

**Minutes of the Oberlin City Council Public Hearing**

Held on September 17, 2012

6:45 P.M.

**Public Hearing – 6:45 p.m. – Council Chambers**

Purpose: Public comment regarding proposed changes to the Sign Code

Presiding Officer Soucy called the Public Hearing to order at 6:54 p.m. for the above stated purpose.

**Members Present:** Scott Broadwell, Bryan Burgess, Sharon Soucy, Elizabeth Meadows, Charles Peterson, Aaron Mucciolo.

**Members Absent:** Ronnie Rimbart

**Others Present:** Belinda Anderson, Clerk of Council; Eric Norenberg, City Manager; Eric Severs, Law Director, Planning & Development Director Gary Boyle

City Manager Norenberg provided introductory remarks regarding the purpose of the meeting. The discussion was soon deferred to the Planning and Development Director Gary Boyle, who provided an overview of the proposed amendments to the Oberlin City Sign Code as recommended by the Oberlin City Planning Commission.

Boyle noted that the present Sign Code was adopted by City Council on September 16, 1996 (almost 16 years ago to the date of this hearing). The Planning Commission, as time has permitted, has undertaken a thorough review of each section of the Sign Code over the past few years, and concluded its consideration of possible amendments to the Sign Code this summer. The goals of the Planning Commission associated with the review of the Sign Code included: (a) reviewing of all sections of the Sign Code; (b) identifying the need to reflect that the Building Official and not the Code Administrator is responsible for administering the Code; (c) clarifying and hopefully simplifying regulations such as the method of calculating sign area and the calculation of sign height; (d) identifying regulations to be amended to reflect the nature of the types of sign requests that have been submitted over the years related to sign size; (e) addressing contemporary developments in signage such as electronic video signs; (f) adding new definitions to the Code, and deleting others; revising the appeal process to be followed by sign applicants; etc.

Following lengthy deliberations the revised Sign Code as recommended by the Planning Commission would:

1. Recognize the right of free speech and how that relates to signs such as political and other protected speech (through a new proposed Section 1351.01(e) under the “Purpose” section of the Code;
2. Clarify the measurement of Sign Surface Area and Sign Height. The Commission proposes to reflect such clarification by including the same in the Sign Code Chapter rather than in the Definitions Chapter. The proposed language addresses the awkward manner in which height is now determined which is really unworkable since it now requires determining the “mean vertical distance measured from the elevation of the centerline of the pavement of the nearest street to the highest point of the sign.” Through new Section 1351.04(a) which incorporates the method of calculating sign height as well as sign area within the body of the Sign Chapter rather than in the Definitions Chapter, it will hopefully be more user-friendly);
3. Address non-conforming signs to require that such signs should come into compliance with the Code when changes are proposed (new Section 1351.04(e) replaces a lengthy subsection that is now in the Code);
4. Increase the permitted size of freestanding and wall signs for hospitals from a total of 20 sq. ft. to 60 sq. ft. for freestanding signs and 200 sq. ft. for wall signs in recognition of the need to adequately identify this important community facility (Section 1351.05(b)(3). Also, the Commission has granted variances in the past to reflect the hospital’s requests for signage larger than now permitted by the Code;
5. Prohibit electronic message signs in residential zoning districts as the Commission is of the opinion that such signs are incompatible with the character of a residential area (Section 1351.05(e)(2);
6. Increase the size of rear or side entrance signs (to 50% rather than 25% of the total permitted sign area in proposed Section 1351.06(a)(1)(B) in commercial zoning districts to reflect the reality with some downtown buildings such as the Bush Building on South Main Street which has many business uses along the side of that building;
7. Provide that the maximum sign surface area for the downtown district is 2.0 sq. ft. per foot frontage of the building (Section 1351.06(b)(3);
8. Provide that the maximum sign area for other commercial, etc. districts remains at 3.0 sq. ft. per lineal front foot;
9. Provide for multiple tenant directory-type wall signs to help identify the location of upper floor businesses downtown (Section 1351.06(a)(1)(G);
10. Amend Chapter 1321 Definitions to delete the 2 subsections dealing with sign height and sign surface area calculations with regulations related to the same now proposed in new Section

1351.04(a), and to add new subsections in Chapter 1321 to define Commercial Speech, Non-Commercial Speech and Electronic Message Signs;

11. Amend Section 1357.10(c)12 of the Code related to design standards and guidelines for signs in commercial zoning districts (other than the downtown district) by deleting the reference to the maximum sign size for buildings (i.e. 50 sq. ft.) by replacing it with reference to permitted sign size under new Section 1351.06(b)(3)(B); and
12. Provide that appeals from the Commission's decision should be filed with the Court of Common Pleas rather than City Council. City Council is a legislative body and dealing with appeals is a quasi-judicial administrative matter that places Council in an awkward position. This approach is consistent with the approach taken by Council for an appeal from a decision of the Zoning Board of Appeals contained in Chapter 1325 as well as the approach of other jurisdictions.

It was mentioned that the City Council Clerk has published notice of this Public Hearing in the Oberlin News Tribune on August 2, 2012. That notice more than complies with the requirements of the Codified Ordinances for providing such notice to the public.

**Adjournment:** Foregoing discussion the public hearing adjourned at 7:06 p.m.

**Submitted by:**

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GARY BOYLE  
OBERLIN PLANNING & DEVELOPMENT DIRECTOR

**Attest:**

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BELINDA B. ANDERSON, CMC  
CLERK OF COUNCIL

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RONNIE J. RIMBERT  
PRESIDENT OF COUNCIL

Approved: 10/01/2012

Posted: 10/02/2012