Nothing in this section shall prevent the ordinary repair, maintenance and non-structural alteration of nonconforming signs. Maintaining the nonconforming sign to the exact legal nonconforming design shall be allowed; however, any proposed changes to a nonconforming sign, except for replacement faces, shall require that the sign be made to conform to the requirements of this chapter. No structural alterations shall be made in, to, or upon such nonconforming sign, except those required by law to make the sign conform to the requirements of this chapter.

(Ord. 0188-2006. Passed 9-25-06.)

1165.06 MEASUREMENT OF SIGN AREA.

(a) The maximum permitted sign area shall apply to the entire area enclosing the extreme limits of writing, representation, emblem or figure.

(1) Any frame, material, or color forming an integral part of the display or used to differentiate a sign from the background against which it is placed shall count toward the maximum permitted sign area. For example, if a wall sign is painted with background colors and/or graphics integral to the overall graphic scheme of a sign, the entire wall shall be considered a sign and its measurement computed as such. If a sign is painted on a wall, and the sign can be logically separated and measured separately from the background graphics, the background graphic scheme shall not be computed in the sign size.

(2) Necessary supports or uprights on which a sign is placed are excluded from the computation of sign area.

(b) Lots fronting two or more public rights of way are allowed the permitted sign size for each street frontage. The square footage permitted for each street frontage cannot be combined and used on one frontage. In no case shall the maximum aggregate sign area for the respective zoning district be exceeded unless expressly permitted by this chapter.

(c) The permitted actual size of a sign shall apply to each facing of a sign structure; however, where signs are double-faced, placed back-to-back, or in a "V-type" construction when the "V" is at a forty-five degree angle or less, only one side of the sign shall be counted. Back-to-back signs must be enclosed within the same cabinet or affixed to the same pole and not separated by more than eighteen inches to qualify under this section.

(d) The overall height of a freestanding sign shall be computed as the distance from the base of the sign at average grade to the top of the highest attached component of the sign. Average grade shall be construed to be the lower of:

(1) Existing grade prior to construction or

(2) The newly established grade after construction, exclusive of any filing, berming, mounding, or excavating solely for the purpose of locating or increasing the height of the sign.

In cases in which the grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public road or the grade of the land at the principal entrance to the principal structure on the zoned lot, whichever is lower.

(Ord. 0188-2006. Passed 9-25-06.)

1165.07 TEMPORARY SIGNS.

Temporary signs, except zoning change signs as required in Chapter 1133, shall comply with the following regulations:

(a) Sign Placement. All temporary freestanding signs shall be placed no closer than ten feet from the pavement of the travel lane of a public or private street.

(b) Duration. Temporary signs shall be displayed only for the time duration permitted based upon the useful life of the sign.

Useful Life. Temporary sign faces constructed of the following materials shall be deemed to have a useful life span of the specified duration:

(1) Cardboard, posterboard or paper: three consecutive days.

(2) Non-rigid banners; attention flags: ~~fourteen~~ **THIRTY** consecutive days in any four-month period.

(3) Plastic coated cardboard, or non-framed one hundred percent (100%) fluted polypropylene (corrugated plastic): thirty consecutive days in any ~~twelve-month~~ **SIX-MONTH** period.

(4) **METAL** f~~F~~ramed polypropylene-coated weather board, metal or corrugated plastic: 180 consecutive days in any twelve-month period.

(c) Maximum Number of Temporary Signs on Commercial Use Property. A property owner, business owner or lessee shall be limited to two temporary signs per street frontage.

(d) Maximum Number of Temporary Signs on a Residential Use Property. There is no limitation on the number of temporary signs on a residential use property.

(e) All deteriorated or hazardous temporary signs are deemed a public nuisance, a threat to the public health and safety, and/or a source of aesthetic blight and shall be immediately removed or replaced.

(f) Fees. Permits for promotional banners, wall signs, and freestanding signs ~~shall be charged a fee as established in the development fee schedule set forth in Section 148.12 in Part One of these codified ordinances and shall be limited as follows:~~ **SHALL BE REQUIRED, EXCEPT IN RID ZONING, BUT NO FEE SHALL BE CHARGED IN ANY ZONING DISTRICT.**

~~Promotional Banner~~	~~$30.00/14 days as permitted in Section 1165.07(b).~~
~~Wall Sign~~	~~$20.00/30 days.~~
~~Freestanding Signs~~	~~$20.00/30 days/parcel as permitted in Section 1165.07(b).~~

(g) Temporary Sign Regulations. The following signs are permitted on private property in the illustrated districts and shall be limited in number, type, height and setback a set forth in the following tables:

(1)

District	Commercial (Non OG Districts)				
Sign Type Temporary	**Max. Number**	**Permit**	**Max. Size (Sq. Ft.)**	**Max. Height (ft.)**	**Minimum Setback (ft.)**
Flying or feather banner; attention flag	2 per street frontage	Y	15	6	10
Pennant Banner	N/A	N	N/A	N/A	N/A
Portable A-Frame or T-Frame Sign (#1)	1	N	8	4	N/A
Promotional Banner (#2)	1	Y	40	N/A	N/A
Wall Signs	1	Y	16	N/A	N/A
Window Signs (#3)	N/A	N	<25% of aggregate window space	N/A	N/A
Freestanding Signs (#4)	2 per street frontage	Y	4 **6**	4	10

1. Portable A-Frame or T-Frame Signs shall be permitted within five feet of the public entrance to each front facade of the building that the establishment occupies, not more than three feet from the building. Such sign may only be displayed during the hours of operation.
2. Promotional banners shall only apply to multi-family or nonresidential structure and shall be permitted for a maximum period of ~~fourteen~~ **THIRTY** consecutive days in any four-month period.
3. Temporary window signs shall be limited to first floor windows only.
4. No more than two temporary signs per street frontage shall be permitted on any parcel at any time in these zoning districts.

(2)

Districts	**Olde Gahanna (OG-2, OG-3, OG-4, OG-5)**				
Sign Type Temporary	**Max. Number**	**Permit**	**Max. Size (sq. ft.)**	**Max. Height (ft.)**	**Minimum Setback (ft.)**
Flying or feather banner; attention flag	2 per street frontage	Y	15	6	10
Pennant Banner	N/A	N	N/A	N/A	N/A
Portable A-Frame or T-Frame Sign (#1)	1 per entrance	N	8	4	N/A
Portable Menu Board Sign (#2)	1	Y	15 per side	5	N/A
Promotional Banner (#3)	1	Y	40	N/A	N/A
Wall Signs	1	Y	8	N/A	N/A
Window Signs	N/A	N	<25% of aggregate window space	N/A	N/A
Freestanding Signs (#4)	2 per street frontage	Y	4 **6**	4	10

1. Portable A-Frame or T-Frame Signs shall be permitted within five feet of the public entrance to each front facade of the building that the establishment occupies not more than three feet from the building. Such sign may only be displayed during the hours of operation.

2. Menu board signs are only permitted in the OG-4 Olde Gahanna Creekside District on the premises of an establishment where proceeds from serving foods and beverages represent seventy-five percent (75%) or more of their gross receipts. A menu board sign shall be permitted for each front facade of the building that the establishment occupies. Such sign may only be displayed during the hours of operation.

3. Promotional banners shall apply only to multi-family or nonresidential structures and shall be permitted for a maximum period of ~~fourteen~~ **THIRTY** consecutive days in any four-month period.
4. No more than two temporary signs per street frontage shall be permitted on any parcel at any time in these zoning districts.

(3)

Districts	**Manufacturing**				
Sign Type Temporary	**Max. Number**	**Permit**	**Max. Size (sq. ft.)**	**Max. Height (ft.)**	**Minimum Setback (ft.)**
Flying or feather banner; attention flag	2 per street frontage	Y	15	6	10
Promotional Banner (#1)	1	Y	40	N/A	N/A
Wall Signs	1	Y	16	N/A	N/A
Window Signs	N/A	N	<25% of aggregate window space	N/A	N/A
Freestanding Signs (#2)	2	Y	8	4	10

1. Promotional banners shall only apply to multi-family or nonresidential structures ands hall be permitted for a maximum period of ~~fourteen~~ **THIRTY** consecutive days in any four-month period.
2. No more than two temporary signs per street frontage shall be permitted on any parcel at any time in these zoning districts.

(4)

Districts	**Restricted Institutional District**				
Sign Type Temporary	**Max. Number**	**Permit**	**Max. Size (sq. ft.)**	**Max. Height (ft.)**	**Minimum Setback (ft.)**
Flying or feather banner; attention flag	2 per street frontage	~~Y~~ **N**	15	6	10
Pennant Banner	N/A	N	N/A	N/A	N/A
Promotional Banner (#1)	1	~~Y~~ **N**	40	N/A	N/A
Wall Signs	1	~~Y~~ **N**	8	N/A	N/A
Window Signs	N/A	N	<25% of aggregate window space	N/A	N/A
Freestanding Signs (#2)	2 per street frontage	~~Y~~ **N**	4 **6**	4	10

1. Promotional banners shall only apply to multi-family or nonresidential structures and shall be permitted for a maximum period of ~~fourteen~~ **THIRTY** consecutive days in any four-month period.
2. No more than two temporary signs per street frontage shall be permitted on any parcel at any time in these zoning districts.

(5)

Districts	**Residential including OG-1**				
Sign Type Temporary	**Max. Number**	**Permit**	**Max. Size (sq. ft.)**	**Max. Height (ft.)**	**Minimum Setback (ft.)**
Flying or feather banner; attention flag	Not permitted				
Banner (#1)	1	N	40	N/A	N/A
Window Signs	N/A	N	N/A	N/A	N/A
Freestanding Signs	N/A	N	6	~~5~~ **6**	10

~~1. Banners in residential districts shall not contain a commercial message.~~

(6)

District	**Multi-Family Residential**				
Sign Type Temporary	**Max. Number**	**Permit**	**Max. Size (sq. ft.)**	**Max. Height (ft.)**	**Minimum Setback (ft.)**
Flying or feather banner; attention flag	2 per street frontage	Y	15	6	10
Pennant Banner	N/A	N	N/A	N/A	N/A
Promotional Banner (#1)	1 per parcel	Y	40	N/A	N/A
Wall Signs	1	Y	4	N/A	N/A
Window Signs	1 per unit	N	<75% of window	N/A	N/A
Freestanding Signs (#2)	2 per street frontage	Y	4 **6**	4	10

1. Promotional banners shall only apply to multi-family or nonresidential structures and shall be permitted for a maximum period of ~~fourteen~~ **THIRTY** consecutive days in any four-month period.
2. No more than two temporary signs per street frontage shall be permitted on any parcel at any time in these zoning districts.

(Ord. 0188-2006. Passed 9-25-06.)

1165.08 PERMANENT SIGNS.

(a) Computation of total permitted sign area. This table shall not apply to developments requiring a Master Sign Plan:

Maximum square footage per district	
District	
Sign Type Permanent	**Max. Size (sq. ft.)**
Commercial	150
OG-2, OG-3, OG-5	40
RID	100
OG-4	75
Single Family Residential	50
Multi-Family Residential	150
Manufacturing	~~175~~ **150**

(b) Permanent signs are permitted in the following zoning districts and shall be limited in number, type, area, height and setback as set forth in the following tables:

(1)

Districts	**Commercial (non-OG districts)**					
Sign Type Permanent	**Max. Number**	**Permit**	**Max. Size (s.f.)**	**Max. Width**	**Max. Height (ft.)**	**Min. Setback (ft.)**
Building Signs						
Awning Sign (#1)	1 per public entrance	Y			N/A	
Wall Sign (#2)	no maximum	Y	50 total	N/A	N/A	N/A
Window Sign (#3)	1 per street frontage	Y	8		N/A	
Projecting Sign (#4)	1 per street frontage	Y	8	4 ft.	N/A	

1. Awning signs shall be limited to one sign per public entrance to each building or tenant space. The sign area shall be limited to fifty percent (50%) of the total face area of the awning. When an awning sign covers multiple store fronts, each store or tenant shall be allowed copy space of no more than eighty percent (80%) of the store width, in order to maintain adequate separation between tenant spaces. Minimum clearance shall be seven feet to the bottom of the awning, and structural components shall be a minimum of eight feet above grade. Awning signs may project over a public sidewalk, no more than forty-eight inches or be within twenty-four inches of the curb line, whichever is less.
2. The square footage of all wall signs must be included in the overall permitted display area for the building. The maximum length of any wall sign shall not exceed eighty percent (80%) of the street frontage. Wall signs shall not project more than twelve inches, except on mansard type fascia, whereas to obtain a level position, the top of the sign may cantilever out more than twelve inches.
3. The square footage of window signs must be included in the overall permitted display area for the building.
4. The square footage of projecting signs must be included in the overall permitted display area of the building. Projecting signs shall have a minimum height of nine feet six inches to the bottom of the sign. The projecting sign shall not project from the wall a distance of greater than four feet. Signs may project over a public sidewalk but shall not project over any street or alley.

(2)

Districts	**Olde Gahanna (OG-2, OG-3, OG-4, OG-5)**					
Sign Type Permanent	**Max. Number**	**Permit**	**Max. Size (s.f.)**	**Max. Width**	**Max. Height (ft.)**	**Min. Setback (ft.)**
Building Signs						
Awning Sign (#1)	1 per public entrance	Y				
Wall Sign (#2)	1 per street frontage	Y		N/A	N/A	N/A
Window Sign (#3)	1 per street frontage	Y	8			
Projecting Sign (#4)	1 per street frontage	Y		4 ft.	4 ft.	

1. Awning signs shall be limited to one sign per public entrance to each building or tenant space. The sign area shall be limited to fifty percent (50%) of the total face area of the awning. When an awning sign covers multiple store fronts, each store or tenant shall be allowed copy space of no more than eighty percent (80%) of the store width, in order to maintain adequate separation between tenant spaces. Minimum clearance shall be seven feet to the bottom of the awning, and structural components shall be a minimum of eight feet above grade. Awning signs may project over a public sidewalk no more than forty-eight inches or be within twenty-four inches of the curb line, whichever is less.
2. The square footage of all wall signs must be included in the overall permitted display area for the building. The maximum length of any wall sign shall not exceed eighty percent (80%) of the street frontage. Wall signs shall not project more than twelve inches, except on mansard type fascia, where to obtain a level position, the top of the sign may cantilever out more than twelve inches.
3. The square footage of window signs must be included in the overall permitted display area for the building.
4. The square footage of projecting signs must be included in the overall permitted display area of the building. Projecting signs shall have a minimum height of nine feet six inches to the bottom of the sign. The projecting sign shall not project from the wall a distance of greater than four feet. Signs may project over a public sidewalk but shall not project over any street or alley.

(3)

District	Manufacturing					
Sign Type Permanent	**Max. Number**	**Permit**	**Max. Size (s.f.)**	**Max. Height (ft.)**	**Max. Width**	**Min. Setback (ft.)**
Building Signs						
Awning Sign (#1)		Y				
Wall Sign (#2)	1 per street frontage	Y	50 for all signs	N/A	N/A	N/A
Window Sign (#3)	1 per street frontage	Y				
Projecting Sign (#4)	1 per street frontage	Y			4 ft.	

1. Awning signs shall be limited to one sign per public entrance to each building or tenant space. The sign area shall be limited to fifty percent (50%) of the total face area of the awning. When an awning sign covers multiple store fronts, each store or tenant shall be allowed copy space of no more than eighty percent (80%) of the store width, in order to maintain adequate separation between tenant spaces. Minimum clearance shall be seven feet to the bottom of the awning, and structural components shall be a minimum of eight feet above grade. Awning signs may project over a public sidewalk no more than forty-eight inches or be within twenty-four inches of the curb line, whichever is less.
2. The square footage of all wall signs must be included in the overall permitted display area for the building. The maximum length of any wall sign shall not exceed eighty percent (80%) of the street frontage. Wall signs shall not project more than twelve inches, except on mansard type fascia, where to obtain a level position, the top of the sign may cantilever out more than twelve inches.
3. The square footage of window signs must be included in the overall permitted display area for the building.
4. The square footage of projecting signs must be included in the overall permitted display area of the building. Projecting signs shall have a minimum height of nine feet six inches to the bottom of the sign. The projecting sign shall not project from the wall a distance of greater than four feet. Signs may project over a public sidewalk but shall not project over any street or alley.

(4)

Districts	**Restricted Institutional District**					
Sign Type Permanent	**Max. Number**	**Permit**	**Max. Size (s.f.)**	**Max. Width**	**Max. Height (ft.)**	**Min. Setback (ft.)**
Building Signs						
Awning Sign (#1)	1 per public entrance	Y				
Wall Sign (#2)	1 per street frontage	Y		N/A	N/A	N/A
Window Sign (#3)	1 per street frontage	Y	8			
Projecting Sign (#4)	1 per street frontage	Y		4 ft.		

1. Awning signs shall be limited to one sign per public entrance to each building or tenant space. The sign area shall be limited to fifty percent (50%) of the total face area of the awning. When an awning sign covers multiple store fronts, each store or tenant shall be allowed copy space of no more than eighty percent (80%) of the store width, in order to maintain adequate separation between tenant spaces. Minimum clearance shall be seven feet to the bottom of the awning, and structural components shall be a minimum of eight feet above grade. Awning signs may project over a public sidewalk no more than forty-eight inches or be within twenty-four inches of the curb line, whichever is less.
2. The square footage of all wall signs must be included in the overall permitted display area for the building. The maximum length of any wall sign shall not exceed eighty percent (80%) of the street frontage. Wall signs shall not project more than twelve inches, except on mansard type fascia, where to obtain a level position, the top of the sign may cantilever out more than twelve inches.
3. The square footage of window signs must be included in the overall permitted display area for the building.
4. The square footage of projecting signs must be included in the overall permitted display area of the building. Projecting signs shall have a minimum height of nine feet six inches to the bottom of the sign. The projecting sign shall not project from the wall a distance of greater than four feet. Signs may project over a public sidewalk but shall not project over any street or alley.

(5)

Districts	**Multi-Family Residential**					
Sign Type Permanent	**Max. Number**	**Permit**	**Max. Size (s.f.)**	**Max. Width**	**Max. Height (ft.)**	**Min. Setback (ft.)**
Building Signs						
Awning Sign (#1)	1/public entrance/building	Y				
Wall Sign (#2)	1/street frontage/parcel	Y	50 total	N/A	N/A	N/A
Window Sign (#3)		Y				
Projecting Sign (#4)		Y		4 ft.		

1. Awning signs shall be limited to one sign per public entrance to each building or tenant space. The sign area shall be limited to fifty percent (50%) of the total face area of the awning. When an awning sign covers multiple store fronts, each store or tenant shall be allowed copy space of no more than eighty percent (80%) of the store width, in order to maintain adequate separation between tenant spaces. Minimum clearance shall be seven feet to the bottom of the awning, and structural components shall be a minimum of eight feet above grade. Awning signs may project over a public sidewalk no more than forty-eight inches or be within twenty-four inches of the curb line, whichever is less.
2. The square footage of all wall signs must be included in the overall permitted display area for the building. The maximum length of any wall sign shall not exceed eighty percent (80%) of the street frontage. Wall signs shall not project more than twelve inches, except on mansard type fascia, where to obtain a level position, the top of the sign may cantilever out more than twelve inches.
3. The square footage of window signs must be included in the overall permitted display area for the building.
4. The square footage of projecting signs must be included in the overall permitted display area of the building. Projecting signs shall have a minimum height of nine feet six inches to the bottom of the sign. The projecting sign shall not project from the wall a distance of greater than four feet. Signs may project over a public sidewalk but shall not project over any street or alley.

(6)

Districts	**Commercial (Non-OG Districts)**				
Sign Type Permanent	**Max. Number**	**Permit**	**Max. Size (s.f.)**	**Max. Height (ft.)**	**Min. Setback (ft.)**
Freestanding Signs					
Monument Sign (#1)	1/street frontage	Y	80	8	15
Pole Sign (#2)	1	Y	100	20	15
Directional Sign (#3)	as needed	N	2	3	N/A
Flags of Political Jurisdictions (#4)	6	N	60 per flag	Restricted to max. height of neighboring buildings	height of pole
Development identification sign	1 per development entrance	Y	50	6	15

1. The display surface of a monument sign shall not exceed eighty square feet. The display area must be included in the overall square footage permitted for the building.
2. The display area must be included in the overall square footage permitted for the building.
3. In multi-building projects, the name of a business may also be included on the sign. The aggregate display area of these signs shall not be included in the overall square footage permitted per building.
4. All flags shall be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes provided these shall be a maximum of two flags per flagpole and a maximum of three flagpoles.

(7)

Districts	**Olde Gahanna (OG-2, OG-3, OG-4, OG-5)**					
Sign Type Permanent	**Max. Number**	**Permit**	**Max. Size**	**Max. Width**	**Max. Height (ft.)**	**Min. Setback (ft.)**
Freestanding Signs						
Monument Sign (#1)	1	Y	25	N/A	5	5 behind ROW
Pole Sign	Not Permitted					
Development Identification Sign	1 per development entrance	Y	25	N/A	5	5 behind ROW
Directional Sign (#2)	as needed	N	2	N/A	3	N/A
Flags of Political Jurisdictions (#3)	6	N	60 per flag	N/A	Restricted to max. height of neighboring buildings	height of pole

1. Monument signs are not permitted in the OG-3 District. The display area must be included in the overall square footage permitted for the building.
2. In multi-building projects, the name and address of an occupant may also be included on the sign. The aggregate display area of these signs shall not be included in the overall square footage permitted per building.
3. All flags shall be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes, provided there shall be a maximum of two flags per flagpole and a maximum of three flagpoles.

(8)

District	Manufacturing				
Sign Type Permanent	**Max. Number**	**Permit**	**Max. Size (s.f.)**	**Max. Height (ft.)**	**Min. Setback (ft.)**
Freestanding Signs					
Monument Sign (#1)	1 per 500 ft. of street frontage	Y	50	10	15 behind ROW
Pole Sign	1 per 500 ft. of street frontage	Y	150	30	100; or 660 from Residential district or State ROW
Development Identification Sign	1 per development entrance	Y	50	10	15 behind ROW
Directional Sign	as needed	N	2	3	N/A
Flags of Political Jurisdictions (#2)	6	N	60 per flag	Restricted to max. height of neighboring buildings	height of pole
Institutional Bulletin Board Sign	1	N	24	6	15 behind ROW

1. The display area must be included in the overall square footage permitted for the building.
2. All flags shall be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes, provided there shall be a maximum of two flags per flagpole and a maximum of three flagpoles.

(9)

District	Restricted Institutional District				
Sign Type	Max. Number	Permit	Max. Size	Max. Height (ft.)	Min. Setback (ft.)
Freestanding Signs					
Monument Sign (#1)	1 per 500 l. ft. of frontage	Y	50	6	15 behind ROW
Pole Sign	Not Permitted				
Development Identification Sign	1 per development entrance	Y	30	6	15 behind ROW
Directional Sign (#2)	as needed	N	2	3	N/A
Flags of Political Jurisdictions (#3)	6	N	60 per flag	Restricted to max. height of neighbor-ing build-ings	height of pole
Institutional Bulletin Board Sign	1	N	24	6	15

1. The display area must be included in the overall square footage permitted for the building.
2. In multi-building projects, the name and address of an occupant may also be included on the sign. The aggregate display area of these signs shall not be included in the overall square footage permitted per building.
3. All flags shall be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes, provided there shall be a maximum of two flags per flagpole and a maximum of three flagpoles.

(10)

Districts	**Residential: OG-1**				
Sign Type Permanent	**Max. Number**	**Permit**	**Max. Size**	**Max. Height (ft.)**	**Min. Setback (ft.)**
Freestanding Signs					
Development Identification Sign	2 per development entrance	Y	32	8	15 behind ROW
Flags of Political Jurisdictions (#1)	6	N	60 per flag	40	Out of sight triangle

1. All flags shall be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes provided there shall be a maximum of two flags per flagpole and a maximum of three flagpoles.

(11)

Districts	**Commercial; Olde Gahanna (OG-2, 3, 4, 5); RID; Multi-Family Residential; Manufacturing**				
Miscellaneous Signs					
Sign Type	**Max. Number**	**Permit**	**Max. Size**	**Max. Height (ft.)**	**Min. Setback (ft.)**
Building Historical Marker	1 per building	N	4	N/A	N/A
Building Identification Sign (#1)	1	N	2	N/A	N/A
Incidental Sign (#2)	5	N	1	N/A	N/A

1. Building Identification Signs may contain only the name and address of the occupant.
2. Incidental Signs shall contain no commercial message legible from any location off the lot.

(Ord. 0188-2006. Passed 9-25-06.)

1165.09 DESIGN, CONSTRUCTION, AND MAINTENANCE OF SIGNS.

All signs shall be designed, constructed and maintained in conformity with the following provisions:

(a) Design Criteria. In Olde Gahanna, signs must comply with the design review requirements of Section 1197.09 of this Code (Design Review Districts Standards). All other signs shall be designed to meet the following provisions:

(1) Sign graphic. The shape and graphic character of a sign shall strive for an integrated design that constitutes a substantial aesthetic improvement to the site and surrounding area, and that contains elegant, uncluttered elements of classic design style or reflects the unique, historic character of the City.

A. Signs shall provide for aesthetic presentation of the sign message through careful consideration of color combinations, illumination, sign placement, letter height, proportion and spacing, and by avoiding use of small and/or excessive lettering.

B. The advertising content of signs shall not detract from the identification purpose and the legibility of signs.

(2) Building signs.

A. The size and location of permanent building signs shall be reviewed in terms of their relationship to the building entry, height of sign fascia, or size of wall where the sign is to be installed and the relationship to other signs on a building, as well as visibility from the street, sidewalk or parking lot.

B. An applicant shall be permitted to decrease the sign area from one building frontage for the purpose of erecting or installing a sign on a building facade that does not have street frontage.

C. On multi-tenant commercial establishments, permanent building signs shall be evaluated for compatibility as part of a sign program with the building fascia and neighboring signs in terms of size, color, lighting materials, sign style, and quality. It shall be the responsibility of the property owner of a multi-tenant establishment to determine if the sign area shall be devoted to identification of the building, the anchor occupant(s), all occupants, or some combination thereof.

(3) Freestanding signs. Permanent freestanding signs shall be of a style, material, and design compatible with the associated building.

A. The construction materials of freestanding signs should be compatible with the associated buildings.

B. Freestanding signs shall be sited so that they integrate with the location of street trees and other site landscaping, and to avoid obscuring the view of adjacent freestanding signs.

C. A landscaped area, required as follows, shall be provided, and centered around the base of all freestanding signs.

1. Monument signs: Fifty square feet.
2. Ground signs: Sixty square feet.

3. Pole signs: Seventy square feet.

a. The landscaped area shall be comprised of a variety of natural materials, such as shrubbery, hedges, herbs, trees and other plants, earth mounds, flowers, and groundcover. Plant material should be chosen to maintain twelve months of foliage.

b. Ground cover shall be limited to fifty percent (50%) of the total landscaped area.

c. All plantings shall be properly installed, well-maintained, weeded, mulched and kept free of trash and debris.

(b) Sign Placement. Projection into right of way. No sign shall be located within or above any public right-of-way, nor shall any temporary sign project beyond the property line, unless expressly permitted herein.

(c) Construction. All signs shall be constructed to meet the City Building and Electrical Codes.

(d) Maintenance. All signs shall be maintained in a safe, clean and attractive, and sound structural condition at all times free from peeling or missing paint, burned out light bulbs, holes, or broken, cracked, bent, warped, rotted, discolored, sagging, worn, torn, rusted, defective, or missing material parts. If the face of the sign is removed, a blank opaque panel must be installed until such time that new graphics are approved and installed.

(Ord. 0188-2006. Passed 9-25-06.)

1165.10 ILLUMINATION OF SIGNS.

Signs may be illuminated in accordance with the following regulations.

(a) A development identification sign located at the entrance of a residential subdivision may only be externally illuminated.

(b) All other signs may be either internally or externally illuminated.

(1) Externally illuminated signs.

A. Illumination of signs shall be permitted with a lighting fixture that is steady and stationary, using approved electrical devices and shall be installed in accordance with the requirements of this chapter and the City's Electrical Codes.

B. The intensity of sign lighting must not exceed the amount necessary to illuminate and make a sign legible. Externally lit signs may only be illuminated with "white" spectrum light concealed by a hood or any other material of indirect lighting.

C. Sign illumination must be directed downward aimed no higher than forty-five degrees above straight down (half-way between straight down and straight to the side).

D. Ground-mounted illumination shall be permitted for freestanding signs with a maximum height of less than six feet.

E. All lighting for the illumination of signs shall be shielded from the view of persons viewing the sign and directed so that the light shines only on the sign.

(2) Internally illuminated signs: Light bulbs or lighting tubes used for illuminating a sign shall not be visible through the sign face.

(Ord. 0188-2006. Passed 9-25-06.)

1165.11 PERMIT REQUIREMENTS AND REVIEW PROCESS.

(a) It shall be unlawful for any person to erect, alter, relocate, or replace a sign within the City without first obtaining the permits from the City as required by this chapter.

(b) The sign application process shall involve two separate steps. Both of the following steps must be completed in person by the applicant.

(1) Submission of an Application for Certificate of Appropriateness for Signage with the required fee as established in the development fee schedule set forth in Section 148.12 in Part One of these Codified Ordinances to the Zoning Division, and

(2) Submission of a Sign Permit Application with the required fee as established in the development fee schedule set forth in Section 148.12 in Part One of these Codified Ordinances to the Building Division.

(c) Application for Certificate of Appropriateness for Signage.

(1) The application for a Certificate of Appropriateness for Signage shall contain the following required information:

A. A site map of the location of building or structure or lot, property lines, right-of-way boundaries, utilities, and easements where the sign is to be attached or erected upon.

B. Color photographs of the property upon which the sign is to be erected, and photographs of adjacent properties and signage.

C. Detailed color renderings or drawings to illustrate the dimensions, design, structure and location of each sign.

D. Elevations and color photographs which illustrate the position of the proposed signage in relation to nearby buildings, structures.

E. Drawings of the plans and specifications, material samples, color samples, and method of attachment to the building or the ground.

F. Name and address, phone number, and current license number of the licensed sign erector.

G. The Planning and Zoning Administrator or Chief Building Official may require the plans to bear the certification and seal of a licensed architect or engineer registered in the State of Ohio as a condition to the issuance of an approved sign permit.

(2) The Planning and Zoning Administrator shall review the Application for Certificate of Appropriateness for Signage with the applicant to assure compliance with this chapter.

(3) For all new construction, renovation or conversion of structures with multi-tenants, including but not limited to, office buildings, business parks, planned industrial developments, office parks, shopping centers and shopping malls (except out-lots), a complete Master Sign Plan shall be submitted to the Planning and Zoning Administrator along with the Application for Certificate of Appropriateness for Signage.

(4) The Master Sign Plan design criteria submitted shall include text and drawings, both to scale and dimension, as required to address at the very least:

A. Size range of signs permitted.

B. Colors permitted.

C. Materials permitted.

D. Illumination.

E. Typefaces permitted.

F. Type sizes permitted.

G. Graphic emblem sizes and locations, if permitted.

H. Miscellaneous graphic features unique to the application submitted.

A copy of a standard contractual signage agreement to be used at the center, incorporating the comprehensive graphic design criteria regulations developed in subsection (c)(4) hereof, is to be made a part of all future relationships with tenants and other parties desiring signage at the subject center.

(5) The Master Sign Plan shall comply with the following regulations:

A. The Master Sign Plan shall be designed so that it establishes a common theme or design, uses similar construction methods and compatible colors, scale and size, in accordance with Section 1165.09 (Design, Construction and Maintenance).

B. The Master Sign Plan shall be approved by the Planning Commission prior to the issuance of a sign permit for any sign on the building or development. If a Master Sign Plan has been submitted and approved, verification of compliance with the Master Sign Plan shall be submitted with each individual sign permit application; however, no additional Certificate of Appropriateness shall be required. Out-lots at shopping centers or shopping malls must obtain individual approvals.

C. Any changes to an approved Master Sign Plan require submission to, and approval by the Planning Commission.

(6) The Planning and Zoning Administrator or designee shall approve, within ~~thirty~~ **TWENTY-EIGHT** days of receipt an Application for Certificate of Appropriateness for Signage if it is determined that the application complies fully with the requirements of this chapter~~,~~ **.**~~or may forward any application to the Planning Commission for action.~~ Upon approving the Application for Certificate of Appropriateness for Signage, the Planning and Zoning Administrator shall sign the application, attesting to its compliance with the requirements of this chapter.

(7) If the application does not comply with **ONE OR MORE OF** the requirements of this chapter, the Planning and Zoning Administrator shall deny the application**, CLEARLY EXPLAIN TO THE APPLICANT THE REASONS FOR ANY DENIAL,** and inform the applicant that the application may be:

A. Modified and resubmitted to the Planning and Zoning Administrator within thirty days without an additional application fee; or

B. Submitted for a variance per Section 1165.12.

C. Appealed to the Board of Zoning and Building Appeals per Article XII of the City Charter.

(Ord. 0188-2006. Passed 9-25-06.)

1165.12 VARIANCES AND APPEALS.

(a) Variance Procedure. This section shall not apply to temporary signs as defined in Section 1165.07 of this chapter.

(1) The standard for granting a variance which relates solely to area requirements is a lesser standard than that applied to variances which relate to use. An application for an area variance need not establish unnecessary hardship; it is sufficient that the application show practical difficulties. In determining whether a property owner seeking an area variance has encountered practical difficulties, Planning Commission shall consider and weight the following factors.

A. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;

B. Whether the variance is substantial;

C. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;

D. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse);

E. Whether the property owner purchased the property with the knowledge of the zoning restriction;

F. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;

G. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance;

H. Whether the sign is sufficiently compatible with the architectural and design character of the immediate neighborhood and all graphic design standards established for the district; and

I. Whether the sign will be hazardous to passing traffic or otherwise detrimental to the public safety and welfare.

(2) In granting such variance, the Planning Commission may specify the size, type and location of the sign, and impose such other reasonable terms, restrictions and conditions as it may deem to be in the public interest.

(b) Appeals. Any person affected by any decision of the Planning and Zoning Administrator or the Planning Commission made pursuant to this chapter may file an appeal with the Board of Zoning and Building Appeals in accordance with the requirements of Section 1127.08 (Appeal of Administrative Orders).

(Ord. 0188-2006. Passed 9-25-06.)

1165.13 ENFORCEMENT PROVISIONS.

(a) Planning and Zoning Administrator's Authority. The Planning and Zoning Administrator is authorized and directed to enforce and carry out all provisions of this chapter, both in letter and spirit.

(1) To that end, the Planning and Zoning Administrator is authorized to formulate policies and procedures consistent with the purposes of this chapter. The Planning and Zoning Administrator is further empowered to delegate the duties and powers granted to and imposed upon the Planning and Zoning Administrator under this chapter.

(2) The Planning and Zoning Administrator is authorized to access any premises in the City upon which a sign is located for the purpose of inspection of the sign to ensure compliance with this chapter.

(3) The Planning and Zoning Administrator is further authorized to issue violation citations within the requirements of this chapter.

(b) Inspection and Final Approval Upon Completion. The Planning and Zoning Administrator or Chief Building Official shall notify the property owner or lessee of any sign determined to have been erected, installed or constructed in violation of this chapter.

(c) Periodic City Inspection. All signs shall be subject to periodic inspection following installation to verify the proper operating condition, proper maintenance, structural safety and satisfactory appearance conditions under which the permit was issued.

(d) Procedure Upon Finding of Violation.

(1) Repair order. In the event the Planning and Zoning Administrator or Chief Building Official finds a sign in need of repair or any maintenance service, a repair order shall be issued to the property owner or lessee allowing forty-five days to affect the repairs or maintenance.

(2) Order for removal of dangerous or defective sign. All signs which due to structural deficiencies, inadequate maintenance, or location, including location in the public right-of-way, present an immediate and serious hazard or potential danger to the public or property are declared a public nuisance and shall be immediately removed by the owner or the City pursuant to subsection (e)(1)A. hereof (City removal of hazardous signs).

(3) Order for removal of unlawful sign. The sign erected and the property owner or lessee shall be required to remove an unlawful sign immediately and comply with the application procedures as set forth in Section 1165.11 (Permit Requirements and Review Process).

(4) Voiding of permit. Failure to comply with a sign repair order issued by the Planning and Zoning Administrator or Chief Building Official within the specified period shall void the permit issued for the sign and shall be cause for the Planning and Zoning Administrator or Chief Building Official to order removal of the sign within fifteen days of receipt of the order.

(e) Civil Remedies and Criminal Penalty.

(1) Civil remedies. If any sign or supportive sign structure is erected, constructed, reconstructed, relocated, altered, converted or maintained, or used in violation of this Zoning Ordinance, the City, in addition to any other remedies provided for herein, shall institute proceedings as are authorized by law to prevent and enjoin such unlawful erection, construction, reconstruction, relocation, alteration, conversion, maintenance or use, or to correct or abate such violation.

A. City removal of hazardous signs. Signs which the Planning and Zoning Administrator, Chief Building Official, Department of Public Service Department staff, or City Police Department officers find upon public rights-of-way or property, or which wherever located present an immediate and serious danger to the public because of their unsafe condition may be immediately removed without prior notice.

B. Neither the City nor any of its agents shall be liable for any damage to any sign removed under the provisions of this section.

(2) Criminal penalty. Any person, firm or corporation violating any provision, amendment or supplement to this chapter, or failing to obey any lawful order of the Planning and Zoning Administrator or Chief Building Official issued in pursuance thereof, shall be fined not more than one hundred dollars ($100.00) per day. Each and every day during which such violation of any provision, amendment or supplement of this chapter occurs or each and every day during which there is a failure to

obey a lawful order of the Planning and Zoning Administrator or Chief Building Official, may be deemed a separate offense.

(Ord. 0188-2006. Passed 10-25-06.)