



Legislation Details (With Text)

File #: 1200-2017 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 4/28/2017 **In control:** Rules & Reference Committee

On agenda: 6/12/2017 **Final action:** 6/14/2017

Title: To amend various sections in the Columbus Zoning Code, Title 33, in order to adopt code changes that are in compliance with recent court decisions that limit the ability to regulate signs and graphics based upon content.

Sponsors: Jaiza Page

Indexes:

Code sections:

Attachments: 1. ORD 1200-2017 Graphics Code Update - Attachment Sections 1 - 49, 2. AMENDED: ORD 1200-2017 Graphics Code Update - Attachment Sections 1 - 49

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|-----------------------------------|--------|
| 6/14/2017 | 2 | CITY CLERK | Attest | |
| 6/13/2017 | 2 | MAYOR | Signed | |
| 6/12/2017 | 2 | COUNCIL PRESIDENT | Signed | |
| 6/12/2017 | 1 | Columbus City Council | Amended as submitted to the Clerk | Pass |
| 6/12/2017 | 1 | Columbus City Council | Approved as Amended | Pass |
| 6/5/2017 | 1 | Columbus City Council | Read for the First Time | |

BACKGROUND: The Supreme Court of the United States, in the case of Reed v. Town of Gilbert (AZ), decided on June 18, 2015, now limits the ability of local municipalities to regulate signs based on content. While parts of the Columbus Graphics Code are presently structured in such a manner, many other sections still need to be changed to be in compliance with that broad and sweeping decision.

This ordinance modifies the Columbus Graphics Code, Article XV of the Columbus Zoning Code, Title 33, to remove content-based sign regulations. The portion of the Columbus Graphics Code most affected by these changes is the regulation of temporary signs. Prior code relied on the content of temporary signs to determine the purpose of the sign and thus assign a level of regulation. Accordingly, the proposed changes consolidate temporary signs into two categories based on material and construction type as opposed to content and perceived purpose.

The Columbus Development Commission voted to support this code change at its monthly public hearing on November 10, 2016. The Columbus Graphics Commission voted to recommend approval of this code change at its monthly public hearing on November 15, 2016.

FISCAL IMPACT: No funding is required for this legislation.

To amend various sections in the Columbus Zoning Code, Title 33, in order to adopt code changes that are in compliance with recent court decisions that limit the ability to regulate signs and graphics based upon content.

WHEREAS, the Supreme Court of the United States, in the case of Reed v. Town of Gilbert, decided on June 18, 2015, limited the ability of local municipalities to regulate signs based upon their content; and

WHEREAS, while parts of the Columbus Graphics Code were already structured in such a manner, many other code sections still require changes to be compliant with this broad and sweeping decision; and

WHEREAS, this ordinance alters the Columbus Graphics Code, Article XV of the Columbus Zoning Code, Title 33, to remove content-based sign regulations; and

WHEREAS, the portion of the Columbus Graphics Code most affected by these changes deals with the regulation of temporary signs; and

WHEREAS, prior code relied on the content of temporary signs to determine the purpose of the sign, and thus assign a level of regulation; and

WHEREAS, the proposed code changes consolidate the multiple types of temporary signs in two classes, rigid temporary signs and flexible banners, and assigns regulation based upon construction type and material as opposed to content and perceived purpose; and

WHEREAS, the Columbus Development Commission reviewed and recommended approval at its monthly public meeting on November 10, 2016; and

WHEREAS, the Columbus Graphics Commission voted to recommend approval of this code revision at its monthly public meeting on November 15, 2016; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Building and Zoning to amend various sections in City Code Title 33 to comply with the Supreme Court decision; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

(See ORD1200-2017 Attachment for Sections 1-49)

SECTION 50. That this ordinance shall take effect and be in force from and after the earliest period provided by law.